

# ‘OUR STRUGGLE IS THOUGHT, ON THE GROUND, RUNNING’<sup>1</sup> THE UNIVERSITY OF *ABAHLALI BASEMJONDOLO*<sup>2</sup>

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[T]he thing becomes man during the same process by which it frees itself.

- Frantz Fanon, *The Wretched of the Earth*

[T]he inception of a politics – of its statements, prescriptions, judgements and practices – is always located in the absolute singularity of an event.

- Alain Badiou, *Metapolitics*

*Abahlali baseMjondolo*, the Durban shack dwellers’ movement is, at the time of writing, a year from its founding event. In this year the *Abahlali* have withstood systematic state repression, including 84 arrests on criminal charges, to grow from a struggle begun by a few hundred people in one settlement to a movement that has mobilised tens of thousands of people in settlements across the city. The *Abahlali* are committed to the day to day practice of democracy where people live. They have democratised settlements, created and defended political autonomy resolutely independent of political parties and the state, introduced all kinds of innovation into popular political culture, won space for shack dwellers’ voices in elite publics and forced the eThekweni Municipality’s slum clearance policy into a legitimisation crisis. However the various levels of government seem determined to limit democracy to the stage managed spectacle of elections and to stigmatise the popular practice of democracy as anti-national. There is a battle on.

The material lines across which this battle is waged are not new - Frantz Fanon called the shanty town the gangrene of colonialism and the colonial city was often in part a displacement of the European slum. There is a history here. There is also a future. Mike Davis’s apocalyptic polemics have recently alerted many to the fact that almost a billion people now live in shack settlements and that the number is growing rapidly in absolute and relative terms. Davis reports the material conditions of many (although certainly not all)<sup>4</sup> shanty towns accurately – many people do make their lives in dense conglomerations of flimsy structures built on shit amongst pollution and always at risk from diarrhoea, fire and governments. But Davis generally fails to represent the humanity of shack dwellers and sometimes collapses into the enduring reality of outright

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<sup>1</sup> This quote is taken from a comment made by S’bu Zikode at a meeting at the Kennedy Road settlement, 15 March 2006.

<sup>2</sup> I have heard two explanations of the origins of the word *umjondolo*. The first is that this initially colloquial word for shacks comes from John Deere – the first shacks built in Durban when white control of the city began to falter in the 1980s were made from discarded and then salvaged and traded packing crates for John Deere tractors. This origin of the word is thought to speak to life lived from within detritus. The second explanation, which Mark Hunter has brought to my attention, is that *umjondolo* has an older origin and comes from the word *umjendevu*, which means spinster, and speaks to the settlements as sites of gendered transgression. The transgression inheres in the fact that settlements, against apartheid rules that largely reserved access to the city to male migrant workers, enabled women to become migrant workers outside of live in domestic labour and, thereby, enabled a new degree of access to city life by unmarried women.

<sup>3</sup> Thanks are due, in different ways and degrees, to the African Studies Seminars at UKZN and the University of Chicago, Ivor Baitjies, Richard Ballard, Jacob Bryant, Mark Butler, Ashraf Cassiem, George Caffentzis, System Cele, Sharad Chari, Des D’sa, Simon Delany, Jane Duncan, Shereen Essof, Nigel Gibson, Sally Giles, Gill Hart, M’du Hlongwa, Ike’s Books, Lungisani Jama, Vashna Jagarnath, Na’eem Jeenah, Thandi Khambule, Fazel & Sajida Khan, Sibongile Khoza, Naomi Klein, Steph Lane, Martin Legassick, T.N. Lembede, Farhana Loonat Mandisi Majavu, Bheki Mcwango, M’du Mqulunga, Reggie Mkhize, Mabogo More, Nonhlanhla Mzobe, Orlean & Pinky Naidoo, Andrew Nash, Mnikelo Ndabankulu, Chazumuzi Ngcobo, Nkosinathi Ngcobo, Princess Nhlangulela, Fikile Nkosi, Zelda Norris, Max Ntanyana, Aoibheann O’Sullivan, Raj Patel, Kathleen Pithouse, Pravasan Pillay, Helen Poonen, Shanta Reddy, Peter van Huesden, Salim Vally, Liv & Xolani Shange, Anna Weekes, Cosmos Wella, Cindy and S’bu Zikode, Philani Zungu and hundreds of *Abahlali*, some of whose names I don’t even know, for courage, comradeship, commitment, generosity, ideas, insight and patience with my faltering Zulu. Special thanks to the Kennedy Road Development Committee for 16 March 2006 – the real graduation ceremony. Further thanks to Sharad Chari, Vashna Jagarnath, Dan Moshenberg and Raj Patel for invaluable comments on the ridiculously long first draft of this paper. A section of this essay draws on work previously published in *Monthly Review*.

<sup>4</sup> Even within Durban, and within neighbourhoods in Durban, there is enormous variation in the material conditions of settlements.

racism.<sup>5</sup> Both the scale of the growth of the shanty town in the post-colony and Davis's confident assumption that he can be left without taking the thinking of the objects of his research seriously mean that Davis retrospectively haunts Fanon's ultimate optimism. But the enduring liberatory power of Fanon's radical humanism also haunts Davis. While Davis tells his readers that it is structural adjustment that produces the rapid growth of contemporary slums his methodology is not sufficiently dissimilar to that of the World Bank, UN, donors agencies and their consultants. He certainly departs from their consensus in that he sees poverty as an historical rather than an ontological condition. But, like the consultants, Davis aims to be a scientist, a subject gazing down at objects, rather than a partisan and hence a subject amongst subjects. He is just plain wrong to believe the consultants and their surveys and to argue that the left is missing from the slum. He is equally wrong to assume, as he does, that the left, the left of the 11<sup>th</sup> thesis, the left of the battles that are always already on, is missing from the academy. In Lagos, in Istanbul, in Sao Paulo, in Bombay there are people who write in the mode of the academy from within resistances – from within militant engagement in particular collective openings, questionings and movements - that no counting or theorising from above in the name of the global that is not attentive to the lived experience of the singularities of particular situations will ever be able to measure or contemplate.

Against the dominant objectifying modes of writing about the contemporary slum which are overwhelmingly governmental, and occasionally anthropological, Slavoj Zizek wonders about the future of thinking *in* the slum:

It is...surprising how far they confirm to the old Marxist definition of the proletarian revolutionary subject: they are 'free' in the double meaning of the word, even more than the classical proletariat ('free' from all substantial ties; dwelling in a free space, outside the regulation of the state); they are a large collective, forcibly thrown into a situation where they have to invent some mode of being-together, and simultaneously deprived of support for their traditional ways of life...The new forms of social awareness that emerge from slum collectives will be the germ of the future....<sup>6</sup>

*Shiv Sena*, or, much less dramatically, the many varieties of slumlordism must be used to throttle any speculative optimism in its cradle. But the recognition that the political intelligence of slum dwellers will matter is important and enables radical avenues of thought to move against the objectification inherent in the apocalyptic, technocratic and racist strands in Davis's work.

People have often suffered nasty, brutish and short lives in slums. There is truth in the accounts of Charles Dickens, Chris Abani or Lesego Rampolokeng's taut refutation of romantic retellings of Jim comes to Jo'burg:

Johannesburg  
Johannesburg my city  
Dreams come here to die<sup>7</sup>

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<sup>5</sup> This takes its most extreme form in various places in *Planet of Slums* (Verso, London, 2006) where he uncritically repeats accounts from anthropologists, USAID etc in which Africa is seen through the bizarre prejudices of imperial eyes. It is often people who live in slums, rather than the people working for the institutions that Davis claims produce the slum, who appear as perverse and even demonic.

<sup>6</sup> Slavoj Zizek, 'Knee Deep' *London Review of Books*, Vol. 26, No. 17, 2 September 2004. Thanks to Ashwin Desai for passing Zizek's article on to me. Because work undertaken in or from the slum is so often outside of wage labour, or structured through bits and pieces of temporary waged work, the shack dweller is often, as Eric Hobsbawm observes of the frequently radical shoemaker, 'unusually mobile...(and distinguished from other poor people by) his contact with large numbers of humble people and independence from patrons, wealthy clients and employers'. *Uncommon People* Abacus, London, 1988 p. 43. Moreover in many places slums are also highly diverse in terms of ethnicity and place of origin and this too can necessitate collective social innovation, whether progressive or reactionary.

<sup>7</sup> Lesego Rampolokeng 'Johannesburg' *The Half Ranthology* Shifty Music, Johannesburg 2004

But from Paris to Kingston and Johannesburg the slum, including its largest contemporary avatar the shack settlement, has also been a site where subaltern autonomy can achieve critical mass enabling the production of political and artistic innovation of world historical significance. Although the shack settlement has at times had an aspect of the maroon society making autonomous and sometimes creative livelihoods outside of wage labour possible (healer, musician, hair dresser, beer brewer, organiser, dress designer, trader, prophet, shoe maker, cook, etc) - and has often provided women with a degree of autonomy not possible in the rural family, the factory or domestic work - the social innovations emerging from the shack settlement to challenge the state have often been about modes of governance rather than labour. For example in his study of the resistance, and then complete defeat in 1977, of the Modderdam Road settlement in Cape Town, Andrew Silk observed that 'Most worked under white employers by day and defied white officials at night'.<sup>8</sup> Similarly Partha Chatterjee shows that The People's Welfare Association in Rail Colony Gate Number One, Calcutta is organised by people working as day labourers and household help but springs from 'a collective violation of property laws and civic regulations'.<sup>9</sup> Shack dwellers have often accepted appalling conditions in waged and unwaged work while simultaneously fighting major political battles to stay in cities and to democratise decision making in and with respect to their communities. Thinking about the shanty town requires, as Fanon noted with respect to the colonial city, that Marxism be stretched.

Colonial power understood very well that nodes of low cost high return extraction to the metropole required a social subsidy for the reproduction of labour. Hence Cecil John Rhodes preferred that the natives be kept in reserves where subsistence farming could enable survival without a living wage. But labour is no longer difficult to obtain. This means that official discourse does not often need to recognise that there is a degree of interdependence between shack settlements and the high security theme parks in which the rich increasingly live, work, play and shop. There is also seldom any recognition that shack settlements sustain so many rural families via remittances.<sup>10</sup> In the discourses and policies issuing from elite publics the settlements are seen, primarily, as spaces where human detritus has washed up. So from Bombay across to Nairobi and down to Harare and Durban shack settlements are under violent assault from the state.

### **Some fragments of a history of the left in Durban's slums**

The eThekweni Municipality estimates that over 800 000 of the city's 3 million inhabitants live in what it used to call 'informal settlements'<sup>11</sup> and is beginning to call, in a return to the older language of colonialism, slums.<sup>12</sup> Shack settlements began to be constructed here following the loss of land and the imposition of

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<sup>8</sup> *A Shanty Town in South Africa: The Story of Modderdam* Raven Press, Johannesburg 1981 p.15.

<sup>9</sup> *The Politics of the Governed: Reflections on Popular Politics in Most of the World* Permanent Black, Delhi, 2006 p.59.

<sup>10</sup> In South Africa it is also not unusual for shack dwellers to be sustained by remittances from rural relatives with state pensions while looking for work or in bad times. But once an income is achieved remittances tend to follow the more typical pattern of moving from the city to the rural village or homestead.

<sup>11</sup> Pearl Sithole develops an excellent critique of how the general academic failure to approach the elite consensus that certain forms of life are 'informal' and others 'formal' critically, or even thoughtfully, inscribes relations of domination into the structure of thought. See her 'Defining the Meeting Zone: Institutional and Community Imperatives Regarding the Informal Sector in Durban' in *Governance, Urban Dynamics and Economic Development: A Comparative Analysis of the Metropolitan Areas of Durban, Abidjan and Marseilles* Edited by Antoine Bouillon, Bill Freund, Doug Hindson and Benoit Lootvoet, Plumblin, Durban, 2002. The power of the discourse of informality is explicitly recognised by some people in power. In November 2005 ANC eThekweni city councillor Fawzia Peer phoned into a programme on Radio *Al Ansaar* on which people forcibly removed from the Lusaka settlement were being interviewed by Farhana Loonat, to insist, and hysterically so, to shack dwellers that: 'You must stop talking about shacks. You must call them by their proper name - informal settlements'. In this case part of the work done by the ascription 'informal' is to present settlements that may be up to 30 years old as temporary arrangements with no depth of attachment to place or community and therefore with no rational right to resist 'relocation'. After another caller phoned in to point out that the station's swanky new premises were on the land from which another settlement had been relocated two years previously. At that point the station manager burst into the studio to try and take over from Loonat. She held her ground with a firm gaze muttering 'madarchod' under her breath.

<sup>12</sup> This discursive regression is not a local degeneration. It follows the lead of the United Nations Human Settlements Programme, Habitat. Nevertheless the virulent enthusiasim with which it has been taken up is astonishing. The discursive common sense around 'informal settlement' assumes that it is something that needs to be developed while the assumptions around 'the slum' are that it is something that needs to be 'cleared' (away).

various taxes after the destruction of the Zulu Kingdom by English colonialism in 1883 and, at the same time, the movement into the city of Indian workers who had completed their indenture on sugar plantations.<sup>13</sup> Bill Freund writes that ‘activities which were outside the law flourished and involved people of all colours’.<sup>14</sup> Colonial authorities soon acted against the settlements and to legally entrench racial segregation with a view to ‘reducing illegal liquor traffic, theft, assault, and the risk of fire, to protect health standards and to maintain property values’.<sup>15</sup>

In 1923 a policy of Influx Control was implemented 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. In 1929 and 1930 there were all kinds of, at times insurrectionary, resistances – some strongly connected to the famous Industrial and Commercial Workers’ Union of Africa (ICU). Important concessions were won and by the 1930s there were thousands of Africans and Indians as well as coloureds and a few whites living in shacks in the largest settlement known as Cato Manor in English and *Umkhumbane* in Zulu. For a while it was tolerated as the Imperial war economy required more labour<sup>16</sup> but serious conflict erupted in 1949 between Indian landlords and African tenants denied the right to own property. By this time there were close to 70 000 people living in the shacks. The initial response of the City was to provide basic services within the settlement – ‘roads, stormwater drainage, street lights and ablution blocks....Sites were also made available for schools, churches, community halls, sports grounds, crèches, shops’<sup>17</sup> and low interest loans were provided for building and upgrading shacks. For a while *Umkhumbane* flourished and its urban cosmopolitanism produced everything from its famous *izitabane* community, where homosexual marriage was pioneered in South Africa, to all kinds of musical and dance syntheses that have clear trajectories into the present. But in March 1958, with the population at 120 000, and the apartheid state achieving its full power, the Durban City Council, working within a colonial academic and policy consensus with a global reach,<sup>18</sup> began a ‘slum clearance’ project that forcibly removed shack dwellers to racially segregated modern townships on the periphery of the city. It was justified in the name of increasing property values, reducing crime and improving health and hygiene.

