3.

CITIES WITHOUT CITIZENS

A Perspective on the Struggle of Abahlali baseMjondolo, the Durban Shackdweller Movement*

Raj Patel

Abahlali baseMjondolo problematizes "ownership" as means of production and self-improvement in the development narrative by investing it with the right to a place in the city—as a question of social reproduction and cultural entitlement (given the particular history of race and class in post-apartheid South Africa). In contesting betrayal of their urban land claims, in an electoral context, this movement brings a new sensibility into the public discourse of rights and responsibilities, challenging its members' impoverishment and demobilization as citizens of the anti-apartheid struggle.

While class struggle constitutes the motive force in history, it is not always clear and pure as *class* struggle and may take varied forms under different concrete situations. In non-revolutionary situations much of the class struggle is latent and even unidentifiable as such at any particular moment. To talk about class struggle at such times is really to register the fact of class struggle *ex-post facto*. The development of classes and class struggle can only be talked about tendentially in terms of historical trends. In fact, classes hardly become fully *class* conscious except in situations of intense political struggle. Class consciousness does not fully dawn upon individuals until they are locked in political battles. "It is not surprising to find bourgeois critics of Marx always pointing to the proletariat's lack of class consciousness as an incontrovertible proof of the falsity of the theory…the conclusion is derived from a wrong premise through a wrong method" (Shivji, 1975, p. 8).

Introduction

One of the oddest moments of my work in South Africa involved a visit by a distinguished American professor. A self-styled Marxist poet, he visited Durban in the early 2000s, graduate students in tow, to check out the struggle. I don't recall if he had a ponytail, but I imagine he did. A couple of us at the University of KwaZulu-Natal took him to some of the poorest settlements in the city, in which the failures of the African National Congress (ANC), to redistribute wealth and power after the end of apartheid had led to misery and, in some cases, rebellion. After hearing from some of the activists on the ground, hearing of the ways in which the ANC had become an impediment

to the very goals it once espoused, the disappointed poet shook his head and said, "Yeah, you know, this is hard. I'm not really sure people in America are ready to hear this." And, to those of us in the room who discussed it afterward, what it really seemed he meant was "I'm not ready to hear about this."

The myth of the ANC, particularly to activists and academics in the Global North who celebrated the release of Nelson Mandela in 1990 and the end of apartheid in 1994, was deeply cherished. From afar, the anti-apartheid struggle offered an example of progressive change at a time when the forces of market capitalism seemed ascendant—Francis Fukuyama's *End of History* was published in 1992 in the middle of negotiations over the end of apartheid. South Africa was, in the imagination of overseas activists at least, a place of cherished exception, where some sliver of progressive heaven might still fall to earth.

Those closer to the action had a different story. The transformation of the ANC into a party that advanced middle-class interests over those of the majority of the people could be read early on. Steve Biko anticipated it. In a 1972 interview, he argued:

> This is one country where it would be possible to create a capitalist black society, if whites were intelligent, if the nationalists were intelligent. And that capitalist black society, black middle class would be very effective…. South Africa could succeed in putting across to the world a pretty convincing, integrated picture, with still 70 percent of the population being underdogs (Mngxitama, Alexander, and Gibson, 2008),

Mandela himself, soon after his release, spoke of a program of nationalization, but after being given the party line, it was a program that he was never to mention again, even as he became President in 1994. Instead, the ANC rapidly launched into a program of neo-liberal economic development that was soon to earn it plaudits from the World Bank, even as its level of human development tumbled from 58th in 1995 in the United Nations Development Program's rankings to 121st in 2005. As the economy grew, and a few became very rich indeed, wealth was not shared equally, and the poor suffered.

It is possible to tell the story of the ANC's transformation into an elite party catering to the needs of the rich as a story about the structural necessities of the state being a committee for the elite, as Karl Marx argued (Marx & Bender, 1988). It would also be possible to tell the ANC's capture as the inevitable aftermath of the struggle for national liberation, as Franz Fanon predicted (1965). There's nothing inevitable about this process, though. Although the Third World state *appears* lost to the poor, it is never totally so, and it can certainly never appear to be an impregnable bastion of elite interests. The state needs legitimacy in order to govern and therefore needs to appear to be something that it is not. The way that modern states lay claim to legitimacy is through the practices and language of democracy.

In a sense, all social movement studies are examinations of struggles over democracy, because while democracy can be a tool of hegemony, the struggle for it is a demonstration that hegemony is always incomplete, and always a process. This explains why even "modern democracies" have social movements within them, making claims

against the state for the right to politics (Rancière, 1998). In this chapter, I examine the fight for democracy by analyzing democracy's most conspicuous spectacle—the election. By examining the politics of elections (as distinct from electoral politics) I show how the ANC has become an organization with middle-class interests not through an elite history, but through ethnographic analysis of those betrayed by the party. The transformation of the state into a committee for the elite is never a generalized and theoretical exercise—it involves specific places and struggles, with fights over the meanings of citizenship, nation, state, and place.

