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***The Promised Land and the University of Abahlali baseMjondolo*¹**

*the inception of a politics – of its statements, prescriptions, judgements and practices – is always located in the absolute singularity of an event – Alain Badiou.*²

Capital is thrusting us into a world in which an increasingly massive portion of humanity lives in Third World slums, in what in South Africa are called *emijondolo* (shack settlements). Mike Davis' seminal *New Left Review* article 'Planet of Slums'³ has recently confronted the left literati with the material and political magnitude of this fact.

The global 2001 numbers are staggering – 921 million slum dwellers, 100 million street children, two million children lost to diarrhoea a year and the fact that Lagos 'is simply the biggest node in the shanty-town corridor of 70 million people that stretches from Abidjan to Ibadan'. Many will know Chris Abani's beautiful and searing novel *Graceland*⁴ which develops a profound account of just one life made on the wrong side of the razor wire in Lagos. The scale of suffering is incomprehensible. Davis gets a lot of important things right. He is clear that structural adjustment is a key factor in the recent explosive growth of squatter settlements; that residential and office theme-parks are the antipodes to the slum; that valorisation of the 'informal sector' is perverse as 'the real macroeconomic trend of informal labour ... is the reproduction of absolute poverty':⁵ that the urban poor 'are everywhere forced to settle on hazardous and otherwise unbuildable terrains – over-steep hill slopes, river banks and flood plains. Likewise they squat in the deadly shadows of refineries, chemical factories, toxic dumps, or in the margins of railroads and highways';⁶ and that 'chronic diarrhoeal diseases' are the most immediate threat to the lives of millions of people. 'The UN', he tells us, 'considers that two out of five African slum-dwellers live in a poverty that is literally "life-threatening"'.⁷ Davis opines that 'for the moment at least, Marx has yielded the historical stage to Mohammed and the Holy Ghost', and 'with the Left still largely missing from the slum, the eschatology of Pentecostalism admirably refuses the inhuman destiny of the inhuman city' and 'sanctifies those who, in every structural and existential sense, truly live in exile'.⁸

The left has been quick to acknowledge that the ravages of capital have created the slum and to try to use this to strengthen its case. But seeing the slum, and its billion inhabitants, as a potential site of struggle, and especially as a site of struggle in-itself and for-itself rather than a struggle that can be tacked on behind some elite-driven left project to swell the numbers is another thing.

The left is generally failing to develop thinking about viable routes towards meaningful confrontations with domination. The situation is such that most 'left' intellectuals are working for domination. This most commonly takes the forms of occupying a niche market in the business of mopping up scattered resistances and turning them into 'civil society' or seeking to mask their singularity, which is the original source of their power, via symbolic subjection to theoretical abstractions. When real resistance, the material and intellectual constitution of sites and streams of counter-power, is contemplated it is often deeply compromised by two long standing problems around the question of agency. The first is a vertical elitism that expresses itself in a basic contempt for the intelligence of the dominated. The second is a horizontal elitism that expresses itself in contempt for intellectual work undertaken outside of the European and North American intellectual milieu. At times these prejudices, often with others in the mix, take the form of basic contempt for the thinking in the struggles of the most destitute – the Third World poor. This failure is fundamental to the weakness of the left. After all, as C. L. R. James, told us a long time ago, 'It is force that counts, and chiefly the organised force of the masses ... It is what they think that matters'.⁹ But in the mid 1990s the Zapatista uprising in rural Mexico and, later, the Brazilian Landless Movement the MST, inspired some left intellectuals to ground their theorising in the struggles of Third World peasants. However this significant step forward still left out a huge part of the global underclass – the almost one billion people in the shack settlements in Third World cities.

Perhaps the central weakness of Davis's paper is that it is written as though the left is entirely missing from the academy, as though academics are all politically neutral scientists. Indeed he draws almost exclusively, and without any reflection on this, on colonial (anthropology) and neo-colonial (World Bank and UN studies) modes of 'knowing' the slum that are uniformly objectifying. To say, as he does, that the 'malevolent consequences'¹⁰ of structural adjustment programmes are a primary cause of slums and then to write respectfully about World Bank researcher Branko Milanovic in the mode of collegiality is perverse.

Slavoj Zizek never succumbs to the self-objectification of the mask of the scientist and would, one feels happily confident, treat Milanovic very differently. Moreover Zizek has no interest in anthropological modes of knowing. In the *London Review of Books* Zizek argues that the explosive growth of the slum 'is perhaps the crucial geopolitical event of our times'. He writes that what we have is:

The rapid growth of a population outside the law, in terrible need of minimal forms of self organisation ... One should resist the easy temptation to elevate and idealise slum-dwellers into a new revolutionary class. It is nonetheless surprising how far they conform 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 fee 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.¹¹

Zizek's mere acknowledgement that the social awareness that emerges from Third World slums will shape the future of humanity is considered a radical innovation. But a generation ago a far more radical idea was posed. In *The Wretched of the Earth* Frantz Fanon described the shanty town as the 'gangrene' of colonialism. But Fanon does not advocate that left intellectuals observe the Third World Poor from the metropole. Neither Davis's objectification of slum dwellers nor Zizek's passive recognition that the social awareness of slum dwellers will shape our world come close to the radicalism of Fanon's position. Fanon orientates his philosophy towards popular struggle rather than ideologies (that carry theories about ordinary people) and demands that his readers give up the opportunities for parasitic enrichment that come the way of the national bourgeoisie and, instead, become transformative agents in the 'zone of occult instability'¹² that is created when radical intellectuals join the people in 'that fluctuating movement which they are just giving a shape to, and which, as soon as it has started, will be the signal for everything to be called into question'.¹³

As Nigel Gibson explains, Fanon refuses to restrict politics to the elite activities of parties, leaders, soldiers, technocrats and so on and instead seeks to generate opportunities for the subaltern to become

[A] protagonist not only entering history but becoming its author. Everyone could participate in the reconstruction and invention of the nation creating a social collective, where truth becomes subjectivity and subjectivity acquires a dimension of objectivity ... Fanon saw it as the 'practice of freedom' taking place in 'the structure of the people'.¹⁴

Fanon's philosophy is predicated on the assumption, directly stated by Gramsci, that 'All men are intellectuals'.¹⁵ Fanon's commitment to popular intellectuality is not some kind of post-modern fetish of plurality. On the contrary Fanon proposes a prescriptive politics. Prescriptive not in the sense of rendering obedience to some vanguard or theory but, rather, in the sense of a serious confrontation with reality – especially in the form of reflection on the experience of struggle. Hence part of the intellectual work that needs to be done in communities of resistance is to produce new truths via reflection on experience. And so Fanon 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'.¹⁶

These two or three truths are not the numbered steps in Wittgenstein's logic or Descartes's clear and distinct deductions. And this investment in the possibility of truth is certainly not a desire to subordinate praxis to the dogmatic abstractions of the 'Bureaucrats of the revolution and civil servants of truth' against whom Foucault rails.¹⁷ For Fanon, as with Gramsci, and, later, Badiou,

the potential for the generation of eternal and brilliant truths lies in action¹⁸ – 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, but, rather, the risk of annihilation. This is not, at all, the authoritarianism that comes with every proposal that a group of intellectuals, a party or some other vanguard legislate for a movement. On the contrary, Gibson stresses that for Fanon it is ‘the essence of the fight which explodes the old colonial truths and reveals unexpected facets, which brings out new meanings and pinpoints the contradictions camouflaged by the facts’.¹⁹ The fight is where ‘Liberatory ideology ... is constructed in a social relationship between the militant intellectual and the mass movement’.²⁰

Badiou argues that: ‘We must conceive of a truth both as the construction of a fidelity to an event, and as the generic potency of a transformation of a domain of knowledge’.²¹ The idea of truth as consequent to event is essential to Badiou’s thinking – ‘For the process of a truth to begin, something must happen ... beyond what is. I call it an event’.²² Like Fanon,²³ 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’.²⁴ For Badiou, ‘the materialist dialectic ... (is) ... centred on the exception that truths inflict on what there is’.²⁵ Philosophy that assumes philosophical discourse as its object can achieve resolution and can be a solitary pursuit. But, as Pierre Hadot explains, ‘there is an abyss between philosophical theory and philosophizing as living action’. The ancient conception of philosophy as a way of life, in which the project ‘is to transform ourselves’ meant that ‘philosophizing was a continuous act, permanent and identical with itself that had to be renewed at each instance’.²⁶ The radical tradition running from Marx to Fanon and on to Badiou and Holloway seeks to take philosophy as continuous living action into the political realm. But while the radical tradition fights to realise philosophy in the world it does not work to subordinate the individual or the local to any authority sanctioned in the name of truth.