Forced removals were militantly opposed, primarily on the grounds that transport costs from the new townships to work were unaffordable. In 1959 demonstrations in the settlements stopped the evictions 3 times. There were moments when the resistance was clearly organised and articulated as a women’s project<sup>19</sup>

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<sup>13</sup> In 1960 R.G.T. Watson, former General Manager of the Tongaat Sugar Company, wrote, without regret, that in the 1920s ‘Flogging...was accepted as the traditional and most effective method of getting work out of coolies and kaffirs and of maintaining plantation discipline’. Hutchinson, London, p. 149. It is hardly surprising that so many chose the autonomy of the shanty town over re-indenture. Tongaat is now Moreland and is listed on the London Stock Exchange. Since 1909 the company has sought to set the agenda for the city’s spatial planning and since 1989 it has successfully done so through a set of formal planning processes. In the post-apartheid era this is justified as a ‘public-private partnership’. Obed Mlaba worked there before becoming Mayor and, as Mayor, contracted Moreland to plan land use and to manage the uShaka themepark recommended by Moreland consultants and largely built and sustained with public money.

<sup>14</sup> *Insiders and Outsiders: The Indian Working Class of Durban 1910-1990* University of Natal Press, Pietermaritzburg, 1995 p. 34.

<sup>15</sup> Maarsdorp & Humphries *From Shanty Town to Township*, p. 11. This quote, like so much of the discourse in this regard, is utterly indistinguishable from much of the language used to justify forced removals in 2006 and those looming in preparation for the 2010 Football World Cup.

<sup>16</sup> In Johannesburg the African movement into the city tolerated during the Second World War led to the formation of a shack dwellers’ movement, *Sofasonke* (we suffer together) under the charismatic leadership of James Mpanza. In March 1944 Mpanza led more than ten thousand people to occupy land in a suburb called Newclare. A further six occupations were staged. These shack settlements were later formalised and became Soweto. See Silk, *A Shanty Town in South Africa*, p. 65-66.

<sup>17</sup> Gavin Maarsdorp & A.S.B. Humphreys *From Shantytown to Township* Juta, Cape Town, 1975, p.17.

<sup>18</sup> It is important to note this fact because it is now routinely assumed that the City Council’s policies towards shack dwellers must be highly commendable because they are informed by a global academic and policy consensus and are therefore ‘world class’. People who trade in this way of thinking seem uniformly uninterested in what actually existing shack dwellers think of the policies and are generally extremely hostile to shack dwellers who dare express a view. They also appear to be largely uninterested in history and to look into the future with a somewhat manical optimism. What ever they might say about vulgar Hegelianism this latter tendency does, in fact, unite certain types of Marxists and neo-liberals.

<sup>19</sup> See Iain Edwards ‘Cato Manor, June 1959’ in the excellent *The People’s City: Africa Life in Twentieth-Century Durban* (Edited by Paul Maylam and Iain Edwards, University of Natal Press, Pietermaritzburg, 1996)

and Women of Cato Manor<sup>20</sup> issued a direct challenge to the state, patriarchal relations in the settlement and the lack of militancy from the ANC Women's League. In November there was a mass boycott of the municipal beer hall. As the conflict escalated lives were lost. In January 1960 6 000 people marched into the city. Protest in and around the settlement had been tolerated to a degree but the moment the shack dwellers went into the city that toleration was withdrawn. The army was brought in and resistance crushed. The mass evictions were largely completed in August 1965. Other shack settlements in the city were also razed despite resistance with the mostly Indian Tin Town on the Springfield Flats being cleared by 1964. A co-operative research project between the Durban Corporation's Department of Bantu Administration and the University of Natal aimed at assessing the capacity of relocated shack dwellers in the new segregated townships to pay for services concluded that 'the policy of rehousing Africans in townships on the urban periphery involved them in a significant increase in living costs'.<sup>21</sup> The same conclusion was reached with regard to Indians relocated from Tin Town. These forced removals are remembered, bitterly, in popular and official memory as great crimes of apartheid and as originary events in many accounts of political conscientisation. But the memories of these settlements also capture the essential ambiguity that so often occurs in thinking about the shack settlement which is that it can simultaneously be a site of political and cultural freedom because of its autonomy from the state and authoritarian modes of enforcing 'tradition' and, also, a site of suffering because the absence of the state means the absence of the services - sanitation, roads, health, water, refuse collection and so on - that are needed for a viable urban life. So, speaking in 1960, the head of the ICU, A.W.C. Champion, who had supported militant mobilisation against conditions in *Umkhumbane*, still described it as "the place in Durban where families breathe the air of freedom".<sup>22</sup>

At the height of apartheid Africans were successfully barred from any autonomous or potentially autonomous spaces in the city. But in the late 1970s cracks began to emerge in the barriers around white space and by the 1980s the apartheid state, occupying Namibia, at war with the Cubans and the MPLA in Angola and battling insurrectionary township rebellions across the country, lost the capacity to completely regulate the movement of Africans. Where possible elite white suburbs were protected but people were able to flood into the cities, seize land in defiance of the state, and found communities autonomous from the state. This movement into the city was greeted with tremendous racialised panic in white and Indian communities but was celebrated by the ANC underground and in exile. In Durban's Northern suburbs settlements usually began as carefully hidden structures built at night in dense bush on steep terrain.<sup>23</sup> But in Durban, and around the country, open resistance to threats of removal became possible when settlements became large enough. In 1985 riots broke out in the Crossroads settlement in Cape Town after Minister of Co-operation, Development and Education Gerrit Viljoen said, in a sound bite that is regularly used by state officials twenty years later, that 'uncontrolled squatting would not be tolerated'.<sup>24</sup> In four days of conflict 18 people were killed and hundreds injured. In response the state declared a moratorium on forced removals. Although distinctions between 'legals' and 'illegals' (something which continues) allowed the state to continue to evict, mass revolt had, as in Durban a generation before, won a major concession - the exclusion of autonomous African communities from the cities, successfully enforced since the mid 1960s, was no longer absolute. Academics at the University of KwaZulu-Natal remember Marxist Geographer Mike Sutcliffe excitedly pouring over huge maps of Durban looking for spaces that could be occupied. Twenty years later he would be pouring over maps planning forced removals.

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<sup>20</sup> Along with other innovations from *Umkhumbane* this legacy endures. After the police murder of Monica Ngcobo on 2 March 2006 at a protest in Umlazi the organisation that, working with *Abahlali baseMjondolo*, successfully mobilised against the police, and later the local councillor and his hitmen who went on to assassinate two activists, was made up primarily of women who had been evicted from *Umkhumbane* in their youth. They called it, in a direct reference to Women of Cato Manor, Women of Umlazi.

<sup>21</sup> Maarsdorp & Humphreys *From Shantytown to Township*, p. 40.

<sup>22</sup> Paul Maylam, 'Introduction' to *The Peoples' City*, p. 19.

<sup>23</sup> The people who founded each settlement, and the circumstances under which they won the land, are very well remembered in each settlement.

<sup>24</sup> Laurine Platzky & Cheryl Walker *Surplus People: Forced Removals in South Africa* Ravan Press, Johannesburg 1985, p. xxvi.

The hundreds of settlements that were founded in Durban in the 1980s had a wide range of very different origins, modes of governance, political affiliation and relationships with people in nearby townships or suburban housing. But they were all nodes of connection enabling a new mobility between city, township and village life. Many people, via the better livelihoods and education available in the city, were able to dramatically improve their material circumstances and autonomy from a base in an urban shack. For many more who remained in acute poverty an urban base could keep hope alive and nihilism at bay. At the time many shack dwellers had tremendous hopes in the gathering popular resistances to apartheid. In his blurb for Omar Badsha's *Imijondolo*, a photographic essay on the Amouti settlement in Durban, Desmond Tutu wrote to recommend this 'harrowing chronicle of what does happen to God's children who are victims of a vicious policy...I hope this book will sear our consciences so that we will work to put an end to policies that can produce such human tragedy'.<sup>25</sup> It was widely believed that the end of apartheid would be the end of the shanty town – via development and not destruction.

It was clear that apartheid would fall. Workers declared that the name of the coming new order was socialism. Local capital, following the example of USAID,<sup>26</sup> decided to invest in the winning horse, began to look to influence anti-apartheid struggles and set up an NGO called the Urban Foundation.<sup>27</sup> The Foundation aimed to persuade the poor that the market could work for them. It broke with the fears of invasion inherent in the apartheid term 'squatter camp' and introduced the term 'informal settlement' which, they felt, spoke to a temporary condition that could be alleviated by unleashing previously blocked entrepreneurial energies. The Foundation returned to the housing model of the early 50s, when the state was weaker than under high apartheid, and worked for the provision of basic services to shack settlements and for people to be allowed to develop their shacks into more formal dwellings as their incomes improved. They chose the Kennedy Road settlement in Durban as a pilot project. The shacks in the Kennedy Road settlement cling to the side of a steep hill squeezed up against the perimeter fence of the city's main dumpsite, the largest in Africa, to the West and the South. The big fortified houses of suburban (and under apartheid segregation Indian) Clare Estate lie to the North, on the other side of Kennedy Road, and the shacks tumble down Eastwards to the ugly big box stores of Springfield Park where Tin Town used to be. The Urban Foundation worked with the Durban City Council to build a community hall and to provide 147 pit latrines and 4 communal taps and to begin electrification.

When the ANC opened their offices in Johannesburg after they were unbanned in 1990 a huge banner in the foyer declared 'Occupy the Cities!'.<sup>28</sup> On 9 November 1993 the African National Congress issued a press statement in the lead up to the first democratic elections condemning the 'housing crisis in South Africa' as 'a matter which falls squarely at the door of the National Party regime and its surrogates'. It went on to describe conditions in the 'informal settlements' as 'indecent' and announced that:

Nelson Mandela will be hosting a People's Forum on Saturday morning in Inanda to hear the views of residents in informal settlements...The ANC calls on all people living in informal settlements to make their voices heard! 'Your problems are My Problems. Your solution is My Solution', says President Mandela.<sup>29</sup>

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<sup>25</sup> Omar Badasha *Imijondolo* Afripix, Durban 1985. Twenty years on, and more than ten years after the end of apartheid, the only thing that gives any indication that the photographs are not contemporary are the fashions worn by the models in the adverts in the newspapers with which many shacks are wallpapered.

<sup>26</sup> See William Robinson *Promoting Polyarchy* Cambridge University Press, Cambridge 1996

<sup>27</sup> See Patrick Bond's account of the Urban Foundation in *Elite Transition* University of Natal Press, Pietermaritzburg 2000 pp. 125 - 131. Anglo-American, the corporation behind the Foundation now owns Moreland, the company that has driven Durban's spatial development policy since 1989. It is interesting to note how much more progressive their position on shack settlements was when popular struggles against apartheid were calling the credibility of the state and capital into question.

<sup>28</sup> Gill Hart brought this to my attention.

<sup>29</sup> African National Congress *Southern Natal Statement on the Housing Crisis*, Durban 1993

One of the settlements specifically mentioned was Kennedy Road. Seven months later the ANC swept to power in the national parliament. On 4 June 1999 the ANC greeted news of their first victory over the Inkatha Freedom Party in the provincial election in KwaZulu-Natal with a euphoric press statement. They promised, that, as their first priority, 'The ANC will together with our people address the concerns of the poorest of the poor living in squatter camps like Kennedy Road, Lusaka and Mbambayi'.<sup>30</sup> Their power, including their power to demobilise popular militancy and to speak for its traditions, was justified first and foremost in the name of the poorest – people in 'squatter camps' like Kennedy Road. Kennedy Road voted solidly ANC in all elections and in Clare Estate the votes from Kennedy Road, and other large settlements like Foreman Road and Jadhu Place, won the ward for the ANC in local government elections. Most of the Indian voters had supported the Democratic Alliance which saw shack settlements as criminal land invasions.

But by the time of the March 2006 local government elections everything had changed. In 2001 the City authorities began a 'Slum Clearance Project' which was soon linked to the United Nations Habitat *Cities Without Slums* project. Durban was selected as a pilot for this project. Mayor Obed Mlaba speaks as though the approval of the UN in and by itself renders critique by shack dwellers 'a plethora of untruths'.<sup>31</sup> The Slum Clearance Project is based on the privatisation of the city's rental housing, built for the Indian, coloured and white poor under apartheid, and the 'in situ upgrade' and 'greenfield relocation' of 'informal settlements'. More than 70 settlements are 'ringfenced' for 'slum clearance' and 'relocation'. Recent statements by Mlaba and others make it clear that the plan is to make up the huge difference between the number of new houses being built, and the massively larger number of people living in settlements slated for 'slum clearance' and 'relocation', by subjecting the minority of shack dwellers to forced removals to new and largely rural townships and casting the majority as criminal and carriers of disease and simply destroying their homes.

For those who are to receive housing it is quite clear, although it is not stated as policy, that settlements in former African townships are generally slated for upgrades and those in former white and Indian suburbs are generally slated for relocation. It is equally clear, although again not stated,<sup>32</sup> that the settlements are being relocated in an order determined by the degree to which they are visible from the bourgeois world. There is a *de facto* commitment to a form of separate development for the 'formal' and 'informal' spheres that denies the interrelation, historical and contemporary, between what the policy people now call the 'first' and 'second' economies. The Canaan settlement, on the road to Moreland's new colonial themed golfing estates, office parks and malls to the North was the first to go. The removals were presented as the beginning of the promised post-apartheid 'delivery' but empirical research clearly indicates that, as with forced removals under apartheid, unemployment rocketed and income plummeted after people in the Canaan settlement were removed to the new Quarry Heights township.<sup>33</sup> Many families were ripped from a precarious life and plunged into desperate crisis. After his visceral description of the shit, filth and suffering in the tiny hovels of Old Town in Manchester, Friedrich Engels observed that 'However, it is the Old Town, and with this reflection the bourgeoisie is comforted'.<sup>34</sup> But he reported that in New Town the streets 'are oftener paved or

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<sup>30</sup> African National Congress ANC KwaZulu-Natal Victory Statement, Durban 1999

<sup>31</sup> For example see Obed Mlaba, 'Bringing Homes to the Poor' *The Mercury* 21 March 2006 in which he levels this accusation at comments made by S'bu Zikode in an interview with the *Mercury*. In fact Habitat has a dismal record of failure to engage with shack dwellers and functions largely to offer legitimisation to governments with similar failings. Its attempt at developing a model pilot project in Soweto Village in the massive Kibera settlement in Nairobi, the city where Habitat has its plush headquarters, has been a complete failure. For more on Habitat's failings see Robert Neuwirth's *Shadow Cities: A Billion Squatters, a New Urban World* Routledge, New York, 2006.