The American academic was not the only person unprepared to hear this. The ANC itself has proved resistant to hearing the truth of its betrayal. Foucault's thoughts on the relation of power and knowledge are important guides here. Foucault argues that:

> There is a battle "for truth", or at least "around truth"—it being understood once again that by truth I do not mean "the ensemble of truths which are to be discovered and accepted", but rather "the ensemble of rules according to which the true and the false are separated and specific effects of power attached to the true", it being understood also that it's not a matter of a battle "on behalf" of the truth, but of a battle about the status of truth and the economic and political role it plays (1980, p. 132).

Truth, then, is itself the subject of contest. Knowledge production (by powers that be or their subjects) aims to configure truth in such a way as to address and (re) shape power relations.[1] The meaning of terms matters, for meaning is both an object of struggle, and the means to secure further victories. If consensus can be created through the limitation of the ambit of a question within certain parameters, a struggle is won before it is explicitly fought. This, perhaps, explains the reluctance of the American academic to accept the truth of the poor of the shack communities of Durban, clinging instead to his dated but dearly held notions of what the ANC was really about. The esteem in which he held the party was something the ANC was desperate to inculcate in its poorest citizens, but which it had done much, through its actions, to crush. To understand why the poorest people should break with a political party that seemingly held its interests dear, we need specifics.

Living Land Questions in Durban's Clare Estate

Exhibit 3.1 is a map of the Clare Estate area in Durban. In the center of it is the Bisasar Road[2] dump. The dump was located there by the apartheid-era Durban municipality at the beginning of the 1980s, in the middle of a residential area scheduled as Indian by the apartheid Group Areas Act.[3] After apartheid ended, the life of the dump was extended by the ANC-controlled municipality, despite objections from residents. Those objections pointed to the range of toxins and effluent that have been illegally dumped there, and that have poisoned the adjacent neighbourhood (Bond and Dada, 2005).

At its northeast rim, we see the Kennedy Road shack settlement, which has been there for over two decades. It was initially a small group of shacks, but it grew at
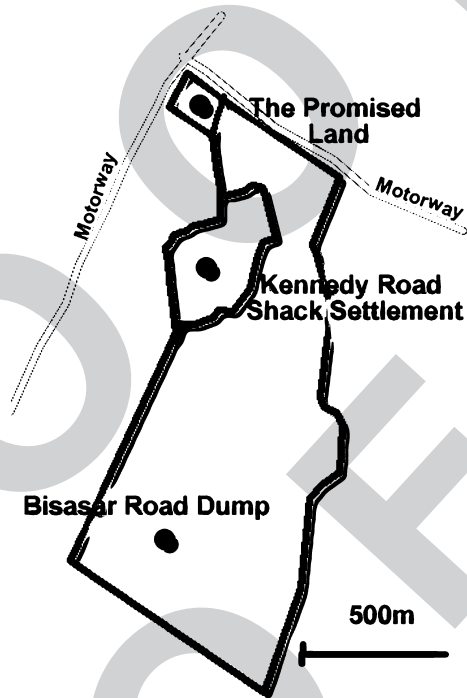
Exhibit 3.1   No Land, No Hope.

the end of apartheid, with the rescinding in the 1980s of the Influx Control Laws.[4] Africans from rural areas who had previously been prohibited from entering Durban were now free to look for work in the city, though they were invariably too poor to access formal housing. Today, the population of the settlement stands at between six and seven thousand people, who have access to six water pipes and rudimentary sanitation.

Three factors together meant that the state found it convenient to allow poor people to live in shacks around the edge of the rubbish dump in Kennedy Road: the undesirability of the land at the edge of a major solid waste facility; the need for low-cost/low-skill workers in the city; and the municipality's unwillingness to prioritize formal housing for Africans who were using their newfound freedom of movement to search for work. These general features of town planning, noted in *The Economist* (2007), were augmented by a further political consideration: the residents in formal housing in the electoral ward around Clare Estate were not historically members or supporters of the ANC, while shackdwellers strongly supported the ruling party.

Durban's 1999 poll results point to the strong presence of the Democratic Alliance, a party to the right of the ANC, with a constituency disproportionately white, coloured, Indian and middle class.[5] Within Durban, the ANC—a party that had fought the struggle against apartheid under the banner of standing up for the rights of the poor—fared considerably better in areas of the city with large shack settlements.[6] This is not a particularly South African phenomenon—poor people are used as vote banks throughout the world (Fernandes and Heller, 2006). The migration to these middle class areas of large numbers of Africans, who were organized *in situ* to support the

ANC, secured consistently higher returns at the polls for the ruling party. This trend might have continued, with the ANC building its hegemony, with the Democratic Alliance struggling to maintain a falling electoral presence, and with shackdwellers as the faithful and local sirens of the ANC's national majority. But it was not to be.[7]

The positioning of the Bisasar Road dump had always been subject to objection and resistance from local residents (Bond and Dada, 2005), with recurrent action and activism around land in the area.[8] Among the recent opponents of land use and distribution was Sajida Khan, who had long fought for the closure of the Bisasar Road dump. She had led a group of concerned citizens and activists to reject the continued and illegal dumping of toxic waste near her home. She had also conducted an impromptu survey that found a "belt" of cancers near the dump, which could be traced to the dump's practice of burning solid waste, and the resultant production of carcinogenic compounds.[9]

Khan's ongoing activism focused on the cessation of polluting activities at the dump, the reimbursement of affected landowners at a fair market value rate, and the relocation of shackdwellers to other housing concomitant with the government's own housing plans.[10] Under these plans, shackdwellers from Kennedy Road were slated to be relocated from there to Verulam, a town a few dozen kilometers away from Clare Estate, which was widely perceived to lack adequate housing facilities, education, or healthcare. Most of all, the housing was far from the jobs and economic possibilities that had brought shackdwellers to Kennedy Road in the first place.