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 dialectical 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.²⁷

It might seem that the slum in a city like Durban striving to be 'World Class' (and that doesn't mean Lagos or Bombay ... it means theme-parks, casinos and, above all, making the rich the richer and more isolated from the ordinary life of ordinary people) is a good place from which to think about rupture. But it is not clear what neo-liberalism as a general theory and practice makes of the slum. Is it seen as an unexplored market for low cost high volume retail; a camp where surplus people are kept at the level of bare life; a prison where dangerous people are contained and forced to labour without real pay; or is it, as Žizek wonders, a threatening insurgence of subaltern autonomy? Silvia Federici shows that enclosure and the rise of capitalism in Europe produced 'the ciminalization of the working class, that is the formation of a vast proletariat either incarcerated in the newly constructed work-houses and correction-houses, or seeking its survival outside the law and living in open antagonism to the state'.²⁸ There is no *a priori* reason why the contemporary urban slum can't be, and be seen to be, both a site of containment (for exploitation and control) and resistance simultaneously.

In South Africa the fact that official discourse terms it the 'informal settlement' indicates some residue of an enthusiasm to make ideological claims along the lines of Hernando de Soto's view that squatters are potential entrepreneurs who just need property rights to be able to explode into action in the 'informal economy'. This was the view of the Urban Foundation, an NGO set up by big capital in the 1980s to encourage a market-led approach to development in the coming post-apartheid society. The Foundation argued that given rights to stay in urban areas squatters could slowly turn their shacks into houses and built the now dilapidated hall in Kennedy Road.²⁹

In principle it seems that neo-liberalism's most common line is to use rhetoric about entrepreneurship to legitimate a position that, in practice, takes the position that the slum is a camp for surplus people. But the market never manages to escape the reality of society. In practice the rarefied logic of capital has to contest with the embodied fear and power of ordinarily rich people. And it is clear that the rich generally have profound anxieties about the insurgence and sustained presence of autonomous communities of poor people within cities. These anxieties are well able to become a material economic fact. So the rural slum, and even the hidden city slum, is mostly tolerable but the city slum visible in the heart of the bourgeois world is a disease to be rooted out.³⁰ And so from Nairobi to Durban 'slum clearance' has returned to policy documents. 'Slum clearance' generally means removing people from autonomous urban slums to state built rural ghettos. Slum dwellers often resist this fiercely because being close to the city means being close to opportunities for livelihood.

The Durban Municipality estimates that over 800,000 of the city's three million inhabitants live in 'informal settlements'. The City's policy is that all attempts at creating new settlements are considered as illegal land invasions. People erecting new shacks risk criminal charges and the city aims to demolish all new shacks. Indeed two days after the march of over 5,000 *The Mercury*, under a heading reading 'NOT ENOUGH STAFF TO CLEAR SLUMS – Land invasion crisis gets worse', reported that Harvey Mzimela, head of the City Police's Land Invasion Unit had complained that it lacked sufficient staff to carry out its work which 'involved preventing the erection of illegal structures on council property. This sometimes entailed the breaking down of ... shacks, which has resulted in shooting and stoning instances'.³¹ The police that do this work, are equipped and conduct themselves like soldiers and are popularly known as *amaSosha* (soldiers). Nevertheless many settlements are growing.

But it is not only new settlements that are subject to armed attack. The City also seeks to prevent people living in established settlements from extending their shacks or developing them into more formal structures. The City threatens to, and quite often does, demolish shacks that are extended or developed. Officials argue that this is necessary because while some settlements will be upgraded more than 70 will be subject to 'slum clearance' and 'relocation'.³² 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. This policy is generally celebrated as progressive and exemplary in elite publics but this celebratory response misses two key continuities with apartheid.

The first is that there is a clear attempt to regulate the flow of poor African people into the city. In practice there is not an absolute barrier because new shacks are erected and because people who find work or develop livelihoods from a first base in a shack often move out of their shacks and rent them to new arrivals. But the policy intention is clearly to restrict the influx of poor people moving into the city from rural areas. Opportunities to find work or develop livelihoods, not to mention access to decent education, health care and so on, are often extremely limited in rural areas and any policy that seeks to keep the most marginalised locked into an impoverished social space must be considered as oppressive.

Secondly while houses are being built in the areas to which people are relocated they are being built, in the manner of colonial and apartheid era townships, away from the city. In his reflections on the colonial city Fanon famously observed that 'The colonial world is a world divided into compartments'.³³ For Fanon the two compartments are materially and symbolically separate zones. So the native quarter is not only physically separate from the European quarter but the two zones are imagined to contain different types of people – one clean, safe and rational and the other dirty, dangerous and irrational. 'The cause', he says, 'is the consequence; you are rich because you are white, you are white because you are rich'.³⁴ And so:

The zone where the natives live is not complementary to the zone inhabited by the settlers. The two zones are opposed, but not in the service of a higher unity. Obedient to the rules of pure Aristotelian logic, they both follow the principle of reciprocal exclusivity. No conciliation is possible, for of the two terms, one is superfluous. The settler's town is a strongly built town, all made of stone and steel. It is a brightly-lit town; the streets are covered with asphalt, and the garbage-cans swallow all the leavings, unseen, unknown and hardly thought about ... The settler's town is a well-fed town, an easy going town; its belly is full of good things. The settler's town is a town of white people, of foreigners.

The town belonging to the colonised people, or at least the native town, the Negro village, the medina, the reservation, is a place of ill fame, peopled by men of evil repute. They are born there, it matters little where or how; they die there, it matters not where, nor how. It is a world without spaciousness; men live there on top of each other, and their huts are built one on top of each other. The native town is a hungry town, starved of bread, of meat, of shoes, of coal, of light. The native town is a crouching village, a town on its knees, a town wallowing in the mire.³⁵

Fanon adds that 'The colonial world is a Manichean world'; 'The first thing which the native learns is to stay in his place' and that

It is not enough for the settler to delimit physically, that is to say with the help of the army and the police force, the place of the natives. As if to show the totalitarian character of colonial exploitation the settler paints the native as a sort of quintessence of evil ... He is the corrosive element, destroying all that comes near him; he is the deforming element disfiguring all that has to do with beauty or morality; he is the depository of maleficent powers, the unconscious are irretrievable instrument of blind forces.³⁶

He concludes that 'To break up the colonial world does not mean that ... lines of communication will be set up between the two zones. The destruction of the colonial world is no more and no less than the abolition of one zone'.³⁷ For Fanon 'the colonial world, its ordering and its geographic lay-out will allow us to mark out the lines on which a decolonized society will be reorganized'.³⁸ 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 Manicheanism must be undone.

To adequately understand what is at stake in Durban we need some understanding of how the 'informal' settlement fits into the historical trajectory of the city. The colonial and then apartheid city had been conceived as a modern space and as a white space (and modernity and whiteness were conflated)³⁹ in which Africans had to be carefully contained in limited and high regulated spaces allowed to exist only in the service of white interests. Africans had to be removed and barred from any autonomous or potentially autonomous spaces in the city. But in the 1980s the apartheid state, occupying Namibia, at war with the Cubans and the MPLA in Angola and putting down bitter township rebellions across the county, lost the capacity to completely regulate the movement of Africans. Where possible white suburbs were protected but people were able to flood into the cities, seize land in defiance of the state and found communities autonomous of the state. But now the state again has the resources, including,

crucially, the symbolic resources, to do what it wants. And what it wants is to return to the colonial vision of the modern city. Of course the modern city is no longer conceived as the white city. But it is conceived as the bourgeois city. When City Manager Mike Sutcliffe gave a lecture at the University of KwaZulu-Natal last year he showed photographs of shacks in the elite formerly Indian suburb of Reservoir Hills (adjacent to Clare Estate) and said that transformation had to be pushed hard because formerly Indian suburbs still had informal settlements while white suburbs did not. He didn't mean that he would be encouraging land occupations in formerly white suburbs. On the contrary his implication was that justice entailed extending the prerogatives of white privilege to the Indian elite. And so the phrase 'slum clearance' has returned as the currency of the policy people. We are told, as people were when Sophiatown and District Six were threatened under apartheid, that better, more hygienic etc., housing will be built elsewhere. What is actually being proposed is that the poor be forcibly removed from the city and dumped in rural ghettos. The City is attempting to, in large part, reverse the popular challenge to the Manichean logic that lay behind the material segregation of the colonial city.⁴⁰ A policy that aimed to integrate the city would require small low cost housing developments on the various sites available on suburban land and the appropriation of privately owned land, and in particular the sugar cane fields now being developed into gated communities for the rich. This would not only require a direct conflict with capital. It would also require a direct challenge to the anxieties and prejudices projected on to shack dwellers by the white and black middle classes – prejudices that often repeat, precisely and in extreme form, the stereotypes directed at all black people by white racism under apartheid. It is not uncommon to hear people – students, government officials, the businessman on the way up – express these prejudices in terms of genocidal desires.