<sup>32</sup> In Cape Town this is officially inscribed in policy which distinguishes, tellingly, between 'visible' and 'invisible' settlements. The aim is to relocate 'visible' settlements before the 2010 Soccer World Cup. Shereen Essof drew this to my attention.

<sup>33</sup> See Shahid Vawda's Migrants in Durban: Vulnerability and Coping Strategies Among Two Migrant Communities in 'Governance, Urban Dynamics and Economic Development: A Comparative Analysis of the Metropolitan Areas of Durban, Abidjan and Marseilles'. Durban, 2002

<sup>34</sup> Friedrich Engels, 'Working Class Manchester' in *The Marx-Engels Reader* edited by Robert Tucker, W.W. Norton and Company, New York, 1972. p. 434.

supplied with paved sidewalks and gutters; but the filth, the bad odor of the houses...remain the same'.<sup>35</sup> In contemporary Durban the idea that somewhere, somewhere unseen and never to be seen, new houses are being built similarly functions as balm to the bourgeois conscience. The fact that these new houses are called 'starter homes', implying that people will move on and up when in fact they are likely to get poorer, functions as second layer of balm.

The Municipality has now returned to the high apartheid policy of considering all attempts at creating new settlements as illegal land invasions. People erecting new shacks risk criminal charges and the city aims to demolish all new shacks. The City also threatens to, and often does demolish shacks that are extended or developed into more formal structures. The police force the settlements to remain 'informal', and therefore able to be described as temporary, and they force shacks to remain crowded, and therefore able to be described as dangerously overcrowded. Informality often becomes a performance – a brick wall is hidden behind a tarpaulin or sheet of rotting cardboard. In 1985 Laurine Platzky and Cheryl Walker excoriated the apartheid state for deliberately producing slums in order to be able to clear them: 'First the government froze development, then declared the area a slum when it deteriorated'.<sup>36</sup> Some things change, some stay the same.

But the movement into the City is not being successfully contained. Harvey Mzimela, head of the City Police's Land Invasion Unit recently complained that it lacked sufficient staff to carry out its work which 'entailed the breaking down of shacks, which has resulted in shooting and stoning instances'.<sup>37</sup> The police that do this work, are equipped and conduct themselves like soldiers and are popularly known in fear as *amaSosha* and in open or covert derision as blackjacks – the name given to the black police sent to demolish shacks in the late 1950s and early 1960s. Nevertheless many settlements are growing and new settlements are still founded, as they were twenty years ago, with quiet construction out of bourgeois sight lines in the dead of dark nights. Often people who are relocated to a new rural township or have their homes demolished simply move back to another settlement in the city.

The City says that it has already relocated 7 000 families and aims to build 400 houses a month to be able to continue with relocation. It is often confidently asserted that all 'slums' will be 'cleaned up' by a certain date – the most common now being the Soccer World Cup in 2010.<sup>38</sup> Similar claims are made with equal confidence in other cities and by the national government. In fact around the country more shacks are being built than houses in relocation townships and, even if this were not the case, current rates of building new houses will still not make 'slum clearance' by the declared dates remotely feasible.<sup>39</sup> The collective will to deny this most material of realities is pervasive. It, together with the equally fallacious collective delusion that shack settlements are a solely a consequence of the apartheid past (the structurally adjusted present and all kinds of contemporary accommodations between micro-local political and economic elites are clearly also fuelling their growth) reinforces the elite consensus that shack settlements should be treated as a temporary aberration which will soon pass.

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<sup>35</sup> Engels, *Working Class Manchester*, p. 435.

<sup>36</sup> *The Surplus People: Forced Removals in South Africa* Ravan Press, Johannesburg, p. xxxix

<sup>37</sup> Carvin Goldstone, 'Not Enough Staff to Clear Slums - Land invasion crisis gets worse', *The Mercury*, September 16, 2005, p. 4.

<sup>38</sup> This was Mayor Mlaba's response to the media after a huge march on his offices by *Abahlali baseMjondolo* in early 2006. In 2001 when former shack dwellers, who had been sleeping rough on the side of a road for two months after a forced removal, stormed a City Council meeting Mlaba told the media that 'What must be understood is that the Metro has a policy...that within the next ten years we eradicate all informal settlements'. *Homeless People Storm Top Meeting in KZN*, <http://www.iol.co.za> 19-02-2001. The policy is always considered to render protest unacceptable even though there are now more shack dwellers than there were in 2001 and it is, on its own terms, clearly failing.

<sup>39</sup> In Cape Town where, unlike in Durban, there are statistics for new arrivals (illegals) the annual number of new shacks (16 000) is double that of new houses (8 000). The backlog stands at 260 000 houses. Nationally the state's statistics indicate that the number of people living in shacks have grown from 1,4 million at the end of apartheid to 2.4 million in 2005. See Martin Legassick *A Review of Jacques Depelchin's 'Silences in African History'*, <http://www.ukzn.ac.za.ccs> 2006. Given that so many people avoid being counted by the state for fear of having their houses demolished the state's figures should always be seen as an undercount.



This consensus has led to the suspension of policies aimed at upgrading settlements. So, for example, until 2001 it was difficult but still possible to have a pre-paid electricity meter installed in your shack. To get electricity you needed to pay R350 and to be able to represent your case in a certain way. According to S'bu Zikode, who had then just become chair of the Kennedy Road Development Committee, 'It all depended on who applied. If you seemed ignorant because you can't speak English you were just told to wait outside'.<sup>40</sup> But in 2001 a policy decision was taken to stop the electrification of shacks altogether<sup>41</sup> and it became impossible to legally access electricity.<sup>42</sup> Similarly the City stopped cleaning out the pit latrines in Kennedy Road in 2001<sup>43</sup> and actively removed services in some settlements, like Quarry Road where portable toilets were removed in 2004 and Shannon Drive where the one tap was disconnected during day light hours in 2005 on the grounds that people were 'wasting water' – in fact usage had gone up as the settlement had expanded.<sup>44</sup>

## The ebb and flow of municipal power

The preceding discussion points to a number of continuities and changes. Throughout the period, there is a clear attempt by the state to regulate the flow of poor African people into the city, just as there has always been a history of resistances against these manoeuvres. Fanon notes that 'The first thing which the native learns is to stay in his place' and shows that one of the first things learnt in resistance to colonialism is movement out of place. This also, for Fanon, sets the terms of the post-colonial struggle. 'To break up the colonial world does not mean that...lines of communication will be set up between the two zones'.<sup>45</sup> For Fanon 'the colonial world, its ordering and its geographic lay-out will allow us to mark out the lines on which a decolonised society will be reorganised'.<sup>46</sup> The colonial era will be over when there are no longer two zones inhabited by 'different species of men' in one city. The material and symbolic Manicheism must be undone.

This brief history points, further, to the contexts under which spatial divisions can, and cannot, be undone: Nadine Gordimer ended her forward to Cosmos Desmond's 1969 *The Discarded People: An Account of African Resettlement* with 'one of the inhabitants of a resettlement' saying 'You can't say no to a white man'.<sup>47</sup> Nicholas Mnqayi, an *Umhlali* from the small and therefore vulnerable Pemary Ridge settlement, where he has lived for 17 years and from which he works as a gardener, is deeply anxious about 'relocation'. But he told me that 'If government is chasing us we have to go. There is nothing else to do. You can't say no to the government'.<sup>48</sup> Yet, there have been times when shackdwellers have successfully said 'no' to both the white man and the government. These correspond historically to moments in which the state has not had the resources or symbolic legitimacy to exercise the force necessary to prevent and undo occupations. Shack dwellers are safer when the state's credibility is under serious threat.<sup>49</sup>

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<sup>40</sup> Author's notes. 21 March 2005

<sup>41</sup> The policy states that 'In past (1990s) electrification was rolled out to all and sundry...electrification of the informal settlements has now been discontinued'. *eThekweni Electricity Supply Policy*

<sup>42</sup> The refusal to electrify shacks has been effective in persuading a number of people to reluctantly accept removal to townships on the city's rural periphery. Especially in the very dense settlements like Foreman Road and Jadhoo Place many people, especially children, are terrified by the constant threat of fires. An astonishing number of people carry the signs of the Municipality's policy on their bodies as burn marks.

<sup>43</sup> In the Motala Heights settlement they have recently even gone so far as to threaten to demolish the Municipality built ablution blocks to, in the words of an officer in the land invasions unit, 'make you go back where you came from'.

<sup>44</sup> Everyone spends a lot of time queuing for and carrying water for drinking, cooking and bathing but women often spend huge amounts of time queuing to wash clothes. This is usually made into an important social and political space but that fact does not detract from the brutality of an official state and mainstream NGO and media feminism that obsesses about the number of women in power while remaining entirely uninterested in the kind of casual misogyny that can describe the disconnection of water to an entire settlement as 'best practice'.

<sup>45</sup> Fanon, *The Wretched of the Earth*, p. 31.

<sup>46</sup> Fanon, *The Wretched of the Earth*, p. 29.

<sup>47</sup> Cosmos Desmond *The Discarded People: An Account of African Resettlement* The Christian Institute of South Africa, Johannesburg 1969, p. 10

<sup>48</sup> Conversation, Pemary Ridge, 18 March 2006

<sup>49</sup> This is also the case for the poor in flats and houses. Ashwin Desai and I have made this point with regard to the fact that evictions from bank owned houses in Mandela Park, Cape Town, politically impossible in the last years of apartheid, become possible after apartheid fell and the state

Today, the foundations for legitimacy are different. While previous forced removals were largely authorised in the name of whiteness/modernity<sup>50</sup> and largely resisted in the name of blackness (and to a far lesser degree white shame) contemporary forced removals are largely authorised in the name of technocratic developmental expertise/modernity and largely resisted in the name of dignity which, amongst other things, means democracy. Le Corbusier captures the spirit of the technocrat perfectly:

The despot is not a man. It is the *plan*. *The correct, realistic, exact plan*, the one that will provide your solution once the problem has been posited clearly, in its entirety, in its indispensable harmony. *This plan has been drawn up well away from the frenzy in the mayor's office or the town hall, from the cries of the electorate or the laments of society's victims*. It has been drawn up by serene and lucid minds.<sup>51</sup>

The people considered as detritus by The Plan are the people who lost the most under white rule. But the multi-racial middle class enthusiasm for the idea that transformation is deracialising rather than undoing privilege has allowed the ANC to finally abandon the urban under class – its former battering ram.

In the March 2006 local government elections the ANC built its winning campaigns in Clare Estate and the elite, and also previously Indian, neighbouring suburb of Reservoir Hills by promising to continue to evict shack dwellers from the suburbs. ANC councillors were celebrated in the local media for the genuine increases in property prices and imagined decreases in risks of danger and contagion that followed evictions. A former DA supporter wrote a letter to *The Post* saying that he was now voting ANC as 'You often found informal residents playing soccer on the road...The violation of our rights added too much pressure to our daily routine...There is now order and sense of calmness in the streets. The informal shacks have been demolished and the road is serving its original purpose'.<sup>52</sup> Everything in his corner of Clare Estate is back in its place.

### ***Abahlali baseMjondolo***

The Plan does not consider the Kennedy Road settlement to be in an appropriate location. The 6 000 people living in the settlement have mostly come from small towns and villages in rural KwaZulu-Natal and the Transkei but there are also people from much further away and a few people evicted from the inner city<sup>53</sup> in the name of 'regeneration'. Most people have come there in search of a livelihood but other common reasons are access to good schools, a desire for the stimulations and possibilities of city life, escape from 'traditional' authority, familial and racial domination (especially on white farms), and to reunite families separated by live in domestic work. Most send money back to rural areas, visit regularly and offer support for friends and family coming to the city. As well as enabling access to the wider city the settlement contains many

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achieved sufficient legitimacy to act against the poor for the banks. 'What stank in the past is the present's perfume': Dispossession, Resistance and Repression in Mandela Park', *South Atlantic Quarterly*, vol. 103, no. 4, 2004.

<sup>50</sup> In Durban the imagined link between whiteness and modernity, and how this plays out in thinking about segregated cities, is best theorised in Richard Ballard's unusually careful work.

<sup>51</sup> Cited in James Scott *Seeing Like a State* New Haven, Yale University Press, 1998 p.112

<sup>52</sup> *Post*, January 25 In *What is Philosophy?* (Verso, London 2003, p. 107) Gilles Deleuze and Félix Guattari argue that:

Human rights are axioms. They can coexist on the market with many other axioms, notably those concerning the security of property, which are unaware of or suspend them even more than they contradict them.. What social democracy has not given the order to fire when the poor come out of their territory or ghetto? Rights save neither men nor a philosophy that is reterritorialised on the democratic State.

<sup>53</sup> The nearby 5 000 strong Jadhu Place settlement, founded by the late Biko Zulu in 1989, has a large group of former street children evicted from the city and living in child headed households.

possibilities with in itself. There is a vibrant collective life with a crèche, churches and sacred spaces, a vegetable garden, shops, pubs and all kinds of cultural, sporting, religious and mutual support projects.

The settlement is also a space of tremendous suffering. Many people have no viable livelihood and scrape out the most precarious and uncertain living. The tiny number of toilets causes serious health risks, puts the safety of women and children at particular risk when seeking privacy at night and imposes easily avoidable cruelties on the everyday lives of people with AIDS who often suffer chronic diarrhoea. The lack of electricity means fires and last year there were 9 conflagrations. Children have been found eating the worms that grow in the shit in the portable toilets. Everyone seems to have someone who is desperately sick and there are more than 50 households headed by children. The fire brigade or ambulance services are unlikely to come if called and the local clinic usually sends people with serious conditions away with sneering contempt and a handful of cheap painkillers. The hostility from the police is often highly racialised and can result in assault, theft and extortion on the threat of arrest. There are also threats to safety from within the settlement. Despite the strong sense of community and credible internal judicial processes many fear theft, murders occur and, although women often say that they have more autonomy in the settlement than in their rural homes, women are beaten. Children who are often left alone fear rape. The police do not investigate crimes against shack dwellers but assume that all shack dwellers are criminal. Mere possession of something like a DVD player without a purchase receipt is considered good grounds for arrest.<sup>54</sup>

A short and decisive struggle to democratise the settlement succeeded in one tense mass meeting in 2001. This was the same year in which the City began its slum clearance programme which, following best practice models from the UN and elsewhere, mandated civil society consultation. Previously Kennedy Road had been run by an *Induna* who levied taxes for personal profit and ruled autocratically. Other settlements in the area had shifted to governance via elected committees affiliated to the ANC aligned South African National Civics Organisations (SANCO) in the mid '90s. SANCO was a project to bring the bottom up democracy of the civics movement of the '80s under party control. The SANCO committee in each settlement had one place on the ANC Branch Executive Committee (BEC) under the local councillor. I have not met anyone who does not remember the replacement of *Izinduna* with elected SANCO committees as major progress.