The view that the shackdwellers are dupes, fooled by the municipal authorities into believing that work and other benefits will be made available to them from the dump, and that shackdwellers are pawns in a bigger game of which they are unaware, is one shared both by Khan and by a range of other commentators (Bond and Dada, 2005). It may be the case that shackdwellers are manipulated—as a population in vote banks, they have indeed been used by the ANC. But, and this is a crucial distinction, in the process of this manipulation, shackdwellers were not impassive or foolish or even irrational. The ANC did, after all, bring social spending directed specifically at poor black people, through child grants and pensions. The ANC offered material and ideological goods that were important in the impoverished and multi-ethnic shack settlements, and were understood as such. And, more to the point, while Khan and other residents with formal housing and water are happy to consign shackdwellers to distant areas, shackdwellers themselves were, together, forming their own sophisticated views regarding both the opinions held about them across the class divide, and of the ANC itself.

In the words of Mnikelo Ndabankulu, a shackdweller from nearby Foreman Road:

> "(Mayor Obed) Mlaba wants to relocate us to Verulam. Why? Because of property prices. I thought the government slogan was Batho Pele (People First) and not property prices," he said. He points to an empty plot of land adjacent to the settlement, "They promised to build us housing on that side…we don't want to move to Verulam, we like it here in [electoral] ward 25" (Langanparsad, 2006).

Articulating the issues of land, nationhood, party, and citizenship, Ndabankulu invokes the memories of anti-apartheid struggle, the promises it brought, the slogans generated within it, and the disappointments in the wake of 1994. It is an analysis that demonstrates that shackdwellers need not have been cast as hapless and ignorant dupes, and it is a reminder that some civil society analysis, while offering progressive politics but ignoring class, can fall to forces of reaction.[11] Ndabankulu's words reward further analysis (below), but to be able to do them justice, we need yet more details, this time about the character of shackdweller analysis and organizing. The final detail in Exhibit 3.1 is an area of land less than a hectare in size. It is the land to which Ndabankulu was pointing in the above quotation. It is known to all as "the promised land," a moniker it earned as a result of its being promised repeatedly, over the course of a decade, to the residents of the Kennedy Road shack settlement.

Through the promises, the land achieved a mythic status similar to the original Promised Land, an embodiment of the post-apartheid dividend that was temporarily in limbo, but that when disbursed to the shack residents, would bring about the end of their poverty. It was with great hope, then, that in March 2005 residents of the shacks welcomed the arrival of bulldozers onto the Promised Land; but they were profoundly disillusioned when they learned that the local ANC councillor had given the land not to the residents, but to a local brick company. The residents organized a protest later that weekend, burning tires on a major arterial road at the bottom of their settlement. The police intervened, arresting fourteen people at random, including legal minors, and detaining them under charges of public violence (Patel and Pithouse, 2005).

The confrontation between the state and the shackdwellers escalated. Legal protests were organized to demand both clarity and action from the ANC representatives who had previously relied on the shackdwellers as a repository of votes and good faith.

First, a protest was launched against the incumbent Councillor, Yakoob Baig, a career politician who had switched his allegiance from the National Party—the architects of apartheid—to the Democratic Alliance to the ANC over the course of his career. When Councillor Baig failed to respond to demands, shackdwellers escalated their protests to the municipal level, demanding that Mayor Obed Mlaba, and city manager Mike Sutcliffe, respond to questions and issues relating to housing. One such protest was illegally and violently dispersed by the local Sydenham police force.[12] When the City Manager and Mayor failed to respond, the shackdwellers approached a higher level of government, petitioning Mike Mabuyakhulu, KwaZulu-Natal's Provincial Minister of Local Government Housing and Traditional Affairs. A march and rally at which a list of demands was scheduled to be handed to the Provincial Minister was illegally banned by the municipality. The shackdwellers obtained a high court injunction to proceed with their march.

The protests took place against the year-long run-up to the 2006 Municipal Elections, which were held on March 1. Throughout the escalating process, and increasingly at the marches, it became clear to the shackdwellers that their role in the state's plan was as patient recipients of development, rather than active participants in its

conception. Despite the state's rhetoric of participatory development, the kind of participation expected reflected a more authoritarian vision. Reflecting on this five years earlier, Heller observed the trend:

> The ANC's drift toward centralized control and technocratic domination can only be explained by the demobilization of popular sectors and the state's disengagement from civil society (Heller, 2001, p. 158).