In Durban, South Africa, more than twenty thousand shack dwellers have mobilised themselves as *Abahlali baseMjondolo*. They have suffered more than 80 arrests since March 2005,⁴¹ their constitutionally guaranteed right to stage public protests has been illegally withdrawn, and negotiations with the City authorities have been summarily suspended. At the time of writing they are about to announce a Campaign for the Human Dignity of Shack Dwellers that will see them collectively abstaining from the coming local government elections and undertaking various acts of non-violent direct action around the city including the occupation of offices and the like. But it wasn't always like this. Until recently the shack dwellers' were amongst the most loyal supporters of the African National Congress (ANC).

On 9 November 1993 the African National Congress issued a press statement 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.⁴²

One of the settlements specifically mentioned was Kennedy Road in the formerly Indian suburb of Clare Estate in Durban. 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, Lusaka⁴³ and Mbambayi’.⁴⁴ 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. In both elections Kennedy Road voted solidly ANC and the votes from the settlements won the ward for the ANC in local government elections.

That was then. On the morning of Wednesday, 14 September 2005 well over 5,000⁴⁵ people from the Kennedy Road settlement, together with representatives from nearby settlements, marched on their local ANC councillor, Yacoob Baig, to demand land, housing, toilets, an end to the threat of forced removals and the councillor’s resignation. All the various attempts by the local ANC to stop the march had come to nought. It was a major humiliation for the ANC.

This was the fourth instance of mass political insurgence into the bourgeois world to emerge from Kennedy Road this year. The first was an illegal blockade of both the in and outbound sides of Umgeni Road, a major six-lane arterial road, on Saturday 19 March. Around 750 people barricaded the road with burning tyres and mattresses and held it against the Public Order Policing Unit for four hours. There were fourteen 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 in the *Sunday Tribune* explained that:

The scene was reminiscent of apartheid-era protests – and the mood was similar, except now the target of the crowd’ anger was the ANC governors of Durban. ‘People working for the government, they have nice houses, gardens, water and electricity, snazzy cars and everything, so they do not care a damn about us’, said Nhlakanipho Cele. ‘We vote for a party which tells us it is fighting poverty, but look what’s happening’, added Mdletshe. ‘If you are poor, it means you only get poorer’, he said. ‘The rooms are hard to live in, and there are no toilets, so the bush around us is full of excrement. When it rains, there’s sewage slush all around. It really stinks’, said Mdletshe.⁴⁶

This was certainly the most militant protest to have shaken Durban in the post-apartheid era. But these events were not unique to Durban. More than 850 illegal⁴⁷ protests were logged around the country in 2005, and similar revolts have emerged from shack settlements in cities and towns across the country in recent months, most infamously in Harrismith where 17 year-old Teboho Mkonza was murdered by the police. Most elites argue that the return to open defiance reveals that something is wrong with the defiant. NGO and academic leftists generally feel entitled to speculate about the cause and aims of the protests without bothering to undertake serious discussions with the people organising and undertaking them.⁴⁸ The social movements⁴⁹ that arose in the late 1990s after neo-liberal policies resulted in large-scale armed attacks on the working class by the state, in particular evictions and disconnections from water and electricity, fell apart in Durban and are in some disarray in Cape Town. In Johannesburg, where there is more access to donor money, they have dramatically shrunk as they have come under the control of an entrenched professional and vanguardist leadership, some of whom have been overtly suspicious of the upsurge in self-organised popular militancy from shack settlements.⁵⁰ With the exception of the anti-Eviction Campaign in Cape Town, and in particular the Mandela Park branch⁵¹ which now includes shack dwellers in nearby QQ Section in Khayelitsha, there have not even been attempts at symbolic legitimisation from this quarter. Thabo Mbeki's response to the road blockade organised from Kennedy Road was to inform the nation that 'We must stop this business of people going into the street to demonstrate about lack of delivery. These are the things that the youth used to do in the struggle against apartheid'.⁵² *The Independent on Saturday* reported that Mbeki's response to the murder of Mkonza was to send out a 'clear message that the government will act decisively against communities that use violent means to protest against lack of service delivery ... Mbeki said ... his government would not tolerate the destruction of public property and anyone who broke the law would be arrested by the police'.⁵³

The Kennedy Road settlement is a space of hope and suffering. The chance for very poor people to live in a wealthy suburb near to the city centre means access to all kinds of opportunities for livelihoods, as well as education, health care, the sporting, cultural and religious life of the city and so on. These opportunities often enable major social progress. But while there is a vibrant collective life in the settlement with a sacred space marked out with a ring of white stones, and all kinds of musical, sporting and mutual support projects, material conditions are severely degraded. The *umjondolos* (shacks) cling to the side of a steep hill squeezed between the city's main dumpsite and the big fortified houses of suburban Clare Estate and tumble down to the ugly big box stores of Springfield Park. At the time of the road blockade there were four official taps for drinking water and another (illegally connected) tap for washing hands, six poorly maintained portable toilets, and no refuse collection

in a settlement of over 6,000 people.⁵⁴ Until 2001 pre-paid electricity meters were being installed in shacks. 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, 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'.⁵⁵ The City has since informed Kennedy Road residents that there is a new policy not to install electricity in informal settlements. More than seventy people with receipts for payments for installation have neither a refund nor electricity. The lack of electricity means fires and this year there have been nine conflagrations. Some of the children in the settlement have the emaciated limbs and bloated bellies which indicate that poverty has been written into the future of their bodies. Everyone seems to have someone who is desperately sick and there are more than fifty households headed by children. But looking over Springfield Park and through the valley cut by the Umgeni river, you can see the sea sparkling in the sun. *Hadedas* (glossy ibises) take wing at dusk and when night has fallen an *isicathimiya*⁵⁶ group sings with abundantly delicate grace, from a hall with broken windows and peeling paint, 'We are going to heaven, all of us we are going to heaven'. For the always immaculately dressed and avuncular Mr Ndlovu, 'Sometimes it is just so beautiful here. They think this place is too good for us. They want it for the rich'.

On the Monday after the fourteen arrests, which happened to be Human Rights Day – a public holiday, 1,200 people staged an illegal march on the nearby and notorious Sydenham police station where the fourteen were being held. Their demand was that either the Kennedy Road fourteen be released or else the entire community be arrested because 'If they are criminal then we are all criminal'. The march was dispersed with dogs, more police violence 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!' to derisive laughter. At a packed meeting in the community hall that afternoon the old struggle currency of *amaqabane* (comrades), still used by the ANC who use socialist rhetoric to legitimate neo-liberal policies, had given way to *abafowethu* (brothers), *odadawethu* (sisters), *omakhelwane* (neighbours) and *umphakathi* (community).⁵⁷ There were none of the empty slogans, pompous speeches or 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. There was, in that moment, an overwhelming sense of profound collective isolation from the structures and pieties of constituted power.

Bureaucracy herds, insults, exhausts 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 telling. The 14, including the juveniles, were moved to the dangerous Westville prison to await trial.

S'bu Zikode is the elected chair of the Kennedy Road Development Committee. He 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, set up home in Kennedy Road in a rented shack. After a few month he found a job at a petrol station. He was even able to register at the former University of Durban-Westville, where years of struggle had significantly reduced student fees.⁵⁸ However he could not pay the fees for the second term and had to drop out. But he was able to build his own shack, to marry and begin a family. The petrol station at which he works is on the road to the giant mall and colonial styled gated suburbs, golf courses and office blocks being built for the rich on the old sugar cane fields to the North. This land, which was taken by colonial conquest and then worked by indentured labour bought in from India, is now being sold off, at huge profit, so that the rich can live, work, shop and golf behind high walls on rolling hills that look out to the sea. The same colonial families that were the beneficiaries of the original dispossession and the savage colonial response to the 1906 Zulu rebellion are now accruing vast fortunes from these developments.