In Kennedy Road the ANC was, it must be noted, happy to work with *Induna* Mzobe on the understanding that he would deliver his people to the party. But some of his people, especially those who had risked everything to wage opposition to 'traditional leaders' in rural villages and towns in the name of the ANC before coming to the settlement, decided to take matters in hand. The new elected Kennedy Road Development Committee affiliated with SANCO, got a seat on the BEC and got involved with the utmost seriousness in every available consultative process. The chair, S'bu Zikode, was so committed to making full use of every opportunity for transformative 'public participation' in government that he even became a reserve constable at the notorious Sydenham police station<sup>55</sup> hoping to work for change from inside. Within two years he accepted that was hopelessness but retained his faith in 'public participation' in local government. When government told people that they must provide 'home based' care for their sick they dutifully developed a still flourishing community project providing visits and services to the sick and child headed households. At various meeting where they learnt to speak the language of the World Bank and USAID they got to know people from other settlements very well. Later on these relationships enabled the rapid building of a movement.

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<sup>54</sup> However it should be noted that now, some time after I first wrote these words, many people report that the movement has won a major decrease in this kind of day to day police harassment. In Mnikelo Ndabankulu's words - "the police - now they fear the *Abahlali*. They know they can't harras us anymore." Conversation with author, 17 February 2006. But, as the postscript to this essay shows, local power relations can also ebb and flow.

<sup>55</sup> It is notorious for its anti-African racism and corrupt relations with organised crime in nearby Overport. The head, Sergeant Glen Nayagar, is the son of Lieutenant Nayagar, by many accounts the most savage Special Branch torturer in Durban under apartheid.

But these struggles and experiences passed unnoticed in elite publics. Kennedy Road only exploded into the national imagination on Saturday 19 March 2005 when around 750 people blockaded both the in and outbound sides of Umgeni Road, a major six lane arterial road, with burning tyres and mattresses and held it against the Public Order Policing Unit for four hours. There were 14 arrests on the criminal charge of public violence. Amongst the arrested were two school children. Alfred Mdletshe told Fred Kockott, the first journalist on the scene, that 'We are tired of living and walking in shit. The council must allocate land for housing us. Instead they are giving it to property developers to make money'. Kockott's article explained that 'The scene was reminiscent of apartheid-era protests - and the mood was similar, except now the target of the crowd's anger was the ANC governors of Durban.'<sup>56</sup>

On the Monday after the 14 arrests, which happened to be Human Rights Day, 1 200 people staged an illegal march on the nearby Sydenham police station where the 14 were being held. Their demand was that either the Kennedy Road 14 be released or else the entire community be arrested because 'If they are criminal then we are all criminal'. The march was dispersed with more beatings, dogs and tear gas. There were no arrests this time because the police were looking for one person in particular - S'bu Zikode. He escaped by dressing in women's clothes amidst the protection of the throng. Afterwards back at the settlement the line of young men returning the gaze of the riot police lounging against their armoured vehicles were entertained by a drunk sarcastically shouting 'Viva Mandela!' and 'Viva 'makhomanisi!' to derisive laughter. At a packed meeting in the community hall that afternoon the old struggle currency of *amaqabane*, still used by the ANC who approach some publics with strident socialist rhetoric to legitimate increasingly neoliberal policies, had given way to *abafowethu*, *odadawethu*, *omakhelwane* and *umphakathi*.<sup>57</sup> There were none of the empty slogans, pompous speeches or ritualised invocations of the authority of leaders that characterise national liberation movements in, or close to power. Just short and intensely debated practical suggestions. It was decided not to accept a legal aid lawyer as they are paid by the state and therefore cannot be trusted. It was agreed that the accused should represent themselves and that everyone should contribute R10 towards bail costs. The shroud of obedience had been torn open. There was, in that moment, an overwhelming sense of profound collective isolation from the structures and pieties of constituted power.<sup>58</sup>

Alain Badiou insists that political courage has only one definition 'exile without return'.<sup>59</sup> Many people feared that they would pay a high price for their exile from subordination to external authority. But they undertook it despite the fact that they were staring into an open abyss and sustained their exile as it steadily revealed itself to require accommodation with hiding in the bushes, beatings, arrests, anxious families, circling helicopters, nightmares and, for some, death threats.<sup>60</sup> But we discovered that exile also has its

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<sup>56</sup> Fred Kockott, 'Shack dwellers' fury erupts' *Sunday Tribune*, 20 March 2005

<sup>57</sup> The language of struggles against apartheid - *Amaqabane*, 'macomrade' etc, as well as old struggle songs, later returned but as the reappropriated language of an unfolding peoples' struggle. There is now a strong sense of an old and ongoing struggle entering uncharted terrain.

<sup>58</sup> Peter Hallward explains, citing Alain Badiou, that for Badiou

Politics is organised first and foremost around the Real of a radical fraternity, before it is drawn to the imaginary pursuit of equality or the Symbolic presumption of liberty. True politics begins with an exposure to 'the real violence of fraternity' and is sustained in the practical present of its 'demonstration' [manifestation]. Politics exists only in the medium of this active manifestation: fraternity is no more representable and no more a function of sociological knowledge or legal procedure than is a demonstration or an insurrection.

'Badiou's Politics: Equality and Justice', *Culture Machine*, 26/06/2006

<http://culturemachine.tees.ac.uk/Cmach/Backissues/joo4/Articles/hallward.htm>

<sup>59</sup> Cited in Peter Hallward *Badiou: A Subject to Truth* University of Minnesota Press, Minnesota, 2003 p.77.

<sup>60</sup> These have come from people connected to the local ANC and not the state. The situation has been worst in the Burnwood, Foreman Road and Lacey Road settlements. People have been forced to leave the Burnwood settlement for supporting *Abahlali*. They have all been offered accommodation in democratic settlements. At the time of writing key *Umhlali* M'du Hlongwa lives under the threat of death from the armed former *Umkhonto we Sizwe* soldier who heads the Lacey Road Committee, last subject to election 4 years ago. The moment to moment support of the

rewards. Reflection from exile is a precondition for doing philosophy.<sup>61</sup> Badiou, again: ‘For the philosopher everything consensual is suspect’.<sup>62</sup> Pierre Hadot argues that ‘philosophical discourse now tends to have as its object nothing but more philosophical discourse’<sup>63</sup> and, against this, proposes philosophy as a way of life – ‘a conversion, a transformation of one’s way of being and living, and a quest for wisdom’.<sup>64</sup> Exile, and the courage to remain there, made this possible. This is one of the reasons why people often talk about their developing resistance as ‘our ‘homemade politics’<sup>65</sup> and why S’bu Zikode’s often repeated comment that ‘we are poor in life but not in mind’ so quickly became part of the common sense of this struggle.

After the meeting people stood round talking quietly in small groups. Looking over Springfield Park and through the valley cut by the Umgeni river, you could see the sea sparkling in the sun. *Hadedas* took wing at dusk and when night fell an *isicathimiya* group sung with abundantly delicate grace, from the Urban Foundation hall, now with broken windows and peeling paint, ‘We are going to heaven, all of us we are going to heaven’. The always immaculately dressed and avuncular Mr. Ndlovu sighed ruefully as he observed that ‘Sometimes it is just so beautiful here. They think this place is too good for us. They want it for the rich’.

Bureaucracy herds, insults, exhausts, excludes and defeats the poor at every turn and the courts proved to be no exception. The next day the Kennedy Road 14 were denied bail at a court hearing which was over before they had a chance to say a single word in their defence. Magistrate Asmal’s visceral contempt for all the people that passed through her dock that morning was instructive. The 14, including the juveniles, were moved to the dangerous Westville prison to await trial.

S’bu Zikode is a former Boy Scout from Estcourt, a small rural town. He is a quiet and gentle man who won two distinctions in his matriculation examination in 1993 but had no money for university. There was no work in Estcourt and therefore no possibility to make a life as an adult. After facing down a crushing depression he borrowed some money and, together with his twin sister, made his way to Durban and set up home in Kennedy Road in a rented shack. After a few months he found a job at a petrol station. He was even able to register at the nearby University of Durban-Westville, where years of struggle had significantly reduced student fees. However he could not pay the fees for the second term and had to drop out. But he was able to buy a shack, to marry and begin a family. The petrol station at which he works was built to serve Moreland’s colonial themed gated residential and commercial developments to the North. He started out as a petrol-pump attendant and is now a data capturer.

Nonhlanhla Mzobe, the deputy chair, is a generous woman with a spontaneous and embracing warmth. She has lived on this land for more than 30 years and is widely respected for having founded the community run crèche in the settlement. When she arrived as a child the settlement was only 9 shacks hidden in the bush and people had to sneak in and out. Her grandfather became the Kennedy Road *Induna*. She now works at the dump adjacent to the settlement managing a team of women that collect the litter that blows around.<sup>66</sup> For

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majority of Lacey Road residents, especially women, many of whom deeply value his years of voluntary support for people living with AIDS, has kept Hlongwa safe thus far but there have been very tense moments.

<sup>61</sup> Although of course this is not a precondition for professional philosophy which is, as Lewis Gordon observes, so often ‘a quest for intrasystemic consistency’. This fact need not concern us though – as Gordon also notes important philosophy has always ‘emerged from thinkers who were not worried about whether they were philosophers’. (‘African American Philosophy, Race and the Geography of Reason’ in *Not Only the Masters’ Tools* edited by Lewis R. Gordon & Jane Anna Gordon, Paradigm Publishers, Boulder, 2006, p.35.)

<sup>62</sup> Alain Badiou *Metapolitics* Verso, London, 2005, p. 48.

<sup>63</sup> Pierre Hadot, *Philosophy as a Way of Life* Blackwell, London, 1995 p. 76.

<sup>64</sup> Hadot, *Philosophy as a Way of Life*, p. 275.

<sup>65</sup> The idea of exile can function as a narcissistic form of legitimation for the power of a self selecting vanguard. But Zikode has often taken care to say that ‘our homemade politics’ must be made so that ‘every gogo can understand it’. There is a clear and often publically restated commitment to think in common rather than for the mass.

<sup>66</sup> In August 2005 her boss at the dump received a letter from the head of the BEC of the local ANC demanding that she be fired for ‘having helped to organise a march on the local councillor’. So far she has avoided that fate.

some years she invested hope in the possibility of getting a better job if a planned World Bank linked project to turn the methane gas in the dump to electricity came to fruition. A year ago she was, along with a number of other people in Kennedy Road, furious with the middle class environmentalists who oppose this project because they want the dump moved out of their neighbourhood, or oppose the proposed gas to electricity project because it is connected to the Bank's carbon trading project. The anger was due to the fact that the environmentalists either speak as though the people in the shacks don't exist, casually assume the right to speak for them without ever speaking to them, or speak about them in overtly racist language.<sup>67</sup> Sajida Khan, the most prominent campaigner, who, primarily through the efforts of Patrick Bond,<sup>68</sup> has been uncritically celebrated in global civil society circuits as 'South Africa's Erin Brokovich', wants the settlement and the dump cleaned out of her neighbourhood.

After returning home from the first court appearance without the people taken by the police, Zikode and Mzobe explained, in the accusing glare of the white police lights singling them out in the blue dusk, that the immediate cause of the protest was clear. People had consistently been promised over some years that a small piece of land in nearby Elf Road would be made available for the development of housing. The promise had been repeated as recently as 16 February that year in a meeting with City officials and the local councillor. The Kennedy Road Development Committee had been participating in ongoing discussions about the development of this housing when, without any warning or explanation, bulldozers began excavating the land on 18 March. A few people went to see what was happening and were shocked to be told that a brick factory was being built on the land by a private company believed by some to be connected to the local councillor, Yakoob Baig.<sup>69</sup> They explained their concerns to the people working on the site and work stopped. But the next day it continued. Zikode explained what happened next:

The men from the brickyard came with the police, an army, to ask who had stopped the work. So, on Saturday morning the people wake us. They take us there to find out what is happening.<sup>70</sup> When you lead people you don't tell them what to do. You listen. The people tell you what to do. We couldn't stop it. If we tried the people would say 'You guys are selling us to the Indians'. So we go. A meeting was set up with the owner of the factory and the local councillor, but they didn't come. There was no brickyard, no councillor, no minister, nobody. There was no fighting but the people blocked the road. Then the police came. Then the councillor phoned. He told the police 'These people are criminals, arrest them'. We were bitten by the dogs, punched and beaten. The Indian police I can definitely tell you that they have this racism. They told us that our shacks all need fire. It is only Indians with power here. The police, the magistrate, the prosecutor, the counsellor, the man building the brickyard Everything goes to the Indians here. Some of our women are washing for them for R15. Everybody is just rotting here. We have no land. Most of us have no jobs. They can call the police to bring their dogs to bite us any time. What is to become of us? When the police come they make fools of us. We can't control the people – they get angry. They burnt tyres and mattresses in the road. They say we have committed public violence but against which public? If we are not the public then who is the public and who are

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<sup>67</sup> This is discussed with characteristic insight, elegance and élan by Raj Patel in 'Solidarity with Africa and Other Fairytales' forthcoming in *Searching for South Africa* edited by Shereen Essof and Dan Moshenberg (2006).

<sup>68</sup> See *Trouble in the Air* Centre for Civil Society, Durban, 2005

<sup>69</sup> Baig worked as a black propagandist for apartheid in the 1980s. I can only assume that the ANC choose to impose him on the ward because they hoped that he would appeal to the wealthy Muslim business elite.