Many shackdwellers experienced this demobilization as symptomatic of a broader betrayal. The arts of citizenship, engagement, debate, and iconoclasm learned and practiced under the anti-apartheid struggles were systematically denigrated by the government. Instead, the state extolled the virtues of patience, and of faith in authority. While some residents of formal housing next to the dump shared with shackdwellers a disdain for the state, both the state and some middle-class residents seem to have shared a view of the poor as needing to do what they were told.

The dialectics of betrayal and disappointment, of protest and counter-maneuver, spawned a network of social organizations. Shackdwellers in different settlements, at weekly meetings, came to unite under the name of "Abahlali baseMjondolo"—Zulu for "those who stay in shacks." In response to the systematic denigration of their knowledge about their conditions, and the frequent use of knowledge in authority against them, the shackdwellers organized into a broad social movement, some members of the movement described it as "the University of Abahlali baseMjondolo" (see Pithouse, 2006; Patel, 2007). Shackdwellers came quickly to the realization that a great deal of their potential power lay precisely in their role as "vote banks," as deliverers of the ANC's mandate to rule on behalf of a racial and poor majority. The upcoming election offered a moment of "political opportunity."[13]

No Land No House No Vote

The slogan "No Land No House No Vote" is one that was circulated widely within the shack communities (see Exhibit 3.2). The slogan was an inspired piece of political propaganda, forged in widespread meetings across different settlements (at which the possibility of fielding their own candidate was discussed and then decided against). The slogan linked the popular mandate with a re-articulated question of land as a means to a place in the city. It resisted gentrification (Smith, 2002), demanding instead a right to live, move, work, and play in Durban. It was a demand with which the ANC was not pleased.

The rupture between the shackdwellers and the ANC happened at the same time that the party came under increasing attack in the media and on the streets for its failure to address growing inequality, and a widespread feeling that it had betrayed the poor. Although shackdwellers in Durban had organized into South Africa's largest social movement independent of the state,[14] the discontent to which it gave voice was being manifest nationwide. In 2005, over 6000 demonstrations, legal and illegal, were organized in South Africa.[15] In a bid to downplay these rebellions, the state referred

Exhibit 3.2   The No Land No House No Vote Movement in Action.

to them as "spontaneous service delivery protests" (Cape Argus, 2005). In fact, the protests were rarely spontaneous, nor were they about service delivery. As any community organizer knows, it takes forever to organize a spontaneous protest. Such was the case of the Kennedy Road protests, which were the culmination of over a decade of promise and betrayal. The description of "spontaneous protest," however, painted the participants in the protest as unthinking, and the government's failure as singularly a failure to provide, rather than as the broader demobilization and deskilling of its citizens in the arts of politics and citizenship. These rhetorical moves were augmented by a public spat in 2004 between President Thabo Mbeki and Desmond Tutu, ending with the Archbishop thanking Mbeki "for telling me what you think of me. That I am a liar with scant regard for the truth and a charlatan posing with his concern for the poor, the hungry, the oppressed and the voiceless."[16] Such attempts at delegitimization were the stock in trade of the apartheid regime, and it is ironic that it was Helen Zille, of the Democratic Alliance, the party to the right of the ANC, who observed that "It is a very poor reflection on the post-apartheid government that it is using exactly the same tactics [as under apartheid] in an attempt to silence him [Tutu]" (South African Press Association [SAPA], 2004).

Mbeki himself was at pains to address the discontent of poor people around his government's performance. In mid-2005, he appealed to the public saying that "We must stop this business of people going into the street to demonstrate about lack of delivery. These are the things that the youth used to do in the struggle against apartheid" (Mbeki 2005). The logic here, just to be clear, is that with the end of apartheid comes also the end of possibilities that the government's behavior is anything but legitimate, and therefore beyond reproach. Further ANC communications made it clear that any debate was a matter internal to the party.[17] It was, therefore, an extension of the discourse of unreason that "service delivery protesters" were seen as criminals.[18]

Attempts to criminalize the poor are, however, difficult to maintain when the numbers involved become as large as those involved in the Abahlali baseMjondolo movement (over 30,000 members today). When the official narrative has been unsuccessful in casting the majority of shackdwellers as wolves, it has tried to portray them as sheep. Responsibility for their deviant behavior has been placed almost everywhere but at the door of the poor themselves. Academics working with the poor have been accused of stirring up trouble—a repeat of the Third Force discourse under apartheid, when the ANC (correctly) accused the government of fomenting rebellion within black urban areas through paramilitary and covert operations.[19]

The language of a "third force" in the contemporary context suggests, more than anything else, that the poor themselves are not able to articulate their own grievances, much less organize to demand them. The third force is necessary because the poor are too stupid, incapable, or politically immature. In response, this language was appropriated and turned around in a widely circulated article, by the elected head of the Abahlali baseMjondolo, S'bu Zikode, entitled: "I am the Third Force," in which Zikode was able to flip the issue of power and representation on its head:

> We need to get things clear. There definitely is a Third Force. The question is what is it and who is part of the Third Force? Well, I am Third Force myself. The Third Force is all the pain and the suffering that the poor are subjected to every second in our lives. The shack dwellers have many things to say about the Third Force. It is time for us to speak out and to say this is who we are, this is where we are and this how we live. The life that we are living makes our communities the Third Force. Most of us are not working and have to spend all day struggling for small money. AIDS is worse in the shack settlements than anywhere else. Without proper houses, water, electricity, refuse removal and toilets all kinds of diseases breed. The causes are clearly visible…. Our bodies itch every day because of the insects. If it is raining everything is wet—blankets and floors. If it is hot the mosquitoes and flies are always there. There is no holiday in the shacks. When the evening comes—it is always a challenge. The night is supposed to be for relaxing and getting rest. But it doesn't happen like that in the jondolos. People stay awake worrying about their lives. You must see how big the rats are that will run across the small babies in the night. You must see how people have to sleep under the bridges when it rains because their floors are so wet. The rain comes right inside people's houses. Some people just stand up all night (2005).