Nonhlanhla Mzobe, the elected 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. She arrived as a child when it was only nine shacks hidden in the bush. She now works at the dump adjacent to the settlement collecting the litter that blows around. For some years she has 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 comes to fruition. Along with a number of other people in Kennedy Road she is furious with the middle class environmentalists who oppose this project because they want the dump moved out of their neighbourhood or oppose the Bank's carbon trading project. The anger is 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.⁵⁹ Sajida Khan, the most prominent campaigner, who has been uncritically celebrated in global civil

society circuits,⁶⁰ 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 this 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 2005. 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. 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.⁶¹ 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 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.⁶²

Mzobe was equally emotional:

My granny came here from Inanda dam (There were mass evictions when the dam was built). 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.⁶³

The anger sprung from many sources though. Zikode, like many others, simply felt betrayed. 'The poor', he said, 'gets 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 no beats us and arrests us'. Zikode was right. Even the government's own statistics agency, Statistics South Africa, agree that the rich have got richer and the poor poorer in the last ten years.⁶⁴ This not, as often claimed by apologists for power, because a lack of skills has meant that the ANC has been inefficient since coming to power – on the contrary public money and skills have very effectively subsidised all kinds of elite projects in Durban in the name of development: a (failed) Zulu theme-park aimed at satisfying the colonial fantasies of European tourists, five-star hotels, casinos, a film studio and so on. All kinds of other elite projects such as new sports stadia, more five-star hotels, a new airport and more are planned. Fabulous private fortunes have and continue to be made very efficiently while life gets worse in Kennedy Road. The people in whose name the power of the ANC was legitimated have been betrayed.

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, the failure to respond to multiple requests to erect speed bumps 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. The City stopped emptying the 147 pit-latrines five years ago and replaced them with six portable toilets – one for every thousand people.

This was a revolt of obedient and faithful citizens. These are people who had done everything asked of them. They had participated in every available public participation process. They cared for their sick and the orphans of the dead and dutifully called what they were doing 'home based care'. Many had obediently abandoned any hope of finding work to become 'entrepreneurs' in the 'informal economy'. This can mean anything from hairdressing to hawking fruit in the city or trawling the city collecting cardboard, plastic or metal for sale to re-cyclers. 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 become criminal. On the day of the road blockade they entered the tunnel of the discovery of their betrayal and their

power to resist. Nothing has been the same since the collective confrontation with the two truths that emerged from this event.⁶⁵

After ten days in prison, various court appearances and the intervention of a good *pro bono* lawyer the Kennedy Road 14 were released. The lawyer was secured by the present author who had got to know members of the initially hostile committee in all the waiting around outside the court.⁶⁶ S'bu Zikode, together with Nonhlanhla Mzobe and 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 the source and legitimation of revolt. He concluded 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'.⁶⁷ 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, Yacoob 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. Zelda Norris of the Sydenham Heights Ratepayers' Association explained why they decided to join the African Kennedy Road settlement on the march:

[Baig] is our councillor – we've all put him in that position – in the end he's made a lot of promises which he never kept. The Kennedy Association met with us and we decided to combine with different organisations because we all felt our issues weren't getting addressed.⁶⁸

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.⁶⁹ 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 Khan⁷⁰ falsely claiming that the march was not legal, the distribution of smartly printed flyers falsely claiming that this would be an IFP march⁷¹ 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'.⁷² Struggle is, indeed, a school. That afternoon Durban was plastered with *Daily News* billboards reading 'Massive Protests Rock Durban'.

A march of three thousand may not sound particularly impressive to people used to organising where transport costs are less prohibitive, where a day off work is less of a sacrifice, where day to day existence is less precarious and where there is less fear that open opposition to government will be punished by the withholding of basic services. There have been marches of tens of thousands in South Africa but they have either been organised by membership-funded trade unions or, because they are combined with events of interest to Northern NGOs ('global civil society') like the two United Nations summits that have been held in South Africa, supported with donor funding. This entirely self-funded march of 3,000 shack dwellers was considered by friends and foes, locally and nationally, as a significant event.

The local ANC responded by sending in a heavy weight delegation who berated the community for their actions and demanded to know who was the third force⁷³ behind the protest. Eventually Zikode acknowledged that there was in fact a third force – winter. Winter was coming and winter means shack fires.⁷⁴

A number of events important within the settlement carried the momentum forward over the next months. Naomi Klein and Avi Lewis held their African premier of their film on the factory occupations in Buenos Aires, *The Take*, in the Kennedy Road settlement. An initial moment of puzzlement at the sight of white people battling the police was soon overcome and the screening was a storming success. It was followed up with *Kennedy Road and the Councillor*, a short film on the Kennedy Road struggle made by visiting activist film maker Aoibheann O'Sullivan and received with rapturous delight.⁷⁵ 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 collectively. 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 (who is Indian) with each of the Kennedy Road 14, and a number of committee members, speaking to honour Reddy's intelligence, courage and goodness.

There was the ongoing discussion around whether or not to put up a candidate in the coming local government elections. Initially most people

wanted Zikode to stand but, after wide debate and very careful consideration, it was decided to refrain from electoral politics⁷⁶ in order to preserve the integrity, autonomy and reputation⁷⁷ of their political project. This 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.

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 biryani for lunch. The meeting was to 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.⁷⁸

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 show 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 consultants' madness. 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 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. In a community where children have been found eating the worms that grow in the shit in the portable toilets every material advance is a victory. 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.

This was welcome but it wasn't good enough. 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. The elected negotiating team began by handing Naidoo a broken child's chair left over from the last days of apartheid when a neo-liberal NGO, the Urban Foundation, had offered some material support to the community-run crèche. Naidoo sat on the chair. The Kennedy Road team delegation stood.

Naidoo began, as these people always do (do they read Fanon? they always act out the script with precise accuracy...), with a glowing account of his personal role in *The Struggle*. He said nothing about his more recent role in privatising the city's transport system. Naidoo swiftly moved on to speak at length about how progressive the Metro Council was and how it was put there by *The People* and by *The Struggle*. He then (in what he clearly saw as a magnanimous gesture) spoke about how the people in Kennedy Road had suffered and how the Metro felt their pain. He quoted the Durban mayor Obed Mlaba quoting the Freedom Charter on housing to make his point concrete. He spoke at length about an article that would be appearing in *The Mercury* the following day and how it showed how well the Municipality is doing. The article duly appeared on the front page of *The Mercury* the next day. Titled 'Feeling Good about Durban', it begins by noting that 'New Developments, like uShaka Marine World, and the Suncoast and Sibiya Casinos, have made residents more positive about the city'. It doesn't enquire as to which residents, exactly, are so pleased that hundreds of millions of Rands of public money have been spent on casinos and a theme-park while people starve... It goes on to note that, of those working, 92 percent of whites are happy with their jobs, 80.2 percent of Asians, 50.5 percent of coloureds and 41.5 percent of Africans. It concludes with Bonke Dumisa, CEO of the Durban Chamber of Commerce saying that 'poverty was a concern' but it wouldn't affect investor confidence' because 'Investors accept that South Africa has two economies, a first world economy with people with a high disposable income, and a third world economy'.⁷⁹

Naidoo then moved to his key purpose. 'We are here', he announced, 'to avert the march'.⁸⁰ Then, after a long (and of course technician) 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.⁸¹ 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 meetings. Naidoo said that the land was not safe for housing – it could move – and that the air (due to the adjacent dump) was not safe for breathing. The pollution, he kept stressing, affects people of all races. People in Kennedy Road are well aware that council tells the people in the big houses across the road that the air is safe. They asked how could this be and how could it be that the land was safe for a factory but not for housing, how could it be that the land was safe on one side of Kennedy Road (where there is a suburb) but not on the other (where there are shacks)? How could it be that the land and air were safe for a school and college nearby but not for them? Why was council so worried about the air that they were breathing when they left them to wallow in shit, to breathe paraffin fumes every night because they have no electricity and to have their shacks burn every winter? Anton Zamisa, a silver medallist in the 89 km Comrades Marathon, noted that he was perfectly healthy.

Naidoo had no real answers. But when pressed he told the truth about the City’s plan for the poor. The squatters will, he said again and again, be moved to the rural periphery of the Metro. In his exact words ‘The city’s plan is to move you to the periphery’. From the last days of apartheid until this meeting people had consistently been promised housing in the area. People had also been told that housing would be provided in the outlying ghettos of Verulum or Mount Moriah but they had never been told that they would all be forced to move to the rural periphery of the Metro. Naidoo’s emphatic announcement of impending mass forced removals from the city was deeply shocking.

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 try to 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 25 kilometre circumference radiating out from the nodal point of the city centre. No one took any comfort from that. No one was prepared to understand.

Nonhlanhla Mzobe stormed out shaking with rage. 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. He was told that people would rather block the roads than go to the court. Everyone knows that the courts are for the government and the rich.

Naidoo kept saying that there was no land. Cosmos 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. This is the company currently building gated suburbs, shops and office parks on the old sugar cane plantations. From this moment on the struggle has included a demand for the expropriation of land for housing from Moreland.

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 ring-fenced 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 and said they had no right to tell people not to vote. Naidoo was told that the march on the 14th was going ahead and that if it didn’t get results it would be the last attempt at a legal intervention. Further road blockades were promised.