<sup>70</sup> The work on the brickyard stopped after the road blockade. There was a stalemate for nine months. Then, on the 1<sup>st</sup> of November, the land, now popularly known as 'the promised land' was suddenly fenced off. That night more than 5 000 people stared down the armed security guards, and then the police, and removed the fencing and stacked the wooden fence poles in neat piles. The next day the police, the National Intelligence Agency and Crime Intelligence dramatically stepped up their overt observations and intimidatory questioning of key individuals. The following day the police arrested Zoleka Thombo, 28 on a charge of possessing stolen property - a fence pole from the promised land had been found outside her shack. She was released on bail of R500 the next day and appeared in court 6 times before the charges were dropped. The legal bill was R 2 400. That is half her annual income as a trader.

we? [City Manager Mike] Sutcliffe talks to the *Tribune* about us but he doesn't speak to us. All they do is send the police every time we ask to talk. It is a war. They are attacking us. What do you do when the man you have elected to represent you calls you criminal when you ask him to keep his promises? He has still not come here. We are not fighting. We want to be listened to. We want someone to tell us what is going on.<sup>71</sup>

Mzobe was equally emotional:

My granny came here from Inanda dam. People were coming from all over to wash for the Indians. My mother schooled us by picking the cardboard from the dump. I was four years old when she came. Now my own child is 15 years old. All this time living in the shack and working so hard We are fighting no one. We are just trying to live but they say we are the criminals. We haven't got no problem if they build just some few houses that can't fit everyone. But they must just try. They must just try.<sup>72</sup>

The anger sprung from many sources though. Zikode, like many others, simply felt betrayed. 'The poor', he said, 'get more poor and the rich gets richer. And this is the government that we fought for, and then worked for and then voted for and which now beats us and arrests us'. Zikode was right. The same United Nations that celebrates and supports the Durban 'slum clearance' project reports that South Africa's human development index has steadily declined since 1995 and is now at 1975 levels, leaving South Africa ranked below occupied Palestine and Equatorial Guinea.<sup>73</sup>

That night many people in Kennedy Road made the point that the meagre public resources there - the community hall, and so on - which were built in the last years of apartheid are all in steadily worsening condition. Other key issues on which endless patient attempts to seek official support to move forward had been rebuffed were the absence of refuse removal, the need for more taps and the failure to respond to ongoing requests to erect speedbumps on the road that has claimed a number of children - one just a month before the road blockade. There was also major unhappiness about the pitiful condition of the tiny number of toilets. Five years ago the City stopped emptying the 147 pit latrines installed by the Urban Foundation and replaced them with 6 portable toilets - one for every thousand people.<sup>74</sup>

This was a revolt of obedient and faithful citizens. These had done everything asked of them. They had participated in every available public participation process. They had fully accepted that 'delivery' will be slow and that they must take responsibility for their own welfare. They were the model poor - straight out of the World Bank text books. They revolted not because they had believed and done everything asked of them and they were still poor. They revolted because the moment when they asked that their faith not be spurned is the moment their aspirations for dignity became criminal. On the day of the road blockade they entered the tunnel of the discovery of their betrayal. They also discovered their capacity for open resistance. Nothing has been the same since the collective confrontation with the two truths that emerged from this event.<sup>75</sup> The idea that this struggle has been about truth - resolutely facing up to truth and its consequences and resolutely

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<sup>71</sup> Conversation with author, Kennedy Road, 22 March 2005

<sup>72</sup> Conversation with author, Kennedy Road, 22 March 2005

<sup>73</sup> *This Day* 16 July 2004 'Shock UN ranking of SA below Palestine'

<sup>74</sup> After the road blockade and its aftermath the struggle for toilets was the first major campaign of the struggle, and was where its first real gains were won. Toilets, it is widely noted in the literature on shack dwellers' struggles, are a key women's issue.

<sup>75</sup> Jacob Bryant has undertaken a large number of invaluable interviews into memories about this event and thinking about its ongoing and evolving significance. The two key themes that emerge with regard to the enabling realisation of the collective capacity for resistance are well summed up in quotes from Anton Zamisa and System Cele. Zamisa explains that 'before we were afraid, and then we were not afraid' (2005:36) and Cele observes that 'Now...our voice is heard...our struggle is the voice of silent victims...we hadn't been able to talk before'. (2005:2) Jacob Bryant *Towards Delivery and Dignity: Community Struggle from Kennedy Road*, Centre for Civil Society Research Reports 40 - 48, 2006, pp. 49-80.

posing truth against lies has been central to its discussions from the beginning. It is often stated that this openness to truth, an openness that renders everyone a subject to collective critical reflection, is a necessary pre-condition for political projects to have legitimacy. In fact many people say that their project is moral rather than political.

After ten days in prison, various court appearances and, finally, the decisive *pro bono* intervention of lawyer who knew the magistrate the Kennedy Road 14 were released. The Kennedy Road Development Committee organised a heroes' welcome for the fourteen. Each of the accused spoke and everyone affirmed their willingness to risk prison again. Then, before the music was cranked up, Zikode held the crowd rapt with a gentle speech about suffering as a source and legitimation of revolt. The suffering of the dominated as a foundation for the theorisation of resistance by the dominated is far from fashionable in contemporary white metropolitan theory. This is not surprising.<sup>76</sup> But it is very necessary to take the reality of suffering seriously because a radical politics must understand that it is a truth of this world, minister to it by acknowledging it and sharing it, and learn from it. In the meetings to come people would often speak about being 'matured in suffering'. Lewis Gordon<sup>77</sup> has pointed to the fact that Fanon's magnificent rebellion against 'a succession of negations of man'<sup>78</sup> began with weeping. Fanon reports that:

Yesterday, awakening to the world, I saw the sky turn upon itself utterly and wholly. I wanted to rise, but the disembowelled silence fell back upon me, its wings paralyzed. Without responsibility, straddling Nothingness and Infinity, I began to weep.<sup>79</sup>

That weeping was an acceptance of a profound degree of alienation from contemporary pieties – untruths. It was not a cathartic opening into a politics of joyous creation.<sup>80</sup> It was the beginning of something altogether more rigorous – the end of bad faith.

Zikode concluded his contribution to the speeches at the party by saying that 'The first Nelson Mandela was Jesus Christ. The second was Nelson Rolihlahla Mandela. The third Nelson Mandela are the poor people of the world'.<sup>81</sup> The resonant idea of the third Nelson Mandela quickly became part of the imagination of struggle in other settlements.

The next day permission was sought for a legal march on the local councillor, Yakoob Baig. Baig was equally despised in Sydenham Heights, the nearby council flats built for the 'coloured' poor under apartheid. This meant that there was more than enough common ground to discuss a set of shared demands. The careful discussions around the content of the memorandum began the process of building an effective non-racialism and solidarity between shack dwellers and flat dwellers. These discussions generated far more engagement between communities splintered by apartheid than any other event in the history of the ward. At one of these meetings it emerged that the World Bank had promised the same jobs to both Kennedy Road and Sydenham Heights should the gas to electricity project happen at the dump that physically divides the two communities.

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<sup>76</sup> As Lewis Gordon observes it generally remains the case that 'In most academic institutions, including some, unfortunately, in regions dominated by people of colour, the following formula holds: Colored folks offer experience that white folks interpret...theory is white as experience is black.' Gordon, *African-American Philosophy, Race and the Geography of Reason*, p.31.

<sup>77</sup> Lewis Gordon *Fanon and the Crisis of European Man* Routledge, New York 1995

<sup>78</sup> Fanon, *The Wretched of the Earth*, p. 252

<sup>79</sup> Frantz Fanon *Black Skin, White Masks* Grove Press, New York, 1967, p.40.

<sup>80</sup> This point is important because one line of flight from Stalinism in South Africa has led into a Deleuzian mysticism that replaces the vanguardism of party dogmatism constructed around economism with that of an equally authoritarian ontological vanguardism that, just like that nurtured in the Stalinist party, renders the actually existing poor valuable only as mere objects of manipulation. Peter Hallward's refutation of claims for Deleuze's value as a political thinker is decisive (*Out of this World: Deleuze and the Philosophy of Creation*, Verso, 2006) Against the fetish of pure thought that leads to hopes for an impossibly light being and the fetish of pure materialism that leads to an all too possible stolidity of being it is necessary to, with Fanon, Sartre and Badiou think dialectically – neither thought or the world but thought against the world.

<sup>81</sup> Author's notes.



Two weeks after the release of the 14 accused, on 13 May, more than 3 000 people marched from the Kennedy Road settlement to Baig's office. The key demands were for land, housing and Baig's immediate resignation. The march was supported by representatives from five nearby settlements, the nearby municipal flats, and a few seasoned activists from the township of Wentworth on the other side of the city and the Socialist Students' Movement. The march was pulled off with no external funding and in the face of all kinds of intimidation and dirty tricks which included an article in *The Daily News* by Farook Khan<sup>82</sup> falsely claiming that the march was not legal, the distribution of smartly printed flyers falsely claiming that this would be an IFP march<sup>83</sup> and the occupation of the settlement by a large armed military presence the night before the protest. Perhaps the most important and defiant banner on the march was the one painted last, while people were singing against the soldiers. It simply said 'The University of Kennedy Road'.<sup>84</sup> Struggle is, indeed, a school. That afternoon Durban was plastered with *Daily News* billboards reading 'Massive Protests Rock Durban'.<sup>85</sup>

The local ANC responded by sending in a heavy weight delegation who called a meeting at the hall, berated the community for their actions and demanded to know who was the Third Force<sup>86</sup> behind the protest. Eventually Zikode acknowledged that there was, in fact, a Third Force – winter. Winter was coming and winter means shack fires.<sup>87</sup> The local ANC left and never again returned without the police.

A number of events important within the settlement carried the momentum forward over the next months. Naomi Klein and Avi Lewis screened their film on the factory occupations in Buenos Aires, *The Take*, in the Kennedy Road settlement together with the first screening of Aoibheann O'Sullivan's *Kennedy Road and the Councillor*. In the case of the *The Take* an initial moment of puzzlement at the sight of white people battling

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<sup>82</sup> Farook Khan, 'Police rule on staging of march' *Daily News*, 11 May 2005.

<sup>83</sup> Distribution of these pamphlets was conspicuously heaviest in the largely Xhosa Foreman Road settlement. This is just one instance of a willingness to try ethnic and racialised divide and rule tactics from above. Others include sending in a group of almost exclusively Indian police to beat people as they retreated into the Foreman Road settlement after their peaceful march was attacked by the police on 14 November 2005 and the consistent and highly racialised recycling of the apartheid era white agitator thesis by, amongst others, Councillors Baig, Bachu and Peer Mayor Obed Mlaba, City Manager Mike Sutcliffe, MEC for Safety and Security Bheki Cele and various people in the office of the MEC for Housing Mike Mabuayaku.

<sup>84</sup> This idea was then taken up in a number of other settlements and in the movement that emerged from the developing collaboration between settlements. So there have also been banners like 'University of Foreman Road' and 'University of *Abahlali baseMjondolo*'. Bryant quotes Derrick Gwala, a member of the Kennedy Road Committee, explaining that 'the struggle is like education, and it just keeps going on'. *Towards Dignity and Delivery*, p.2.

<sup>85</sup> By December 2005 the shack dwellers' struggle would be extensively covered in the *New York Times*, *The Economist* and on *Al Jazeera* but this first emergence in elite media of a clearly non-spontaneous, and therefore non biological and thought out shack dwellers' politics was very significant. It produced a tremendous excitement about reading amongst many *Abahlali* with Mnikelo Ndabankulu securing a deal for half price day old newspapers for the movement. Anyone finding an interesting article will, if they have some credit on their phones, quickly send text messages to others letting them know. When people meet there are serious discussions about what has been read.

<sup>86</sup> S'bu Zikode later responded to the consistent use of the Third Force slur in a newspaper article first published in early November 2005. It has been widely commented on and republished in Afrikaans, English and Zulu in publications ranging from newspapers to academic journals and mass market magazines like *You*, *Husgenoit* and *Bona*. In this article Zikode argues that there is, indeed, a Third Force – poverty. However despite the enormous success of Zikode's article (it is arguably the single most important journalist intervention in post-apartheid South Africa) local ANC and city officials, continue to deploy (often contradictory) variations of the Third Force discourse. Interestingly factions of the middle class left, for whom a militant autonomous movement of the poor is, it has become evident, equally traumatic, are also attracted to the possibilities for symbolic repression of this trauma offered by these kinds of discourses.

<sup>87</sup> On 21 October there was another fire in Kennedy Road after a candle was knocked over. Eight shacks were burnt. A one year old boy, Mhlengi Khumalo, was very badly burnt and died the next Saturday night. An all night memorial service was held in the Kennedy Road hall on 29 October and the T-shirts made for the occasion read, in translation from Zulu, 'Go well Mhlengi Khumalo - Electricity, land and housing would have saved his life'. Major attention to this death was won in elite publics and the mobilisation around the funeral in the settlements ensured that there was wide and serious discussion about the policies that put the lives of shack dwellers at constant risk. The Municipality did not take this well and cancelled a scheduled meeting on housing in direct retaliation. However it has engendered a commitment to ensure that the deaths and day to day suffering of the poor are no longer allowed to pass unnoticed in wider society. Similar work has been undertaken with regard to the murder, in the settlement, of 22 year old Zothani Jwara and the stabbing of his brother Scelo, 20, for Zothani's cellphone on Sunday 11 December 2005. In this instance it was the general disinterest of the ambulance and police services that was being challenged. As the movement has spread a lot of work has been done in response to the relentless fires that plague settlement life. There have been major disasters in Lacey Road, Quarry Road and Jadhru Place and another death in Kennedy Road.

the police was soon overcome as it became clear that the riot police do the same work everywhere. *Kennedy Road and the Councillor*, which centres on the march on Baig, was greeted with such loud screams of delight that it had to be played twice more before the sound was audible. The evening was a storming success. Then, after numerous court appearances against a hostile state clearly out for convictions, activist lawyer Shanta Reddy, who had cut her political teeth in struggles against evictions and disconnections emerging from Municipal flats in the formerly Indian township of Chatsworth on the other side of the city five years previously, finally secured the dropping of all charges against the 14 accused. At every point in this ongoing battle Reddy explained all the legal options to the accused and all decisions about strategy were taken by the accused after careful collective discussion. A community in which there had been currents of anti-Indian sentiment at the time of the road blockade held an enormous party in honour of Reddy with each of the Kennedy Road 14, and committee members, speaking to honour her intelligence, courage and goodness.

The local government elections were coming and there was ongoing discussion about a collective response. A proposal to stage a collective boycott emerged almost immediately. A number of people argued that the only thing that the ANC wants from the shack dwellers is their vote and so it should be withheld. Elements of this strategy echoed the *Umkhumbane* beer hall boycott of 1959 when the only thing the apartheid government wanted from shack dwellers was to buy beer ('Native Administration' was funded with the profits from the municipal beer monopoly – this time it was political rather than financial capital that was being withdrawn). There was wide agreement that it would be intolerable to vote for Yakoob Baig. A good number of people wanted Zikode to stand but, after wide debate and very careful consideration, it was decided to refrain from electoral politics in order to preserve the integrity, autonomy and reputation of their struggle. The move to boycott, which quickly spread to nearby settlements took on some aspects of the mass strike – 'the phenomenal form of the proletarian struggle in revolution'.<sup>88</sup>

The boycott was carefully theorised in ongoing discussions that concluded that there is a difference between 'party politics' and 'people's politics' and that the former, identified as a mechanism of elite control, will always seek to capture the latter, identified as a space for popular democracy. The decision to commit to people's politics is not a commitment to pursue autonomy from the state. On the contrary there is a hard fought day to day struggle to subordinate the local manifestations of the state to society. However it is a decision to pursue the political autonomy of the settlement. The principled decision to keep a distance from what is widely seen as a mode of politics that has an inevitably corrupting influence on any attempt to keep a struggle grounded in truth was key to the rapid building of a mass movement. People in other settlements were generally very keen to talk to people who had publicly committed themselves to remain politically autonomous from constituted power and permanently subject to the questioning of constituent power.<sup>89</sup> Kennedy Road had had to break with SANCO when they accepted political exile. But now other settlements began to vote out SANCO committees, seen as accountable to the local ANC, and to elect autonomous committees, seen as accountable to the people in the settlements.<sup>90</sup>

After years of contemptuous neglect the government, in various forms, became very interested in Kennedy Road. On Monday 29 August a cavalcade of yellow cars from various departments rolled in (up to two hours late) for a meeting. They were welcomed with biscuits for tea and breyani for lunch. The meeting was to

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<sup>88</sup> Rosa Luxemburg 'The Mass Strike, The Political Party, and the Trade Unions' *The Rosa Luxemburg Reader* Monthly Review Press, New York, 2004, p. 192.