The municipal authority met the counter-position of shackdwellers with its own moves in the run-up to the elections. It attempted to fracture the shack-based organizing with morsels of patronage, currying favor and fomenting dissent with promises for the future. As the elections drew closer, party representatives promised key community leaders in shack settlements that in exchange for guaranteeing ANC votes, the municipality would re-house them. The municipality also announced, prematurely it turns out,[20] that it was about to build between 15,000 and 20,000 houses for poor families in a R10 billion (approximately US$1 billion) development.[21] All that the municipality asked from the shackdwellers was a little patience, and that they refrain from embarrassing the government further by talking to the media. It was a request that was met

with the response that "Democracy is not about us being loyal to Nkosi [traditional lord]. Democracy is about Nkosi being loyal to the citizens of this province."[22]

The political back-and-forth, between the shackdwellers, the local middle class, the municipality, and the government each had its own dimension, each with its own mobilization of concerns around land, and around the claims that would stabilize "ownership" of that land as an uncontested fact. At many protests, the South African flag has been a constant feature, linking the demands of the protest directly to claims on the nation, and the state. At the protest on March 27, 2006, the protest's memorandum began with the words:

> We the shackdwellers of Durban, democrats and loyal citizens of the Republic of South Africa, note that this country is rich because of the theft of our land and because of our work in the farms, mines, factories, kitchens and laundries of the rich. We cannot and will not continue to suffer the way that we do.[23]

The appeal to citizenship, and to loyalty, is also a feature of demands from other protests.[24] Mnikelo Ndabankulu's reference to house prices trumping people reveals the transformation of the state in its local government forms, as a class agent. And it is *house prices*, not housing, that Ndabankulu points to—the prices being the normalized institution of "ownership," rather than the politically charged notion of "people" that are summoned by citizenship. This range of tensions over land might be summarized in Table 3.1.

It was under these conditions that the 2006 municipal elections were held, with the shackdwellers pushing for a "no land no house no vote" position, with local home owners concerned about the value of their property, and with the government taking

Table 3.1   Constituencies and Concepts Mobilized Around Land in Kennedy Road

Constituency	Land value	Ways value might be increased	"Ownership" stabilized by claims to…
Local councillor	Source of patronage (alleged)	Trouble-free disposal of land to local business	Position as "elected official"
Shackdweller community	Means to access jobs, healthcare, education facilities Source of food (for a handful of families)	Security of tenure	Occupation, moral claim, political mobilization, citizenship
Local house-dwellers	Store of value Access to jobs, healthcare, education, facilities	Removal of shackdwellers (perceived reduced crime and increased house valuation)	harm already suffered by dump, history of occupation of land.
Property developers	Possibility of redevelopment	Removal of shackdwellers	Promise of "black economic empowerment"
Municipality	Sink for municipal refuse		Greater public good
Party	Vote bank (2000)	Site of trouble-markets— remove key organizers	Heritage of anti-apartheid struggle, guardians of nationhood, democracy and development

an increasingly and publicly hard line against the shackdwellers on whom they had relied for a vote. The meaning of the election was, at least as far as the government was concerned, a referendum on its post-apartheid policies, and an opportunity for citizens to participate in a process that would re-confer a mandate for its hegemony.

When the ANC won, it claimed precisely this vindication. As Thabo Mbeki put it:

> Once more the masses of our people have confirmed their confidence in our movement as the leading representative and repository of their hopes and aspirations. For our movement and indeed for all democrats, the days ahead of us must and will be days of celebration.
>
> There are many things that we must celebrate. We must celebrate the fact that we have further entrenched our position as the largest political formation in our country, freely chosen by our people as the leading party of government in all three spheres of government. We must celebrate the fact that the masses of our people continue to support the ANC perspective of progressive social transformation, and unreservedly acknowledge the positive changes we have brought about since 1994.[25]

A closer scrutiny of the election data suggests that while the ANC may have increased its majority, not least in Durban's electoral wards (23 and 25) in which shackdwellers organized, something else was afoot (see Table 3.2).

The two features to note in the election results are, first, a reduced turnout, and second, more revealing, a defection away from the Democratic Alliance greater than the increase of the ANC's vote. Indeed, had it not been for the shifting profile of the ANC's vote, it would have lost these two electoral wards. What happened, though, is that the Democratic Alliance, with its right-of-center agenda which appeals, in large part, to a middle-class constituency, saw its faithful voters draining into the ANC as the ANC marked out its willingness to cater to a new middle class, in the name of catering (as Mbeki fulsomely claimed) to every citizen.