S’bu Zikode declared the meeting closed. He spoke about all the people who had lied – Councillor Yacoob 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 Aoibheann O’Sullivan’s *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 this year. 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). 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* (shack dweller) political identity and a

direct contestation with the stereotypes that seek to objectify shack dwellers as stupid, dirty, lazy, criminal and dangerous. As this struggle has developed it has become clear that, as always, symbolic and material oppression will have to be confronted together.

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. In Sherwood there were too many people to fit into the community hall and the film was projected onto an outside wall of the hall. Here there is a democratic organisation which gives clear support for the ANC but people enthusiastically agreed to support the struggle of the shack dwellers. In Quarry Road where there is no hall or open space a generator was used to show the film on a sheet of cardboard erected on a large traffic circle. In this settlement leadership is contested between the ANC-aligned national civic organisation SANCO and a somewhat demagogic militancy but everybody wanted to support the march. It turned out that a 17 year old boy from Quarry Road was still in Westville Prison after a violent clash with the police in December in a successful fight back against an armed attempt at forced removal. Moreover while people in Kennedy Road were struggling against the reduction of the number of toilets from 147 to six, people in Quarry Road had had all their toilets removed in what can only be understood as an attempt to force them out⁸² (Given that the settlement lies along the banks of a tributary that runs into the Umgeni river this act could well result in a wider health crisis – *eColi* levels in the river are already massively over safe levels). The head of SANCO in Quarry Road, Angelina Mosiea, is disabled and elderly. It is not difficult to understand why she was leading an ANC-aligned organisation against the ANC.⁸³ In Foreman Road there had been heavy pamphleteering at the time of the previous Kennedy Road march claiming the initiative as an IFP front and there was a clear split between a majority who wanted an open discussion and an aggressive minority, believed to have been bought by Baig, who wanted to stop it. There were some tense moments. M'du Mgqulunga, a man who is all loose limbs and smiles when playing the bass guitar but who commands an imposing physical presence in this kind of situation, had to hold the space while a stand off with a small group of goons dragged on for ages as people battled to get the generator working. Suddenly it kicked into life and the images of suffering in the shacks and the language of universal dignity made any talk of a plot ludicrous. The space was won and won decisively. Ashraf Cassiem, who spent some of his childhood in the area but is now a key militant in the Taflesig Anti-Eviction Campaign in Cape Town, gave a quietly powerful speech arguing that the colonial war unleashed on the people of this country has continued through apartheid and into the parliamentary democracy. Black collaboration, he argued, doesn't disguise it. On the march two days later much would be made of *amaBhunu amanyama* (black boers). The discussion incited that night in Foreman Road

continues – excited and serious. The large banner painting workshop at Kennedy Road on the Sunday before the march was held in a carnival atmosphere with music, food and lots of discussion about the slogans. ('Land & Housing!'; 'Sikhalela Izindlu!' [We cry for houses!]; 'Phansi NgoBaig!' [Down with Baig!]; 'Moreland' Give Back Our Land!'; 'Fight Forced Removals!'; 'Sifuna Umsebenzi!' [We Want Work!]; 'University of Kennedy Road' etc, etc).

This time the security forces exerted no collective pressure and individual harassment was low key and always away from the settlement. But, 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 plummeted in the Foreman and Jadhu Place settlements. But on the morning of the 14th well more than 5,000 people 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'sa⁸⁴ and various other supporters including a group of young white boys with signs saying 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 the ugly industrial town of 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 mutilated 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? When the carnival was over Yacoob 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. Back in Kennedy Road brandy was spilt for the *amadlozi* (ancestral spirits) 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'⁸⁵ 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'.⁸⁶ 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. He even went so far as to revive the old racist agitator thesis used so extensively under apartheid and claimed, in a near hysterical rant at Fazel Khan in a university parking lot, that the marchers were all being 'used' by a prominent white Marxist academic who should 'pay for the toilets' himself.⁸⁷ 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.

The first days of the next week began with meetings in the Quarry Road and Jadhu Place settlements in which, following the success of the march, democratic consent emerged for open resistance. In Quarry Road there was support across the political divisions for a march on their councillor, Jayraj Bachu. In Jadhu Place a democratic community structure had long been run by a group of Zulu Muslims well placed to access charity from local Muslim elites – especially in times of disaster like shack fires. But they were loyal to Baig and were voted out by a group of mostly young people, who intend to fight against Baig and against the ANC, for land and housing in the city. In the massive and massively dense Foreman Road settlement (one assumes that it has been allowed to become so huge because it is behind a hill and hidden from bourgeois eyes) the faction, numerically large but not politically dominant, that is seeking to build a political project independent of the ANC firmed its previously tenuous right to exist as a counter project within the settlement.⁸⁸ Across the settlements in the North of the city, including those happy to vilify their councillors, Mayor Obed Mlaba and City Manager Sutcliffe but not willing to break with the ANC, the idea of 'No Land, No House, No Vote' was uniting people in a new assertion of their power. On the Thursday the Kennedy Road Development Committee held its Annual General Meeting. The men and women who had held their nerve so firmly throughout the unfolding of this rebellion were swept, joyously, back into office. Meetings and discussions continued over the weekend in Quarry Road, Foreman Road and Jadhu Place. At Jadhu Place there were more than 500 people at a meeting on the Sunday.

The concrete achievements of this struggle at this point included a major and potentially life saving concession – the pit-latrines in the Kennedy Road settlement (last cleaned out by the council five years ago) were being cleaned and construction of new toilet blocks was under way. Although only ten pit-latrines had been cleaned there was visible although slow progress. There was also a promise to renovate the dilapidated community hall. But officials in the city and provincial administration had not budged on relocation. Their only 'concession' was to say that if people can identify land, check out who owns it

and what it is zoned for at the deeds office then, if the land is council owned and suitable, they will consider housing developments. Moreover although the success of the march had meant endless offers of meetings there had been no retreat from overt contempt by officials. Indeed at the first meeting after the march, held down town at the Martin West building on 15 September, top officials from the City Housing Department began by berating the elected Kennedy Road delegation (System Cele, Fazel Khan, Mdu Mgqulunga & S'thembiso Nkwanyane) for 'putting lies in the newspapers' and made much show of banging a copy of *The Citizen* on the table. They then entertained themselves by e-mailing photographs of conditions in the settlement to each other and loudly commenting about how dirty the people were. The pictures on which these claims were based were of a pile of rubbish. Kennedy Road, adjacent to the Municipal dump, has long asked for and always been denied refuse collection. So people collect rubbish into plastic bags and burn it once a week. The pictures which the officials were using to claim that the people in Kennedy Road are dirty were of this pile of bagged rubbish.

It was decided that there will be no more meetings in government offices. As S'bu Zikode explained: 'Why must we go and sit on those comfortable chairs to listen to the crooks and liars? They must come and sit with us where we live. The battle is on. We will use all tactics'.⁸⁹

On Monday 26 September the negotiating team met S'bu Gumede and other officials from the City in the Kennedy Road hall. It had been decided that hundreds of people would stand in a circle that runs around the hall and sing in low voices as the talks went on. If necessary they would enter the hall and collectively call the officials to account. After twenty minutes three hundred people entered the hall. The door was locked and a formal meeting held. Officials reported back and took questions via the chair. More important concessions were made around repairing the hall, providing 300 chairs for the hall, refuse collection in the settlement, local labour for local construction and cleaning work and more. The Housing Department sent a low level official who was only able to report that an engineer's report was being completed and that a consultant would begin his (R100,000) report soon. An old lady, Ma Khumalo, said that she has been living there for twenty years and that in that time every demand for housing had been met with expensive research – research into the land, the air, everything. The meeting proposed and accepted a motion that a meeting would be scheduled with the head of the Housing Department within three days or a march would be organised on the Department. The doors were unlocked. The meeting was scheduled for 10 October – at the Kennedy Road hall.⁹⁰

At this point what had been won also includes all that has been created in common to be held in common. The crèche which runs every week day; the office with the only telephone line in the settlement where all kinds of things like grant applications and links to and negotiations with schools, hospitals and

hospices and so on can be facilitated; the monthly food parcels and weekly cooked meals for the destitute; regular and very well organised care for child-headed households and people with AIDS; security and fire watch patrols at night and so on. Much, although not all of this, was present before the break with obedience following the road blockade, the racialised attacks from Indian police on the command of the councillor and the arrests. But struggle changes everything. There are now vastly more people working on these projects and they are being taken forward with much more seriousness. Before the break with obedience the crèche was run in a derelict room under the hall. That room now looks as bright and safe as any crèche in a rich suburb. As Fanon has taught us struggle is, amongst other things, a movement out of the places to which we are meant to keep. Amongst many other things new relationships emerge out of this movement and so there has been better access to resources. Most resources are still generated from within the community but a businessman from a local ashram has provided a gas stove, large pots and a weekly food donation which has made the weekly communal meals possible. An anarchist web technician provided two reconditioned computers for the office so that typed letters and press releases can be produced in the community. So it goes. Movement within produces movement out which enables new alliances and further movement forward.