<sup>89</sup> The commitment to keeping people's politics autonomous from the corrupting influence of state power included a commitment by everyone who accepted elected office to place themselves last on the list when housing was won. This was a dramatic break with the politics of local patronage so typical of the ANC and SANCO.

<sup>90</sup> This was generally not framed as being anti-ANC. In the Foreman Road settlement Mnikelo Ndabankulu argued that the new autonomous committee was not anti-ANC but that SANCO 'had been like Christians who worship the Bishop instead of worshipping God'. He gave a powerful account of how he had learnt the history of struggle and the ANC from his grandfather in Flagstaff and remained committed to the idea of the ANC but not to its clergy. I've often thought that this movement is well described as heretical.

discuss, in particular, the work being done, by the Kennedy Road Development Committee, for people with AIDS. For some time the community has provided various forms of support to orphans (including food, clothes, liaison with schools etc) and the sick (food, fetching water, help with disposing body waste, assistance with grants, linkages with hospitals and clinics and so on). The meeting was opened by an official from the Department of Agriculture, Health and Welfare. Her opening statement was as follows:

We are very pleased to be here in the field with you. We target the same clients and have the same core business. We want to work closely with all our stakeholders so that we can improve services delivery in an integrated manner. We are committed to mainstreaming AIDS and want to help you to develop a business plan.<sup>91</sup>

This is an exact quote.

The actual structure of the meeting took the form of using a 'tool' prepared by a consultant. The 'tool' was a very detailed 21 page questionnaire asking detailed (often statistical) questions about the community organisation's response to AIDS. Government officials took turns to verbally ask the questions listed on the questionnaire. The community organisation was not given the document in advance and so, even though they keep very detailed records in a series of carefully bound and filed notebooks, they couldn't answer all the questions immediately. No organisation could have answered similar questions about its own operation without preparation. The structure of the exercise meant that as it went along the tone of the government officials became somewhat inquisitorial and judgmental and the community organisation people became somewhat depressed. What else can happen when questions can't be answered or, when they can, the consultant's research has deemed the answers 'wrong'? (Food parcels must cost R280. Research has shown this. Spending R150 per food parcel per family is wrong and must be explained. Why are you not growing vegetables hydroponically? Research has shown that this is a much better business model, etc, etc.) Nevertheless not every impulse towards solidarity could be crushed by the 'tool'. People, on both sides, could find ways around the consultant's desire to tie encounters between the governors and the governed into a technocratic rigidity utterly indifferent to particularity.<sup>92</sup> When it came to the question of 'sustainability' the community organisation duly produced beaded AIDS ribbons which they had made and said they would sell. The government delegation duly said they would train them to develop a business plan. Everyone knew it was nonsense but once the sustainability box was ticked it was possible to move on. And support for some of the extant initiatives was duly and sincerely pledged. One official even proposed a new project - a social worker would arrange for support at R8 per participant to hold a monthly get together of the old people.

But these little collaborations weren't enough. Against the technocratic anti-politics that requires people to wait, passively, for delivery as their leaders 'proclaim that the vocation of their people is to obey, to go on obeying and to be obedient until the end of time'<sup>93</sup> meetings in Kennedy Road increasingly began to talk about *hlonipha*. Usually translated as respect or honour *hlonipha* often, as a noun or a verb, carries the connotation of a performance of subservience by the young to the old, women to men and the powerless to the powerful. But here were groups of men and women, mostly in their twenties proposing to '*hlonipha*

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<sup>91</sup> Author's notes, 29 August.

<sup>92</sup> There are other instances of similar collaborations against The Plan. For example Municipal refuse collection workers have covertly removed refuse from some settlements - a service which The Plan reserves for 'formal' fully legal and rate paying residents. Similarly some academics at UKZN, which has a formal 'partnership' with the eThekweni Municipality, have sought, theorising their praxis via Nigel Gibson's reading of Fanon's work on the role of the intellectual, to put their skills and resources in service of resistance to the Municipality. Some social workers and police officers have also acted against The Plan.

<sup>93</sup> Fanon, *The Wretched of the Earth*, p. 135.

ourselves'<sup>94</sup> and to refuse to accept anything other than the same respect from the government.<sup>95</sup> Respect was now being demanded for everyone's experiences, ideas and contribution. Amongst other things this translates into a demand for radical bottom up democracy. People became very clear that they were not, as the President and most academics and professionalised left 'activists' had assumed, demanding 'delivery'. They were demanding the right to co-determine their future. This means that questions about where houses are built, who is allocated a house, what counts as a 'house' and so on are firmly on the agenda.

Another legal march was planned for 14 September 2005. Then, on 7 September 2005, the big boys rolled in under the confident leadership of Deputy City Manager Derek Naidoo. 'We are here', he announced, 'to avert the march'.<sup>96</sup> Then, after a long (and of course technicist) ramble about budgets and policies - punctuated by an interlude where people were berated for allowing the settlement, which he spoke of as if it were a disease, to grow from 716 shacks in 2002 to 2 666 in 2005 ('This growth is unacceptable!') - he made his offer. Council wanted a 'partnership' with the 'leadership' of the community. The council would build two toilet blocks in the settlement and the 'leadership' would run these toilet blocks by charging '10 cents and 20 cents a time' (10 cents for a piss and 20 cents for a shit? no one was sure) and using this money to employ a cleaner and to cover the maintenance costs. Toilets are not a small issue in Kennedy Road. But Naidoo's offer of two pay per use toilet blocks was greeted with fury.<sup>97</sup> Cold fury in some cases. Hot in others. But fury all round.

People asked about the nearby land that had been promised to the community for years. They asked about the housing they had been consistently promised in every election campaign and in numerous meeting. When pressed Naidoo told the truth about the City's plan for the poor. In his exact words 'The City's plan is to move you to the periphery'.

He came under sustained attack. Where will we work? Where will our children school? What clinics are there? How will we live? His answer basically came down to the claim that the city would enable 'entrepreneurship' in its rural periphery. People will be dumped in the bush and given training to start businesses. Naidoo was told that there was no infrastructure in rural areas. He agreed and said that people must understand that it is too expensive to build it there and that the development focus was the 25km circumference radiating out from the nodal point of the city centre.

It was put to Naidoo that this was the same as apartheid - black people were being pushed out of the city. It was put to Naidoo that this sounded like a slower and more considered version of Mugabe's attack on the poor in Harare. Naidoo said that if people didn't like it 'they should go to the constitutional court'. This is, he observed, a democracy.

Naidoo kept saying that there was no land. Chazumuzi Ngcobo pointed out that there was in fact plenty of land around. Examples were cited. Naidoo said that the land belongs to a private company – Moreland. From this moment on the struggle has included a demand for the expropriation of land for housing from Moreland.

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<sup>94</sup> Christopher Hill notes that in the English and French revolutions heretics often reappropriated the language of deference to superiors and applied it to each other to affirm their break with the old hierarchy. *The World Turned Upside Down: Radical Ideas During the English Revolution* Pelican, London, 1975, pp. 247-248.

<sup>95</sup> There has been no fetish of state power as the only agent of alienation and exploitation. The same demand has been made to business. Left NGOs and certain middle class leftists with delusions of vanguardist grandeur, including those masquerading as social movements, have been startled to find that they too are expected to negotiate all their proposed interventions openly and democratically and to abide by decisions taken at meetings. Furthermore it is required that representatives of any organisation proposing any partnership or relationship live in the settlement for a week before discussions are under taken.

<sup>96</sup> All quotes from this meeting are taken from Fazel Khan's notes.

<sup>97</sup> The toilet blocks have now been built. The pay per use idea was dropped and, after a grinding struggle, local labour was used and paid near decent wages. Volunteers take turns to maintain a 24 hour guard on the toilet blocks to ensure that there is no misuse. Davis is very good on the issue of toilets and notes that, consequent to the thinking of 'certain economics professors sitting in comfortable armchairs in Chicago and Boston...pay toilets are a growth industry throughout Third World slums' and, importantly, that toilets are 'above all...a feminist issue'. *Planet of Slums* p. 141 & 140.

Naidoo was told that the march would be averted if he promised 2 500 houses in the city in writing. He said 'No, this place has been identified and prioritised for relocation. It is ringfenced for slum clearance'. He was asked if he would put his offer of a partnership around the toilets in writing. He said 'No. The city is extending their hand. This is participatory democracy'. Naidoo was told that people wouldn't be voting in the local elections. He berated them for 'not respecting democracy'. Naidoo was told that the march on the 14th was going ahead and that if it didn't get results there would be further road blockades.

S'bu Zikode declared the meeting closed. He spoke about all the people who had lied - Councillor Yakoob Baig, City official S'bu Gumede and others. He told Naidoo 'You have lied, you are lying and it seems you will continue to lie. We'll put thousands on the streets'.

Naidoo and his entourage left. The intense discussions about strategy continued into the night.

The political process in the two weeks leading up to the march was extraordinary. There were nightly meetings in nearby settlements as well as the Sydenham Heights municipal flats and the Jimmy Carter Housing Project in Sherwood. The meetings began with a screening of *Kennedy Road and the Councillor* and then moved into open discussion. O'Sullivan's film gives a short overview of the Kennedy Road struggle from March to June 2005. Interviews are often in Zulu and the film takes the lived experience and intelligence of its subjects seriously (as opposed to the altogether more common practice of distorting the reality of African struggles to make them appear to conform to the expectation of Northern NGOs, Northern academic networks or fashionable Northern theories). Against the often raced and gendered and always classed documentary convention in which analysis comes via an outside 'expert' the film allows the people who suffer and resist to theorise their own experiences.<sup>98</sup> It begins with the sanitation crisis and broken promises around toilets before moving into broken promises around land and housing in Clare Estate. But, crucially, it includes the articulation of an *Abahlali baseMjondolo* political identity and a direct contestation with the stereotypes that seek to objectify shack dwellers as stupid, dirty, lazy, criminal and dangerous. At every screening people cheered as Nonhlanhla Mzobe says (in translation) 'We are not animals. We are human beings that feel and want nice things. We think. People must understand that we think'. It was the first time that *hlonipa* for shackdwellers had hit the big screen.

Thousands of people saw o'Sullivan's film and were part of intense political discussions during these two weeks. Each community confronts a situation with its own singularities and so each meeting had its own character, dynamics, and tensions, not least in the breaking with the local ANC structures. At the last minute, local ANC structures were informed that any member joining the march would be expelled from the party, the IFP front smear was resuscitated and people were told that when delivery came communities that had supported the march would be left out. Sherwood and the Lacey Road settlement dropped out altogether and support dropped significantly in the Foreman and Jadhu Place settlements. But on the morning of the 14th well more than 5 000 people (some put the number as high as 8 000) set off up Kennedy Road to fire their councillor.

The shack dwellers were joined by a bus load of people from the flatlands of South Durban mobilised by the inimitable Des D'sa<sup>99</sup> and various other supporters including a group of young white boys with signs saying

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<sup>98</sup> This style of genuinely radical film making has since been continued in *Abahlali baseMjondolo* by Sally Giles & Fazel Khan.

<sup>99</sup> D'sa has been a very effective activist for years in the township of Wentworth, designated as coloured under apartheid, where he has campaigned against evictions, disconnections and the ongoing environmental racism of the oil refineries in the township. Destitute people living in Municipal flats in Wentworth face eviction as the flats are privatised under the city's slum clearance policy and body corporates demand levies. On 21 March, a year to the day after the march on Sydenham police station, D'sa hosted a meeting in Wentworth with a view to beginning a flat dwellers' movement to stand with the shack dwellers' and together oppose the city's 'slum clearance' policy. D'sa was born in *Unkhumbane* and forcibly

something about toilets in bad Zulu. Young white boys with shaven heads and the look of poverty have a whiff of fascism to the refined noses of the middle class left and 'out of context' can look like rent-a-mob. I asked them, trying to disguise my suspicion, who they were. Turns out they were from a Pretoria orphanage. They have an annual coastal camping holiday in nearby ugly industrial Pinetown and have got to know the campsite caretaker well over the years. He lives in Kennedy Road. So they walked into town and caught the taxi to Clare Estate with him. Such is the beauty of struggle. Such are the ways in which we learn how fucked-up we are.

The councillor came to meet 'his people' in an armoured riot control vehicle from which he, at times visibly shaking with fear, watched a performance of his funeral. The sombre priest (Danger Dlamini) and wailing mother (Nonhlanhla Mzobe) asked the impassive heavens who would replace the late Councillor Baig. Who would lie as he had lied? Who would show the contempt that he had shown? Who would leave them to shit in plastic bags? Who would switch off his phone when they pleaded with him to intercede with the fire brigade when their homes were burning? Who would stand, gingerly, at the edge of the settlements dishing out breyani when they wanted an honest and open conversation? When the carnival was over Yakoob Baig was forced out of the armoured vehicle to receive a memorandum from a gentle man who works at a petrol station and lives with his family in a home made of mud and sticks. The councillor was not metaphorically buried merely as a deficient instance of councillorhood. It was the whole idea of a top down party structure stretching down to ordinary people through councillors that was being buried. Back in Kennedy Road brandy was spilt for the *amadlozi* and the march was celebrated as a major triumph.

The march was on national radio and television that night and the next day the national tabloid, *The Citizen*, led with a banner headline screaming '6 THOUSAND PEOPLE HAVE TO USE 6 TOILETS'<sup>100</sup> and the Durban morning newspaper, *The Mercury*, led with the march and reported that S'bu Zikode, had affirmed that 'if there was no progress soon the protests would be intensified. He said people would begin taking services by force, beginning with Operation *Khanyisa* which was taking electricity by force'.<sup>101</sup> The media interest rolled on through the weekend and a scandal broke about City Manager Mike Sutcliffe, a master of self promoting spin and media manipulation, earning more than the president while the poor suffered. Sutcliffe was panicking. In an hysterical rant at Fazel Khan (an academic who had become part of the movement) in a university parking lot he screamed that the marchers were all being 'used' by a white Marxist academic who should 'pay for the toilets' himself.<sup>102</sup> There was a rip, small but clear, in the carefully and expensively manufactured consent for the city's casino and theme-park led development policy. In the following months there was more organising, marches and the movement spread rapidly. At each march a memorandum was delivered, and each time, its recipient was more senior within the government hierarchy. After Baig a memorandum was addressed to Mayor Obed Mlaba. He first responded by sending junior officials to meetings, then by promising a R10 billion land deal involving his former employers, Moreland. When he failed to honour subsequent promises to disclose any further details about this deal, the shackdwellers decided to address their grievances to the Premier of KwaZulu-Natal, S'bu Ndebele.