It is important here to identify the election not as a final result, but as a further moment in the ongoing battle for hegemony. The election itself was part of the move and counter-move, in which the understanding of terms like "democracy," "citizenship," and nationhood inflect questions of land. Mbeki's claim to be acting for all is somewhat belied by the ballot data, and by the party and police actions which specifically targeted poor and "badly behaved" Africans living in the city, badly behaved because they dare to claim their rights before the ANC is ready to deliver them, years after they had been promised. Through these actions, the party and state displayed a particular, and important, attitude to shackdwellers, and their citizenship.

Citizens Without Citizenship

Giorgio Agamben offers an incisive analysis of citizenship. In his "Beyond Human Rights" (2003), he analyzes Hannah Arendt's (1943) essay "We Refugees." Agamben sees the refugee as the "only thinkable figure for the people of our time and the only category in which one may see today—at least until the process of dissolution of the nation-state and its sovereignty has achieved full completion—the forms and limits of a coming political community." He justifies this by reminding us that

Table 3.2   Election Data Wards 23 and 25

Party Name	2000		2006		% change
	Votes	%	Votes	%	
Ward 23					
Independent	656	15.0	41	1.0	−14.0
Democratic alliance	1007	23.0	639	15.6	−7.4
National United People's Organisation	36	0.8	16	0.4	−0.4
Pan Africanist Congress of Azania	15	0.3	5	0.1	−0.2
Vryheidsfront Plus			1	0.0	0.0
eThekwini Ecopeace	4	0.1	11	0.3	0.2
National Democratic Convention			10	0.2	0.2
United Democratic Movement			12	0.3	0.3
Scara Civic Party			14	0.3	0.3
Truly Alliance			45	1.1	1.1
African Christian Democratic Party			66	1.6	1.6
African National Congress	2024	46.3	1992	48.5	2.3
Inkatha Freedom Party	217	5.0	386	9.4	4.4
Minority Front	416	9.5	866	21.1	11.6
Total Valid Votes	4375	100	4104	100	
Registered Voters	13124		13297		
% Poll	33.4		30.9	-2.5	
Ward 25					
Democratic alliance	2043	39.2	1194	21.9	−17.3
eThekwini Ecopeace	27	0.5	28	0.5	0.0
Scara Civic Party			11	0.2	0.2
Vryheidsfront Plus			12	0.2	0.2
Azanian Peoples Organisation			15	0.3	0.3
National United People's Organisation			23	0.4	0.4
United Democratic Movement			28	0.5	0.5
Inkatha Freedom Party	266	5.1	373	6.8	1.7
Minority Front	372	7.1	484	8.9	1.7
Independent Democrat			104	1.9	1.9
African Christian Democratic Party	219	4.2	342	6.3	2.1
Truly Alliance			144	2.6	2.6
African National Congress	2292	43.9	2706	49.5	5.6
Total Valid Votes	5219	100	5464	100	
Registered Voters	14314		15919		
% Poll		36.5		34.3	−2.2

> One of the few rules the Nazis constantly obeyed throughout the course of the "final solution" was that Jews and Gypsies could be sent to extermination camps only after having been fully denationalized (that is, after they had been stripped of even that second-class citizenship to which they had been relegated after the Nuremberg Laws). When their rights are no longer the rights of the citizen, that is when human beings are truly *sacred*, in the sense that this term used to have in the Roman law of the archaic period: doomed to death (Agamben, 2003, p. 8).

Refugee camps can be thought of as cities without citizens. What we see in the blossoming shackdweller population in Durban, and indeed, elsewhere on the planet (Neuwirth, 2005), is a variation on this theme. Communities within the city whose residents provide cheap labor for the middle classes, and who reproduce their own labor in the city, but who can never be embraced as permanent members of that city in the places where they currently reside, those communities are formed of *citizens without citizenship*. The call of the shackdwellers is that they are 100 percent South African. The state is, nonetheless, unwilling to accommodate their demands, consonant though they might be with the letter of the constitution.

This points to an important difference between the resistance organized by Sajida Khan and other middle-class residents, and that of the shackdwellers. In the case of the former, citizenship rights are assumed, and their attempts to remove the dump from the city, and remove themselves from the vicinity of the dump, proceed on the basis of their assumption of citizenship. The rights of housed families affected by solid waste pollution are legible to the state, and acceptable to it. Notwithstanding the fact that the government has shown itself unwilling to accommodate them, Khan and her fellow residents do not live in fear of arrest. In the case of shackdwellers, whom both Khan and the state homogenize, organizing has time and again reasserted not merely their demands, but their right to have those demands heard. They have claimed equality as humans, as South Africans, as families. They have needed to do this in order simply to claim the right to exist in the city. The language of citizenship is one that the state should, at least in principle, be able to hear—this is why it is claimed so forcefully. And it is why the state has reacted so forcefully in return, particularly around the shackdwellers' refusal to vote.