Part of what has been created in common is a community of struggle. Since May, 30 or 40 highly committed activists have emerged in Kennedy Road. They have got to know people in other settlements and formed unmediated ongoing relationships with communities struggling elsewhere in the city from nearby Sydenham Heights and across town to Wentworth. The enthusiasm for making these connections is enormous. Representatives are elected for meetings; money is collected to pay for transport – ‘R5, R5 *omakhelwane*’ (‘R5, R5 neighbours’) – and in each case detailed report backs and discussions have been held. People in Kennedy Road have also formed connections with three or four middle class activists in Durban who have been willing to put resources and skills and networks under the democratic control of the struggle seeking at every point to share their class based skills and networks via workshops. For example instead of just producing a press release in accordance with what is decided at a meeting a media workshop was held at which people learnt the skill and discussed the politics of the skill. This can’t be achieved in every instance – for example permanent direct access to the (hired) equipment to make and screen films is not something that can easily be put in common but the middle class activists have worked to put their class based skills and networks in common where ever possible. Four men and women from Kennedy Road have now been elected to travel to Cape Town and have spent time with the Anti-Eviction Campaign and Max Ntanyana and Ashraf Cassiem from the Campaign spent a few days in the settlement in the lead up to the march. Although the Campaign is currently not able to mobilise on the same scale as

Kennedy Road it has a far longer history of open resistance, is currently working with shack dwellers in QQ section in Khayelitsha and has taken the strategy of road blockades further than anyone else. All of these new connections, and the experience of struggle within new alliances, have rapidly and radically developed the politics of this struggle.⁹¹

And the community of struggle changes as sustained collective reflection on the experience of struggle continually advances the understanding of what has to be fought and how it has to be fought. A struggle that started with many people seeing a local councillor in alliance with an often (although certainly not uniformly) hostile local elite as a problem within the system is now confronting the systemic nature of oppression. In May 2005 your experience may have led you to believe that your suffering was largely consequent to Indian racism. In September 2005 you may be paying your part of the R350 to send a taxi load of people to the predominately Indian working class suburb of Bayview to further develop concrete solidarity with their struggle because you have come to understand that you have both an experience of suffering and enemies in common. And you may have elected (Indian) academic Fazel Khan, a man you have come to know, respect and trust in the praxis of struggle, to be on your negotiating team in a crucial face-off with the City.⁹² In May 2005 you might have believed that the World Bank would create jobs for your community at the dump. But while building solidarity for your march you may have discovered that the same jobs have been promised to other nearby communities that you would never have met in the course of ordinary life lived with everyone in their place.

The shack dwellers' struggle has also produce a marked shift in power relations consequent to the constitution of counter-power. State and corporate power can now only make non-coercive interventions into Kennedy Road with the permission and on terms negotiated by the Development Committee. On the Thursday in the week following the march an Italian company arrived at the settlement and began shooting for a film about the last Pope. They needed, they said, lots of shots of children. They were stopped, asked to make a formal proposal, negotiations were held and filming went ahead after the company equipped the crèche with furniture, toys, white boards and so on. In the same way the state can no longer act unilaterally in the area and has been forced to insist that their contractor employ local labour to clean the toilets and to make major changes to the ratio of the money paid to the contractor and the workers.

The struggle continues and it continues to develop its understanding of what must be done and undone. On 4 October 2005 over a thousand people, more or less the entire population of the small Quarry Road settlement, marched on their councillor, Jayraj Bachu, demanding his resignation, the return of their toilets and the provision of land and housing within the city. They also staged a mock funeral and declared they would refuse to vote in the coming election if their demands were not met. The widely read Zulu tabloid *Isolezwe* gave them

two pages of coverage and they got the front page, the third for this movement, of the free local newspaper *The Rising Sun* as well as an hour and half on the popular Islamic radio station *Al Ansaar*. The day after the Quarry Road march young radicals in Foreman Road declared that they too will march. James Nxumalo, the new speaker in the City's council, used his first speech to rail against mock funerals saying they were 'deeply unacceptable'. Local councillor Fawzia Peer spoke darkly about protests being 'orchestrated' and the city hall was awash with ominous talk of a third force. But two days after the Quarry Road march a meeting of twelve settlements⁹³ was held in Kennedy Road. There were 32 elected representatives there, 17 men and 15 women. They agreed that they will not vote in the coming elections and that they will stand together and fight together as the *Abahlali baseMjondolo* (shack dwellers) movement. Each settlement now has at least one weekly meeting and representatives from each of the settlements meet as *Abahlali baseMjondolo* every Saturday.

The Foreman Road Development Committee scheduled a march on Mayor Mlaba for Monday 14 November. The Committee completed all the paper work necessary to apply for a permit 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'. Two reasons were given for banning the march. The first was that 'Officials from the Mayor's Office have advised us that they have no feedback for your organisation'. The second was that 'The Mayor's Office labour is unable to assist you and there will be no representative there to meet you'.⁹⁴ 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'. The statement went on to explain that the reasons given by the Municipality for banning the march were 'absurd' and without any legal basis.⁹⁵ 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. The leadership suggested that a rally be held in the settlement instead. But the majority decided that they could not accept this attack on their basic democratic rights and that they would stage a peaceful march in protest. The marchers, mostly women, set off singing up the steep dirt road that leads out of the settlement. They had just got onto Loon Road when they were met by the police. They had posted 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 some serious injuries. 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'.⁹⁶ 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. 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. Carvin Goldstone from *The Mercury* was threatened by Superintendent Glen Nayagar from the Sydenham Police Station and Raj Patel, a UKZN academic, had his camera confiscated by Nayagar. The gratuitous brutality of the police attack, some of which was furtively captured on camera and video, sent made national and international news. The Freedom of Expression Institute issued a statement⁹⁷ declaring that the Institute 'condemns the eThekweni Municipality's blatant disregard for the rights of marginalized communities to exercise their freedom of expression'. The statement described the police action as illegal on two grounds. The first was that no warning was given to disperse before the police attacked and the second was that there was no legal justification for the degree of force used in the police attack. The intimidation of the media and confiscation of cameras was also clearly illegal. Goldstone has laid a formal complaint against Nayagar. Patel, along with System Cele, a 27-year old woman who had her front teeth broken in the police attack, tried, without success, to lay formal complaints with the Internal Complaints Directorate (ICD). The ICD requires a case number before they will investigate a complaint. But the police simply refused to open cases of theft and assault against other SAPS officers when approached by Patel and Cele. However a number of officers from Crime Intelligence and the National Intelligence Agency are undertaking thorough investigations into various people active in *Abahlali baseMjondolo*.⁹⁸

Three days after the events at Foreman Road made national and international news the Municipality called a lavish press conference. No representatives from *Abahlali baseMjondolo* were invited and, when they required if they could attend, they were told that it was 'only for the media'. At this press conference the Mayor announced a R10 billion housing project to be undertaken in partnership with Moreland. He said that 'We were going to announce it later [but] because of the protests and ... those people using the poor African communities ... we decided to announce it today' (Cited in Patel, 2005: 42). Between 15,000 and 20,000 homes were promised of which 5,000 were for former residents of informal settlements. Kennedy Road residents were promised these houses. The press were told that meetings would be held with shack dwellers to clarify the details.

On 24 November 2005 a meeting was held with low level officials who could offer no clarity on the deal. Moreland then issued a statement distancing itself from the Moreland announcement. An audience with mayor, in one of the settlements was requested and agreed to. It was scheduled for 7 December. On 29 November Moreland issued a statement distancing itself from the Mayor's announcement and noting that there had been no sale of land to the Municipality.

pality. After wide and careful deliberation *Abahlali baseMjondolo* produced 30 questions about the proposal, a number of these noted the Moreland statement. These were faxed to the mayor. Two days later the meeting was summarily cancelled.

Peaceful mass protest appears to remain illegally banned.⁹⁹ The Municipality's public announcements about the promised new housing development appear to be untrue. Negotiations with the Municipality appear to have been unilaterally suspended. On 13 December 2005 *Abahlali baseMjondolo* met in the Pemary Ridge settlement to plan a way forward. In a five hour candle-lit meeting it was been decided to launch a Campaign for the Human Dignity of Shack Dwellers. The campaign will be announced at the first ever press conference to be held in a shack settlement in Kennedy Road on 15 December 2005. It will take the form of unannounced small acts of non-violent direct action such as the occupation of offices, the public presentation of a nicely wrapped pile of shit to the mayor as a Christmas gift and the like, as well as a collective boycott of the March 2006 local government elections.