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removed to Wentworth in 1969. At one of the combined shack and flat dweller events he told me that the non-racialism reminded him of life in *Umkhumbane*.

<sup>100</sup> Paul Kirk, '6 Thousand People Have to Use 6 Toilets', *The Citizen* 15 September 2005

<sup>101</sup> Carvin Goldstone & Michael De Vries, 'Clamour rises for shelter, services', *The Mercury* 15 September 2005

<sup>102</sup> Although the academic in question had joined the march he had had no further or deeper involvement in the shack dwellers' struggle as either a participant or funder. In fact there had been no outside funding at all. Later Sutcliffe would make even more paranoid claims including statements to the media that the struggle was a plot between the same academic who, he said, was working for dubious American funders with an imperial agenda, and a local DA councillor. For Sutcliffe, like many key people in the local ANC, there must always be white agency and large amounts of money behind the struggles of the black poor. The apartheid state often held exactly the same pejorative assumptions. Interestingly Sutcliffe tells leftists that he, like Thabo Mbeki, remains a Leninist. We can only assume that he is not thinking of the Lenin who argued that 'bureaucratic deformities' were because the state apparatus has been 'borrowed from Tsarism and simply covered with a Soviet veneer'. Cited in Robert Conquest *Lenin* Fontana, London, 1972, p.113.

Along with these marches and the rapid climb up the rungs of government hierarchy, a range of organising meetings were held within the settlements. A good number of settlements, often in the face of serious and at times armed intimidation, successfully democratised.<sup>103</sup> On 6 October a meeting of 12 settlements that all now had democratic committees autonomous from the local ANC was held in Kennedy Road. There were 32 elected representatives there, 17 men and 15 women. They agreed that they would not vote in the coming elections and that they would stand together and fight together as the *Abahlali baseMjondolo* movement.<sup>104</sup> Each settlement now has at least one weekly meeting and representatives from each of the settlements meet as *Abahlali baseMjondolo* every Saturday. Every day there is good number of meetings of various sub-committees.

The meeting can be a slow enervating nightmare. But Fanon, a man with an indisputably firm commitment to action, celebrates it as a liturgical act. The religious language is appropriate not just because the meeting performs the same functions as those that Davis, rightly, sees religion as performing in the slum<sup>105</sup> – to connect and sacralise the denigrated and to tend hope. It is also appropriate because the meeting, when genuinely open to the wider life lived in common, is a space for people and communities to become something new – in this case historical agents in the material world.<sup>106</sup>

### Escalating repression

The *Abahlali* had to confront their first crisis quickly. The small Lusaka settlement was one of three settlements in the Northern suburbs that chose not to join the movement. They felt that they would be rewarded for remaining loyal to the ANC. This was a mistake. They were picked off because they were isolated and vulnerable. The settlement was demolished by the City, at gun point and mostly in the rain, during the last week of October 2005. The chaotic scenes of keening women, police dogs, tear gas and ineffectual attempts to stand up to the armed power of the state could have come straight out of the late 1950s or the early 1980s except that the eviction notice was now, via its logos and slogans, attached to the nation rather than white authority. Thirty five households were moved to two roomed shack size ‘starter homes’ in Mount Moriah and the notorious rural ghetto of Parkgate, which is 27 kilometres and a R21 taxi journey from Durban. There are no schools, shops, clinics or police stations there. The houses have a plug point, a tap and a toilet. Limited amounts of water and electricity will be free for the first two years after which user fees will be levied. The roofs of the houses and the plastic toilet cisterns were already leaking by December. They are indisputable worse than the 4 roomed houses built in apartheid relocation townships. The only progress inheres in the fact that unmarried women are now eligible for this housing.<sup>107</sup>

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<sup>103</sup> In those settlements with *Abahlali baseMjondolo* affiliated democratic committees where individuals have wanted to campaign for the ANC they have been able to do so openly.

<sup>104</sup> On 21 November 2005 there were 14 settlements formally affiliated to the movement and another 8 where large groups of people had affiliated. There were *Abahlali* in 28 settlements. All of the 14 formally affiliated settlements were governed on a fully democratic basis, were holding weekly mass meetings and sending delegations, elected afresh each week, to weekly *Abahlali baseMjondolo* meetings. Around 20 000 people had been actively mobilised by the movement in different ways and word of the movement had spread way beyond the settlements in which there was regular formal participation. A year later 34 settlements are affiliated and there has been rapid growth in Pinetown and ‘Martizburg and on the North Coast.

<sup>105</sup> But his is wrong to write as though everyone in the slums is religious and to ignore the diversity of modes of being religious.

<sup>106</sup> *Abahlali* take the position that everyone in the settlement is from the settlement and so meetings are absolutely open to all adults independent of age, place of origin, ethnicity, degree of poverty, time spent in the settlement and gender. However while mass meetings always include children smaller meetings usually don’t and it is apparent that, while women participate enthusiastically and regularly make decisive interventions, they are often young women without children or older women with children that don’t require continual care. For the meeting to reach its full democratic potential child care arrangements will have to be improved. This is materially difficult in settlements like Foreman Road where there simply is not any building or even open space large enough for collective childcare arrangements. This is one reason why getting two areas of common space (one for meetings and one for childcare) has become a priority. In Jadhu Place two old shipping containers donated by a church have been used to good effect.

<sup>107</sup> Mark Hunter first brought this important fact to my attention.

Nineteen households were 'not on the list' and were, in casual violation of the celebrated South African constitution, left homeless. They occupied the front lawn of the local councillor's offices for a week in protest. They were arrested on charges of trespassing and spent 3 days in the holding cells at Sydenham police station. After their release was secured they were housed in the Kennedy Road community hall and, due only to the intense pressure generated on their behalf by the *Abahlali*, they were finally given houses in Mount Moriah on 19 November 2005. Although Mount Moriah is closer to the city than Park Gate it is still a bleak rural ghetto far from opportunities for work and so the 'victory' has largely been experienced as hollow. The experience of Rasta Walter is not untypical. He came to Lusaka from a Transkei village in 2000. He soon found work as a gardener and in 3 years saved enough money to buy a second-hand lawnmower and begin a grass cutting business. Within a year he was able to buy a second mower and send for his brother. He lost his guitar and his dog and was parted from his girlfriend, who lives in a nearby settlement, in the eviction. The lawnmowers were not lost but can not be transported into town by taxi. He has not worked a day since he was moved to Park Gate and is suffering severe depression.<sup>108</sup>

The newly elected Foreman Road Development Committee scheduled a march on Mayor Mlaba for Monday 14 November. This was to be the first *Abahlali* march into the city. But, as in 1956, this was a step too far for the state. The Committee completed all the paper work necessary to stage a legal march in good time. But three days before the scheduled march a terse fax was received from the Municipality stating that the march was 'prohibited'.<sup>109</sup> City Manager Mike Sutcliffe is responsible for administering requests to hold legal marches. The Freedom of Expression Institute issued a statement condemning Sutcliffe's ban as 'a flagrant violation of the Constitution and the Regulation of Gatherings Act'.<sup>110</sup> On the day scheduled for the march over 3 000 people gathered in the Foreman Road settlement to take a collective decision on how to respond. There was a large police presence at the two exits from the settlement. The Committee warned that it would be dangerous to march and suggested that a rally be held in the settlement instead. But the majority decided that they could not accept this and would stage a peaceful march in protest. Speaker after speaker observed that while marching might be dangerous continuing to live in the settlements under the current conditions was also very dangerous. The marchers, mostly women, set off singing up the steep dirt road that leads out of the settlement singing '*Yonk' indawo umzabalazo uyasivumela*'. They had just stepped on to Loon Road, where the 'informal' dirt track meets the 'formal' tarred road, when they were met by the police. They had posed no threat to any person or property. Without the mandatory warning the police charged the protestors and began arresting and beating people at random resulting in a number of serious injuries. System Cele had her front teeth broken as she was beaten down onto Loon Road by baton blows to the back of the head. At least two police officers fired shots from pistols and people were shot at point blank range with rubber bullets while cowering on the ground. It was just sheer good luck that no one was killed.

There were a total of 45 arrests. While the police were beating people back down the dirt road that leads into the settlement someone shouted 'You can't do this to us. This is a democracy'. Officer Swart's response was to say 'There is no democracy here!'<sup>111</sup> For some hours police blocked both entrances to the settlement preventing anyone from entering and shooting, mostly with rubber bullets but stun grenades and live ammunition were also used, at anyone trying to leave the settlement. Protestors, lead from the front at the Loon Road entrance by Fikile Nkosi, a young domestic worker, successfully kept the police from entering

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<sup>108</sup> See Anna Weekes *Starting from Scratch After Forced Removal* <http://www.ukzn.ac.za/ccs/default.asp?3,28,10,2300>

<sup>109</sup> Fax from the Municipality dated 9 November 2005. Sutcliffe's ban resulted in a hard hitting press statement by the Freedom of Expression Institute, an equally hard hitting article in a local newspaper by myself and a strongly worded petition by more than 50 top constitutional rights academics from around the world. However he remained unrepentant and justified, and continues to justify his illegal suppression of basic rights on the grounds that the Foreman march was 'political'. Clearly for Sutcliffe basic rights should only be respected when their exercise poses no threat to his authority. Perhaps this is the Leninism to which he subscribes.

<sup>110</sup> Freedom of Expression Institute Press Statement dated 10 November 2005.

<sup>111</sup> Author's notes



the settlement with barrages of stones. During the police siege a suited effigy of Mlaba was burnt in the settlement.

Academics and journalists were threatened with violence if they reported what they had seen and had cameras stolen. The police simply refused to open cases of intimidation, theft and assault against other SAPS officers. However a number of officers from Crime Intelligence and the National Intelligence Agency were undertaking overt investigations into various people active in *Abahlali baseMjondolo* and there were also, often inept, attempts at covert surveillance.<sup>112</sup> There was now a *de facto* ban on all political activity outside of the settlements. But the movement continued to mobilise inside settlements and to grow.

On 13 January the National Intelligence Agency phoned S'bu Zikode to inform him that S'bu Ndebele, the provincial premier would be hosting a rally at Kennedy Road and warning him that he would be held personally responsible if things went wrong. The next morning riot police, under the command of Glen Nayagar and accompanied by Yakoob Baig, occupied the settlement. Shack dwellers in ANC t-shirts were then bussed in from settlements elsewhere in the city. They had not been told where the rally would be and many were angry when they arrived in Kennedy Road and realised that they were being used to stage a faked media spectacle of ANC support. Nayagar demanded that the *Abahlali* unlock the hall or face arrest. They refused. There was a tense stand off between the police and *Abahlali* with increasingly fruitful conversations between Kennedy Road residents and many of the people bused in to simulate them. Eventually the police gave up and left. Ndebele, who had been waiting in nearby Sydenham to make the appearance of a triumphant entrance, kept away.

A month later *Abahlali baseMjondolo* was invited, in writing, to send one panellist and 60 supporters to take part in a debate on the popular TV talk show *Asikhulume* to be filmed live in Cato Manor. The same invitation had been extended to the ANC, IFP and NADECO. The *Abahlali* arrived to find the police stationed at the doors to the hall. People wearing black and white political party t-shirts, all emblazoned with the faces of the various party leaders, were waved through while the *Abahlali*, conspicuous in their red shirts demanding land and housing and refusing to vote were, to a person, denied entrance to the hall. When S'bu Zikode showed the police his written invitation to appear as a panellist they singled him out for assault before tear gassing everyone else. Through the glass doors Obed Mlaba could be seen sitting smugly on the stage. After vigorous protest the *Abahlali* were able to get close enough to the doors to start banging. The noise was disruptive and someone opened a door from the inside. Xolani Shange from the Socialist Students' Movement quickly put his body in front of officer Ndlovu's fists and baton so that Zikode could slip in and confront Mlaba from the floor. Mlaba's smugness twisted into silent rage as he was held to account by a man who lives in a shack. Zikode was able to speak for 5 minutes before a massive cloudburst cut the broadcast out.

The *Abahlali* were eventually able to garner the connections to begin to challenge their *de facto* banning on Monday 27<sup>th</sup> February 2006. Sutcliffe had, again, illegally banned a planned march into the city. This time the movement had grown to the point where 20 000 people were expected. The day before the march an

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<sup>112</sup> A month after the march the Vice-Chancellor of the University of KwaZulu-Natal (UKZN), Professor Malegapuru Makgoba, informed Fazel Khan (in front of three witnesses) that Mayor Mlaba had asked him to take action against the two UKZN academics he believed to be 'behind' the march. Makgoba said that he would submit a National Intelligence Agency report on the academics in question to the university council to see if there were grounds for a charge of 'incitement'. On this occasion the academics in question had, together with a third academic, been part of the movement but had certainly not been 'behind' it. Makgoba later backed down in the face of a public challenge and flatly denied having ever issued this threat. Since then Mlaba, Sutcliffe and Jacob Zuma have all stated that Makgoba has been asked to remove, in Zuma's words, the 'academics who are embarrassing the government'. Fazel Khan, who was also a key leader in the February 2005 strike at the University, is currently facing a disciplinary process aimed at dismissal. It is based on entirely ludicrous grounds.

attempt by Baig and Mlaba to win people in Jadh Place over with *breyani*<sup>113</sup> was laughed off and failed dismally. As dawn broke on the day of the march the police occupied the three largest settlements - Foreman Road, Jadh Place and Kennedy Road - in a military style operation using armoured vehicles and helicopters. All exits were blocked off and key people were arrested, sometimes while still asleep, and later assaulted in Sydenham police station. There were major stand offs at all three settlements and in the city where people from smaller settlements and Wentworth and Chatsworth were gathering. But this time *Abahlali* were able to go to the High Court and, in a day of high drama watched closely by the national media, won a court order interdicting the City and the police from interfering with their right to protest. With the interdict in their hands the shack dwellers were able to leave the settlements and march into the city in triumph. The provincial minister for Safety and Security, Bheki Cele, stood on the steps of the City Hall staring menacingly at people he recognised and drawing his finger across his throat. Sutcliffe loaded his furious press statement with words like 'criminal' and 'anarchy' and promised to challenge the court. In fact he issued no challenge to the court and said nothing when the court ordered the city to pay punitive costs a week later.