Alain Badiou argues that it is worthwhile to subject voting, and democracy as it is currently construed, to close scrutiny. In so doing, he offers an explanation of the state's behavior:

> Today the word "democracy" is the principal organiser of consensus. It is a word that supposedly unites the collapse of the socialist States, the putative well-being enjoyed in our countries and the humanitarian crusades of the West. In fact, the word "democracy" concerns what I shall call *authoritarian opinion*. It is forbidden, as it were, not to be a democrat. More precisely, it stands to reason that humanity aspires to democracy, and any subjectivity suspected of not being democratic is regarded as pathological. At best it refers to a patient re-education, at worst to the right of military intervention by democratic paratroopers.

Thus democracy necessarily elicits the philosopher's critical suspicion precisely insofar as it falls within the realm of public opinion and consensus. Since Plato, philosophy has stood for a rupture with opinion, and is meant to examine everything that is spontaneously considered as *normal*. If "democracy" names a supposedly normal state of collective organisation or political will, then the philosopher demands that we examine the norm of this normality (2005b, p. 78).

This, incidentally, implies a restatement of the theory developed by Andreasson (2003) and endorsed by Davis (2004), of "virtual democracy." Andreasson cites Joseph as defining virtual democracy as "having a formal basis in citizen rule but with key decision-making insulated from popular involvement and oversight." While this is certainly the case above, the idea of virtual democracy does not explain how the necessity of formal citizen-based rule also expresses electoral demands for class-oriented solutions. The ballot becomes at once the most disposable part of democracy, and the most vital symbol of acceptable tyranny. To put it another way, elections are more than simply window dressing of authoritarianism. They are a way of conscripting citizens to the authoritarian project, a way of creating class-based ownership of the rituals of democratic tyranny, and of legitimizing the exclusion of mass participation because the only opinions that matter have already been heard. And this process happens *through* the resistance to it, seemingly behind people's backs, but in their face at the same time. It would be hard to imagine that the ANC would have scored quite as substantial a draw from the Democratic Alliance had they not been so visibly and anxiously aligned in their economic policies with the interests of the middle classes they successfully drew to their side. And this would not have been made quite so manifest had there not been a year of long and visible confrontations with Durban's poorest residents.

Conclusion

One question, in conclusion, remains: Why, after all this, after the recent targeting of members of Kennedy Road in March 2007, which has, at the time of writing, led to five of them going on hunger strike in jail, has the movement never straightforwardly denounced the ANC? As de Souza notes, movement politics in which shackdwellers can find themselves acting as "urban planners" involves a suite of positions, "against, with and despite the state" (de Souza, 2006). But there is yet more to this. In some settlements, no party but the ANC is allowed—a break with the party would simply not be tolerated, and some shack residents live in fear of violence for expressing their disappointments with the ANC. Politics are forged with the tools at hand, and shackdwellers themselves were, in meetings on the subject, divided on the issue of the ANC, and the power of the president. Children wrote letters to Mbeki, from asking for his attention with pleas of "If you don't have the power to build us houses, please give us electricity at least," to analyses of rape, to numerous threats of withholding votes if nothing was done to address the situation, to personal indictments of the president's physique: "I know that you eat KFC and you have lots of money but you are so fat like

a pig."[26] The ANC, however, continues to maintain a powerful historical connection to the anti-apartheid struggle. Although many within the shacks remember that other forces (the communists, Black Consciousness, etc.) were involved in the struggle to be free of white minority rule, the ANC has been successful in creating a "leadership cult." [27] It is one that is deployed subversively—the language of the ANC, referring primarily to the ranks of the middle class, is that "all races are welcome." Shackdwellers have tried to use the discourses of inclusivity to argue that the city should also include them, no matter what their allegiance or ethnicity—for they retain a (tactical) allegiance to the ANC.

Another way of understanding the attachment to the ANC is, however, to understand it as a fidelity to the principles of the anti-apartheid struggle (see Badiou, 2005a). Badiou's notion of fidelity is this: "To be faithful to an event is to move within the situation that this event has supplemented, but thinking (although all thought is a practice, a putting to the test) the situation *according to* the event" (Badiou, 2001, p. 41). The notion here is that the kinds of rupture with experience that produces militants, such as the struggle for freedom from apartheid, demands also that there be a constant positioning (and questioning of that positioning) vis-à-vis the anti-apartheid legacy as a result. Insofar as the ANC contains vestiges of the anti-apartheid event, it commands the fidelity of its militants. But, as it becomes increasingly clear that the party, from top to bottom, has betrayed the struggle against apartheid, the struggle for a deep kind of equality, then a fidelity with the ANC is misplaced—something that the shackdwellers are finding increasingly true of late. They have found, through their investigation into their citizenship and access to politics that they are "exiled without return," removed not only from the land, but from the possibility of citizenship through the party, and the nation.

Land is the stage on which this is carried out, the material condition of possibility. In other words, class struggles about land are *lived* through the dialectic, material and ideological. Precisely because it is a political experiment that has no safety net, that rejects patronage from the state, it is "exile without return."[28] This exile, increasingly, points to a politics beyond the party. Because of the bindings of party and state, it could even point towards a politics that bears a closer resemblance to Agamben's refugees.