But despite promises to the contrary the threat of relocation to the 'rural periphery' still looms and more than seventy settlements confront this threat in Durban. What are the chances of the movement that began in Kennedy Road being repeated elsewhere?

What the newspapers are now calling 'the national wave of protests' from shack settlements has generally been accompanied by a sudden eruption of militancy, often characterised by road blockades quick repression, usually including beatings and arrests and then silence. This was also been the way things happened in Cato Manor on the other side of Durban. These local mutinies have to confront arrests and people are generally charged with public violence – even if there has been no damage to person or property. None of the few legal services available to struggling communities are allowed by their donors to take on criminal cases and so people often spend months and months in prison awaiting trial. Access to donor independent legal support is vital if these resistances are not to be crushed. The Kennedy Road mutiny received this legal support. They didn't seek it – they were initially determined to represent themselves but after the shock of Magistrate Asmal's visceral contempt for the people in her dock – it was agreed to accept support. Of course the various bureaucratised, donor-funded and globe trotting elements of the left were not interested but a small group of local militants put up their personal resources and, when she returned to Durban, secured the enthusiastic and effective pro bono legal support of Shanta Reddy. But this has happened before without an initial break with obedience developing into a sustained mass struggle. If legal support is a necessary condition for the development of these struggles it is not a sufficient condition.

I would like to suggest that the key factor is that Kennedy Road had, years before the road was blockaded, developed a profoundly democratic political

culture and organisation. Initially this democratic political culture did not have a radical content to match its form. On the contrary for years Kennedy Road dutifully sent representatives to meetings with government, did everything that was asked of them and became the perfect ‘civil society’ organisation in search of ‘partnership’ with other ‘stakeholders’. In return they got contempt. But, because the radically democratic nature of the political culture produced ongoing collective reflection on the experience of the failure of loyal obedience to the official civil society model, a collective commitment to open resistance developed. A history of how this praxis developed in Kennedy Road will have to be written¹⁰⁰ but it is worth noting that having a hall and an office in which to meet, no matter how derelict is an important advantage. Other settlements in the area just don’t have this and demanding or developing a place to meet will be a priority.

The democratic political culture in Kennedy Road means weekly formal meetings, detailed record keeping and minutes and all those things. But because these things don’t occur in a self-legitimizing sphere separate from ordinary life in the rest of the settlement they are never pompous, boring or self-serving. Because there are constant report backs to mass meetings and lots of sub-committees and projects taken on in common the ‘leadership’ is in constant dialogue with ‘ordinary’ people and, very often, under serious pressure from them. All outsiders and visitors wishing to contribute or engage with the struggle are expected to do so in meetings. In addition all of the various middle class led political factions that have approached the shack dwellers for support have been asked to live in the settlement for a week before any discussions about solidarity. In the struggle that has unfolded since May this year every important decision has been made in collective decision making forums and every individual or group to have travelled elsewhere has been elected to undertake a particular task on that particular occasions and has taken the obligation to report back very seriously. Opportunities for things like travel – whether across the city or the country – are scrupulously rotated. Age and gender balances are excellent in all respects. A nineteen year old woman, System Cele, is a key player on the small negotiating team. There are people with extraordinary characters and skills who have been elected onto the committee. There is no doubt about that. But the work of these people remains a function of the committee which remains a function of the community. Of course this does not mean that the committee is in direct connection with the entire community of Kennedy Road – many people don’t participate in politics at all – but there is a larger community of struggle within Kennedy Road made up of around 30 to 40 committed activists involved in day to day work, a few hundred people who come to regular mass meetings and a few thousand who will be willing to come to a large event like a march.

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 religion in the slum – to connect and sacralise the denigrated and to tend hope. It is also appropriate because the meeting, when subordinate to the life in common, is a space for people and communities to become something new – in this case historical agents in the material world.

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’.¹⁰¹ 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 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.¹⁰²

The essence of mass democracy actually yields a mass sovereignty, and mass sovereignty is a sovereignty of immediacy, thus of the gathering itself.¹⁰³

But, crucially:

The essence of politics is not the plurality of opinions. It is the prescription of a possibility with a rupture with what exists.¹⁰⁴

It is clear that in Kennedy Road the meetings, always democratic, are the engine of the politics that began with betrayal and has consistently developed its thinking of this rupture in increasingly radical directions. This has also become the practice in the settlements that have been democratised via their association with the Kennedy Road struggle.¹⁰⁵ The meeting was the political space in which the movement’s founding truths could emerge from the betrayal with regard to the promised land and the break with obedience wrought by the road blockade. The meeting has also been the space in which there has been ongoing critical reflection of these truths and the struggles they have generated and legitimated.

The ANC clearly wants to limit democracy to the stage managed spectacle of elections and to stigmatise the popular practice of democracy as anti-national. *Abahlali baseMjondolo* is committed to the day to day practice of democracy where people live. The battle is on. What ever the future may hold one thing is certain. There is a left in these slums.

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Notes

1. This essay recounts events from 19 March to 14 December 2005. 'Abahlali baseMjondolo' is a Zulu phrase meaning 'shack dwellers'.
2. Alain Badiou, *Metapolitics*, London, Verso 2005, p. 17.
3. Mike Davis, 'Planet of Slums' *New Left Review*, 26 2004, <http://www.newleftreview.org/LNR26001.shtml>
4. Chris Abani, *Graceland* Johannesburg, Picador Africa 2004.
5. Davis, 'Planet of Slums'.
6. Davis, 'Planet of Slums'.
7. Davis, 'Planet of Slums'.
8. Davis, 'Planet of Slums'.
9. C. L. R. James, *The Black Jacobins*, New York, Vintage, 1989, p. 286.
10. Davis, 'Planet of Slums'.
11. Slavoj Zizek, 'Knee Deep', *London Review of Books*, Vol. 26, No. 17, 2 September 2004.
12. Frantz Fanon, *The Wretched of the Earth* London, Penguin 1976 p. 182.
13. Frantz Fanon, *The Wretched of the Earth*, p. 13.
14. Nigel Gibson, *Fanon and the Postcolonial Imagination*, Cambridge, Polity 2003, p.151.
15. Antonio Gramsci, *Selections from the Prison Notebooks*, London, Lawrence and Wishart 1971, p. 9.
16. Frantz Fanon, *Black Skin, White Masks*, New York, Grove Press, 1967, pp. 227-8.
17. Michel Foucault, 'Preface' to *Anti-Oedipus* by Gilles Deleuze and Felix Guattari London, Athlone Press 2000, p. xii.
18. This puts Fanon's philosophical project at odds with the bulk of modern philosophy:

'Philosophers of the modern era ... began to consider that the truth was the result of a process of elaboration, carried out by a reason grounded in itself. After an initial period of optimism, however, in which people believed it was possible for thought to postulate itself in an absolute way, philosophy began to become more and more aware ... of its historical and especially linguistic conditioning ... it could be that its result has been that philosophers have let themselves be hypnotized by philosophi-

cal discourse taken in and for itself. In the last analysis, philosophical discourse now tends to have as its object nothing but more philosophical discourse' Pierre Hardot, *Philosophy as a Way of Life* Oxford, Blackwell 1995, p. 76.

19. Fanon cited in Nigel Gibson 'Dialectical Impasses: Turning the Table on Hegel and the Black', *Parallax* Vol. 8, No. 2, 2002, p. 339.
20. Gibson, 'Dialectical Impasses: Turning the Table on Hegel and the Black', p. 339.
21. Alain Badiou, *Infinite Thought*, London, Continuum 2004, p. 58.
22. Badiou, *Infinite Thought*, p. 62.
23. This is very well discussed in the sixth chapter of Nigel Gibson's *Fanon: The Postcolonial Imagination, Radical Mutations, Towards a Fighting Culture*.
24. Martin Heidegger, cited in Badiou, *Infinite Thought*, p. 59.
25. Alain Badiou, 'Democratic Materialism and Dialectic', *Radical Philosophy*, Vol. 130, 2005, p. 22.
26. Hardot, *Philosophy as a Way of Life*, p. 268.
27. Cited in Richard Turner, 'Dialectical Reason', *Radical Philosophy*, No. 4, 1973, p. 33. 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' (2001:11).
28. Silvia Federici, *Caliban and the Witch*, New York, Autonomedia, 2004 p. 85.
29. It is generally remembered fondly because it accepted the right of poor African people to live in the city and because it engaged with people respectfully. This does not have to be read as an indication of the appreciation of neo-liberalism. On the contrary it is probably a sign that neo-liberalism is forced to behave itself when it cannot cloth itself in nationalism.
30. This does not mean that the urban slum doesn't provide labour for the city – it does and in abundance: domestic work, casual labour, service industry jobs, taxi conductors, musicians, informal traders, golf caddies, people that comb the city looking for waste to recycle and more. But the city is not, in the manner of a factory, dependent on this labour. This is for the simple reason that when ever there are jobs or opportunities for income people will come – even if they have to get up at 4:00 a.m. and spend half their earnings on transport.
31. Carvin Goldstone, 'Not Enough Staff to Clear Slums – Land invasion crisis gets worse', *The Mercury*, September 16, 2005, p. 4.