Two days later the ANC councilors in the Northern suburbs were returned to office. The boycott by shack dwellers had held firm but the middle class vote swung decisively towards the ANC. However *Abahlali* received far more media coverage than any of the political parties in Durban and, to a very large extent, set the agenda for the election. *Izikipa ezibomvu*, as *Abahlali* are known by the ANC and, consequently, much of the popular media, dominated most of the tone and substance of the ANC victory rally in the city hall where Bheki Cele frantically and furiously recycled the old white agitator thesis and promised an intelligence and police crack down on the movement and named individuals.

The ANC reveals something about itself by choosing to refer to *Abahlali baseMjondolo* as 'the red shirts'. Even when one *Umhlali* wears the red shirt she suddenly becomes very visible – even hyper visible – as an autonomous political subject. When hundreds of *Abahlali* wear their red shirts together it feels and is treated like an insurgency even if they are just singing in the road. The red shirts produce tremendous anxieties amongst those who want to insist, overtly or covertly, that shack dwellers keep to their place. There have been all kinds of paranoid and often contradictory conspiracy theories about where the shirts come from and who pays for them. In fact the t-shirts were initially bought from and printed by local businesses for the usual fee paid which was paid with money raised within the movement. The t-shirts are now made in the shacks by the *Abahlali Women's Sewing Collective* with rented peddle power sewing machines. The truth is that the ANC does, in fact, have good grounds to be afraid.

### **An epistemology of resistance**

Fanon, the great theorist of resistance as a collective questioning, declares that 'As a man, I undertake to face the possibility of annihilation in order that two or three truths may cast their eternal brilliance over the world'.<sup>114</sup> For Fanon the potential for the generation of eternal and brilliant truths lies in reflection on action because it requires the shock of the real – hence the price of their possible generation is neither solitary hours at a desk nor instruction as an initiate of some intellectual or political cult.

Alain Badiou is the great contemporary theorist of philosophical truth as a product of the experience of struggle. He argues that: 'We must conceive of a truth both as the construction of a fidelity to an event, and

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<sup>113</sup> If their intelligence had been more accurate and less given to paranoid conspiracy theory they would have known that '*Phansi breyani!*' had long been a slogan of the movement. The slogan arose in opposition to the tendency by Baig and others to assume that people would be won over with occasional free food at elections or when there was some dissatisfaction. It is now used more generally against any attempt to, in any form, buy the right to halt, fragment, co-opt or direct resistance.

<sup>114</sup>Frantz Fanon *Black Skin, White Masks* New York, Grove Press 1967, pp.227-8.

as the generic potency of a transformation of a domain of knowledge'.<sup>115</sup> Like Fanon, Badiou, speaks, in his case via Heidegger, of the impact of a truth as a mutation. 'The mutation occurs through the interpenetration of spirit as intellect, the latter being understood as the simple faculty to reason correctly in theoretical and practical considerations'.<sup>116</sup> For Badiou the breaks with consensus that enable radical political movement are 'centred on the exception that truths inflict on what there is'.<sup>117</sup>

Truths are events that no longer allow us, in good faith, to see as we previously saw and to be as we previously were. So, for example, after the Haitian revolution, or after the Soweto uprising, or after Biko hit back, a new truth – ethical, epistemological and strategic - became present in the world. Fidelity to the truths that emerge in struggle renders philosophical engagement a mode of praxis, action and reflection within struggle, rather than just a mode of analysis. In the words of Marx:

Nothing prevents us...from starting our criticism with criticism of politics, with taking sides in politics, hence with actual struggles, and identifying ourselves with them. Then we do not face the world in doctrinaire fashion with a new principle, declaring, 'Here is the truth, kneel here! We develop new principles for the world out of the principles of the world.'<sup>118</sup>

This point is concretised with typical elegance by John Berger who, writing on, and at the time of the death of Che Guevara observed that:

Guevara found the condition of the world as it is intolerable. It had only recently become so. Previously, the conditions under which two thirds of the people of the world lived were approximately the same as now. The degree of exploitation and enslavement was as great. The suffering involved was as intense and as widespread. The waste was as colossal. But it was not intolerable because the full measure of the truth about those conditions was unknown – even by those who suffered it. Truths are not constantly evident in the circumstances to which they refer. They are born – sometimes late. This truth was born with the struggles and wars of national liberation. In the light of this new-born truth, the significance of imperialism changed.<sup>119</sup>

The *Abahlali's* concern with truth, and the mechanics of confronting it together in the sacred space of the meeting, the home of the exile, has not dimmed after the election results. In fact the local ANC's decision to consolidate as a party of the middle class has openly entrenched the previously denied rupture that led to a confrontation with the truth of betrayal.

Like Fanon Alain Badiou recommends a break with the politics of representation, sees local politics as the site for this and heralds the meeting as central to radical process. He proposes no easy formula 'To identify the rare sequence through which a political truth is constructed, without allowing oneself to be discouraged by capitalist-parliamentary propaganda, is in itself a stringent discipline'.<sup>120</sup> For Badiou what is at stake is not a new philosophy but a new practice of philosophy:

To say that politics is 'of the masses' simply means that, unlike bourgeois administration, it sets itself the task of involving the people's consciousness in its process, and of taking directly into consideration the real lives of the dominated. In other words, 'masses', understood politically, far

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<sup>115</sup>Badiou, *Infinite Thought*, p. 58.

<sup>116</sup> Martin Heidegger cited in Badiou, *Infinite Thought*, Continuum, London, 2004. p. 59.

<sup>117</sup> Badiou, *Metapolitics* p. 22.

<sup>118</sup> Cited in Richard Turner 'Dialectical Reason', *Radical Philosophy* No.4, 1973, p. 33.

<sup>119</sup> John Berger *Selected Essays* Vintage, London 2001, p. 11.

<sup>120</sup> Badiou, *Metapolitics*, p. 101.

from gathering homogenous crowds under some imaginary emblem, designates the infinity of intellectual and practical singularities demanded by and executed within every sphere of justice...politics is of the masses, not because it takes into account the 'interests of the greatest number', but because it is founded on the veritable supposition that no one is enslaved, whether in thought or in deed, by the bond that results from those interests that are a mere function of one's place.<sup>121</sup>

The discussion at *Abahlali* meetings is not, as has often been my experience previously, a performance of inclusion to legitimate an outcome determined elsewhere. Elected leaders and individuals with various forms of relative privilege are routinely subject to positions that they did not arrive with. When the meeting produces a result we are all committed to it.<sup>122</sup> This is due to deeply valued ethical commitments. But it is also due to necessity. There is no other way to build popular consent for a risky political project amongst a hugely diverse group of vulnerable people with profound experiences of marginalisation and exploitation in multiple spheres of life, including political projects waged in their name. There is no patronage to dispense. If democracy ever does become a performance rather than the reality the collective movement out of the places to which shack dwellers are supposed to keep will stop. Everyone knows this.

Through their constant process of interrogation, the *Abahlali* are developing an epistemology of exile, a collective process of taking on the rigours of an ongoing confrontation with truth. It is an epistemology that enables a popular de-legitimation of the state's claims that its Plan will achieve development for the poor by expelling them from the city and acting to make the rich richer. It also enables the development of direct antagonism against local and micro-local elites working around the broad thrust of The Plan to advance their own interests. And it enables various local and transnational leftisms that assume the poor to be an unthinking mass requiring direction from above to be challenged or shrugged off. The de-legitimation of The Plan, and the legitimation of open opposition, expressed as growing rivers of thought in material motion, is making it possible, as it became possible in the struggles of previous generations, to oppose the juggernaut of constituted power, and, ultimately, its often insufficiently visible charioteers, with sustained and multiple insurgencies of popular constituent power. Quite how the state, with its subordination to capital cloaked in an increasingly anxious nationalism, recasts its own epistemologies and technologies of development remains to be seen. The *Abahlali* have also made serious progress towards challenging forms of domination within the settlements that are not necessarily, like the old SANCO committees, linked to the state. In some instances they have begun or vastly improved projects like crèches, gardens and community kitchens and linked these firmly with their self-directed political project rather than the state's project of getting the (usually but not always female) poor to take on the burden of the broader social crisis as 'volunteers'. So crèches, for example, don't only create more opportunities for women by freeing up time, but are also understood as places where children can be kept safe from the threat of rape while parents are at work. It remains to be seen whether or not *Abahlali baseMjondolo* will sustain its militancy against the tendency towards sclerosis internal to all movements that achieve and sustain meaningful counter power.<sup>123</sup> But, so far, in this first year,

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<sup>121</sup> Badiou, *Metapolitics*, p. 73.

<sup>122</sup> Although the *Abahlali* have very successfully resisted attempts at co-option and manipulation from NGOs, and the increasing peripheral presence of individuals and organisations legitimating their assumed right to dominate in the name of class based power to network in the professionalised 'left', it should still be noted that in a number of instances 'left' 'solidarity' has taken the form of various (but uniformly failed) types of attempts to shift the real locus of power away from the meeting. When a movement is radically democratic, which any movement must be to be radical, the only form of genuine solidarity can be one premised on subordination to the authority of the meeting. Everything else is just more exploitation. The tendency towards exploitation, and at times the open contempt for the experience and intelligence of the poor, is something that needs to be taken up vigorously on the terrain of the middle class left - the NGO, the university and the party and proto-party.

<sup>123</sup> Encouragingly *Abahlali baseMjondolo* has produced a constitution which states that any branch, and the movement as a whole, will immediately cease to exist if carefully elaborated democratic processes are not adhered to. But of course no formal commitment to procedural democracy can guarantee substantive democracy if the political will falters. The once militant Bombay shack dwellers movement that began by blocking roads and taking municipal officials hostage in the early 1970s and has now degenerated into Shack Dwellers' International is an important cautionary tale. Shack Dwellers' International is a well funded, top down multi-national NGO working with Habitat to provide the appearance of legitimacy for governments and municipalities unwilling to engage with their own citizens who live in shacks. (See Robert Neuworth's *Shadow Cities* pp. 132-139)

the *Abahlali* have produced enough innovation to stay well ahead of the state and to sustain the democratic praxis with which their struggle began and by which it is differentiated from what it opposes.

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## Postscript

Tuesday, 07 November 2006

In July this year *Abahlali* were informed, in a meeting with Mike Mabayakulu's office, that they were being used by an agent of a foreign government and that if they continued to be 'out of order' they would be arrested. But they were also told that if they wanted to be able to 'engage with government' they must 'be professional' and 'serious' and should join the transnational NGO Shack Dwellers' International which is often used by governments to simulate popular consent for repressive policies. This was rejected outright.

Initially there was a strange calm. *Abahlali* kept mobilising. New settlements were joining, sometimes at the rate of one a week. After a memorial for another shack fire victim and a press conference announcing that *Abahlali* were going to use the Promotion of Access to Information Act to force Stuccliffe to disclose the full details of the municipality's plans for each settlement they again won major media attention. On the first day of September they were summoned to Mabuyakulu's offices where Mxolisi Nkosi, the HOD in the Dept, instructed them, in the most authoritarian manner, to cease speaking to the media. They gave their uncompromising answer on Durban Youth Radio. Nkosi, they said, must remember that he is there to work for the people. He is not an Inkosi. He has no subjects.

On the 11<sup>th</sup> of September they were invited to an interview on Gagasi FM at 6:00 p.m. As S'bu Zikode, Philani Zungu and Mnikelo Ndabanakulu were leaving for the interview from Kennedy Road officers from the Sydenham police station pounced thrusting guns into their faces and subjecting them to crudely racialised verbal abuse. When they saw that Ndabankulu was wearing one a red *Abahlali* T-shirts they pulled it off him, insulted him, pushed him around, threw the shirt into the mud, made a great show of standing and spitting on it and announced that 'there will be no more red shirts here'.

Philani Zungu politely but firmly told them that they had no right to act like this in a democracy. He was assaulted and, together with Zikode, thrown into the police van. As they left the police picked up Ndabankulu's red shirt saying they were taking it 'to use as a mop in the station'. They had a lot to say about what happened to people with 'big mouths in the media'.

Someone sent a text message to the radio station explaining that their guests were under arrest. This was announced on air. *Bahlali* began arriving at the police station from all over Durban and Pinetown. In nearby Kennedy Road hundreds of people were at an emergency mass meeting. A group of women in the front decided to march on the police station. Within minutes of people getting onto the road the police arrived. They gave no warnings to disperse and began shooting with rubber bullets and live ammunition. Anyone on the road or even moving between the shacks was shot at.

Back at the police station there was a glimpse of Zikode and Zungu lying face down on the floor handcuffed and bound at the feet. Ndabankulu's red shirt was lying on the floor next to them. Suddenly a group of men in camouflage arrived at the police station armed with machine guns and pumped up with adrenalin. They

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The eThekweni Municipality lists it as a partner. They send out the police to beat and arrest *Abahlali* but conference with Shack Dwellers International ....So it goes.

declared the gathering outside the police station to be illegal and began herding people off using their guns like cattle prods and threatening to shoot.

The next morning there were hundreds of *Bahlali* in red shirts in the Durban Magistrates' court. The state, bizarrely, charged Zikode and Zungu with assaulting a police officer but the Magistrate released them without asking for bail. They were joyously carried out of the court on the shoulders of their comrades. Both men had visible head wounds and explained that they had been personally assaulted by Superintendent Glen Nayager who had hurled political and racial abuse on them as he bashed their heads against the wall. A group of policemen had enthusiastically photographed Nayager's assault which only ended when Zungu was knocked unconscious and could not be revived. Sutcliffe responded with dark insinuations about the foreign funded that, he said, paid for the red t-shirts.

Mnikelo Ndabankulu has a new red shirt. It was made, with hundreds of others, on a rented peddle power sewing machine by the *Abahlali Sewing Collective* in an all night song filled sewing session in a candlelit shack.

A few weeks later there were illegal evictions at the Motala Heights settlement in Pinetown. Bheki Ngcobo tried to hand the police a lawyer's letter explaining that the evictions were illegal. He was assaulted and pepper sprayed at point blank range. Mabuyakulu's response to media enquires revealed no regret and centred around a repetition of his promise to clear the slums by 2010. Ngcobo and others repeated their promise to resist evictions and forced removals. By this time *Abahlali* had 34 settlements; a growing paid up membership with, like the old ICU, red cards; a large core of very committed and experience activists who have travelled as far as Harare and Lilongwe to learn and share; a vehicle and enough connections with taxi associations to enable a significant degree of swift local mobility; and considerable connections in the media, with lawyers and with NGOs like the Freedom of Expression Institute, the Church Land Programme and the Open Democracy Centre that work to defend the rights of organisations of the poor to speak for themselves.

Mabuyakulu will only get his way if he is prepared to engage in a major militarised assault on the poor. He must become like Mugabe or he must think again.