Through this exile, and through the attempt to gain attention and recognition from the state, shackdwellers are forging new kinds of political community, which "citizenship" cannot explain, and which relate to territory and place in ways that "ownership" cannot comprehend. To understand this political community means being ready to lose faith with the hegemony of the ANC. It means being ready to understand that a cherished icon of liberation is trying to impose an agenda that betrays its rhetoric. But it also involves accepting that the definitions of citizenship and nation are not exhausted or defined by the laws of the state, or the dictates of a party. Citizenship is a call for a politics, a call that in this case has resulted in protest against the very institutions that once promised to provide a forum for citizenship. In protesting against the state, the members of Abahlali baseMjondolo are seizing the very citizenship that the ANC refuses to give them. What this means is that, for many shackdwellers, the

struggle against apartheid remains alive, with all its hopes and contradictions. And although some American professors find that hard to accept, it does offer a beacon of hope that, while not reached in the 1990s, is itself a sign of the Promised Land.

Notes

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1. The keenest observer of the process through which material and ideological clashes are fought daily, is Antonio Gramsci (Gramsci and Buttigieg, 1992). His understanding of hegemony might be paraphrased as the permanent politics of move and counter-move, fought not merely by classes but through subtler co-optations and blocs, reflecting the configuration of forces within classes that aims to secure and maintain domination through a mixture of coercion and consent.

2. Coordinates for dump: 29°48"51.76"S, 30°58"52.80"E

3. See Jagarnath (2006) for a definitive history of race relations in nearby Sydenham.

4. As Pithouse and Butler note:

    In 1923 the state sought to stem the flow of people into the cities with the policy of Influx Control that aimed to prevent Africans from moving to cities, to force those (mostly men) with permits to inhabit segregated workers' quarters and those without permits to leave. It stayed, in different versions, on the statute books until 1986 and was replaced, in 1990-1, by a "non-racial urban policy framework designed largely by the think-tanks of big business"_[2] with the Urban Foundation being the major player (2007, p. 5).**s**

5. These areas correspond to Independent Electoral Commission districts 433900xx. See www.elections.org.za for more.

6. Compare the Pemary Ridge Primary school polling station results (station 43390054), in an area in which there are relatively low numbers of shackdwellers, and in which the ANC won 30 percent of the vote to the Democratic Party's 41 percent, to those of Hillview Primary School (station 43390032), in which the ANC secured 60 percent of the vote to the Democratic Party's 17 percent.

7. Richard Pithouse has detailed the story in a number of thoughtful articles, and the following summary should not be substituted for a reading of his work (Pithouse 2005, 2007). More information is available at the shackdweller's website, which I help to administer; there is an archive of academic work about the movement at http://www.abahlali.org.

8. For more, see (Lodge, 1983) and (Maylam and Edwards, 1996) passim, especially on the Cato Manor uprisings.

9. The dump is, however, the source of employment for some residents of the Kennedy Road settlement. Other work explores this tension further (Patel, forthcoming).

10. Which were only fully revealed to shackdwellers after an application under the Promotion of Access to Information Act. The full documents received, which still lack vital details, are available at http://www.abahlali.org/node/279

11. See the special issue of *Critical Asian Studies*, December 2005, for development of this point.

12. See http://www.abahlali.org/node/20.

13. This is a not terribly helpful phrase, which is used by, among others, Tarrow (1998). To say that a political opportunity exists tells little about the precise dynamics, let alone dialectics, through which it becomes important.

14. This claim acknowledges that while movements like COSATU, the Confederation of South African Trade Unions, has more members, its claim to being independent of the state is null: COSATU is, with the Communist Party, a member of the ANC's tri-partite ruling alliance.

15. http://www.fxi.org.za/pages/Legal%20Unit/Gatherings%20Act/Taming%20the%20toyi%20 toyi.html.

16. Tutu (2004) and http://news.bbc.co.uk/2/hi/africa/4052199.stm.

17. See ANC today passim.

18. The criminalization of poor people has recently reached new heights with a police sponsored publicity series, recalling the layout of a comic strip, in which local constabulary officials raided shacks, recovered stolen property, hunted "cop killers," and in which arrested "suspects… begin their long walk to freedom." http://www.sydenhamcpf.org.za/SAPS/SAPSRaid20050729. pdf.

19. http://www.abahlali.org/node/182.

20. Again, this has been discovered by the shackdwellers only through recourse to the Promotion of Access to Information Act, and the disclosures made by the government have been incomplete and partial at best.

21. http://www.themercury.co.za/index.php?fArticleId=3000079.

22. http://abahlali.bayareafood.org/node/72.

23. http://www.abahlali.org/node/100.

24. See, e.g., memoranda for protests on September 14, 2005 and October 4, 2005 at h t t p : / / abahlali.bayareafood.org/node/138 and http://abahlali.bayareafood.org/node/211.

25. http://www.anc.org.za/ancdocs/anctoday/2006/text/at08.txt.

26. http://abahlali.bayareafood.org/files/Kennedy%20Road%20brochure.pdf.

27. It is part of what I have elsewhere termed "global fascism" (Patel and McMichael, 2004).

28. Pithouse (2006, p. 24) citing Hallward (2003, p. 77).