32. The City's full plans in this regard are not available. But is instructive to note that when their press releases discuss upgrades and relocations settlements in former suburbs face relocations while settlements in former townships will be upgraded where they are. Of course there are exceptions – Cato Manor and, now, perhaps, Mount Edgecombe. But the general tendency to reproduce the apartheid separation between suburb and township is clear.
33. Frantz *The Wretched of the Earth*, p. 30.
34. Fanon, *The Wretched of the Earth*, p. 31.
35. Fanon, *The Wretched of the Earth*, p. 30.
36. Fanon, *The Wretched of the Earth*, pp. 31-32.
37. Fanon, *The Wretched of the Earth*, p. 31.
38. Fanon, *The Wretched of the Earth*, p. 29.
39. This has been best researched and theorised in Richard Ballard's extensive work.
40. It is important to note that the city's policy is failing, and failing badly, on two grounds. Firstly people continue to move into shack settlements as a way to access the city and, secondly, many people who have been removed, voluntarily or forcibly, to rural ghettos like Park Gate simply return to shack settlements closer to the city.
41. With one exception the state has had to drop charges before going to trial as there was clearly no evidence to secure a conviction. They may well still do the same with the sole remaining charge.
42. African National Congress Southern Natal Statement on the Housing Crisis, Durban 1993.
43. The Lusaka settlement is in Reservoir Hills, a suburb adjacent to Clare Estate. It was demolished by the city, at gun point, during the last week of October 2005. Thirty five households were moved to Mount Moriah and the notorious rural ghetto of Parkgate, which is 27 kilometres outside of Verulam and a R21 taxi journey from Durban. Nineteen households were 'not on the list' and were, in violation of South African law, 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 three days in the holding cells at the Sydenham police station. After their release was secured they were housed in the Kennedy Road community hall and, due to the pressure generated by the struggle, given houses in Mount Moriah on 19 November 2005. However although Mount Moriah is closer to the city than Parkgate it is still a bleak rural ghetto far from opportunities for work and so the 'victory' has largely been experienced as hollow.
44. African National Congress ANC KwaZulu-Natal Victory Statement, Durban 1999.
45. Credible observers like the respected radical environmentalist Bobby Peek put the numbers as high as 8,000 but the police and then the newspapers put it at 5,000 and that is how it will be recorded in the archive.
46. Fred Kockott, 'Shack dwellers' fury erupts', *Sunday Tribune*, 20 March 2005.

47. David Hemson has logged this number of protests. Protests are still regulated by The Gatherings Act, an apartheid era piece of legislation that requires that permission be sought and obtained from the police two weeks before a protest is held and allows the police to regulate the place and time of protests. Protests undertaken without permission are illegal.
48. This has characterised recent work and statements on the shack dwellers' movement by Patrick Bond, Heinrich Bohmke, Mandisi Majavu and Prishani Naidoo. It has reached its most outrageous level in various documents produced by the Social Movements Indaba (SMI) that resolutely characterise all movements over which the (generally NGO based) vanguardist intellectuals of the SMI have no influence as 'spontaneous'.
49. With the important exception of the Johannesburg branches of the Landless People's Movement these movements generally mobilised poor people living in council flats and township houses and not people living in shacks. This was because shack dwellers, lacking access to housing, water and electricity were not at risk of eviction and disconnection. The classic work on the rise of these movements is Ashwin Desai's *We are the Poors: Community Struggles in Post-Apartheid South Africa*, New York, 2002.
50. In a sense time has proved this suspicion to be well grounded. The protests in Durban, and to a lesser extent Cape Town, have rapidly developed to the point where they are issuing direct demands for democratisation and financial openness to the vanguardist NGO based intellectuals, such as Eddie Cottle and others, who have raised donor funding in the name of social movements and sought to gate-keep in various ways while operating independently of any representative structures.
51. For a study of the Mandela Park Anti-eviction Campaign see Ashwin Desai & Richard Pithouse, "'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), pp. 841-875.
52. 'Kick Butt, Mr President', News24.com, 8 June 2005.
53. 'Mbeki Warns: no violence', *Independent on Saturday*, 6 November, 2004, 3.
54. The toilet situation has improved as a direct result of the struggle but everything else remains as it was.
55. Author's notes, 21 March 2005.
56. 'Isicathimiya' literally means 'on tip toes' and is a form of a *cappella* choral music developed in migrant worker hostels to enable choirs to sing without detection from bosses. It was made globally famous by Ladysmith Black Mambazo and generally expresses religious feeling or romantic yearning for the lost pleasures of (a no longer viable) rural life.
57. Interesting the language of the ANC – 'Amaqabane', 'macomrade' etc., as well as songs formerly associated with the anti-apartheid struggle – later returned but as the re-appropriated language of an unfolding people's struggle. This has been theorised in ongoing discussions within the community that have concluded that there is a difference between 'party politics' and 'people's politics' and that the

- latter, identified as a mechanism of elite control, will always seek to capture the former, identified as a space for popular democracy. The concept of ‘people’s politics’ is certainly dynamic though and at least three entirely new songs and various entirely new slogans have been composed too. There is now a strong sense of an old and ongoing struggle entering uncharted terrain.
58. For a discussion of the political history of the University of Durban-Westville see the article by Fazel Khan in Richard Pithouse, Ed., *Asinamali: University Struggles in Post-Apartheid South Africa*, New Jersey, African World Press, 2005.
 59. This is discussed with characteristic insight, elegance and élan by Raj Patel in an unpublished paper ‘Solidarity with Africa and Other Fairytales’ (2005), Patel@ukzn.ac.za
 60. This is largely due to the efforts of Patrick Bond. See Patrick Bond and Rehana Dada, *Trouble in the Air*, Durban, Centre for Civil Society 2005.
 61. The work on the brickyard stopped after the road blockade. There was a stalemate for nine months. Then, on the 1st of November, the land, now popularly known as ‘the promised land’ in the settlement, 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. 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 is scheduled to go to trial on 22 December 2005. The betrayal constituted by the selling of the promised land to a local business man and the criminalisation of a popular demand for an explanation was the foundational event on which the political culture of the *Abahlali baseMjondolo* movement was built.
 62. Conversation with author, Kennedy Road, 22 March 2005.
 63. Conversation with author, Kennedy Road, 22 March 2005.
 64. Cited and discussed in Ashwin Desai & Richard Pithouse, “‘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. p. 857.
 65. Jacob Bryant has undertaken 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 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’, unpublished monograph, 2005’, jacob.bryant@gmail.com
 66. It is important to be open about the involvement of myself, and then other academics (Raj Patel, then Fazel Khan and then Richard Ballard) for various

reasons including a growing hysteria about this from the Municipality. The City Manager, Mike Sutcliffe, and the Mayor, Obed Mlaba, consistently seek to ascribe the struggle solely to our agency, to claim that we are profiting from the struggle by accessing donor funding in its name and to claim that we have a party political agenda to oust the local councillors. Each of these claims is entirely and demonstrably untrue. The paranoid focus on our agency is merely indicative of the profound disrespect for the intelligence of the shack dwellers. The views of a number of people in Kennedy Road about the relationship between academics and the shack dwellers' struggle are collected in Jacob Bryant's work.

67. Author's notes.
68. Conversation with Raj Patel, 15 May 2005.
69. The best account of the Socialist Students' Movement is provided by Nataniel Johnson-Gottlieb in 'The Struggle Continues: A Reflection & Analysis of Time Spent with the Socialist Students' Movement at UKZN – Westville', (unpublished), johns167@chapman.edu
70. Farook Khan, 'Police rule on staging of march', *Daily News*, 11 May 2005.
71. 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 racialised recycling of the apartheid era agitator thesis by, amongst others, Councillors Baig and Bachu, Mayor Obed Mlaba and City Manager Mike Sutcliffe.
72. 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' (2005: 2).
73. The term 'Third Force' became part of public discourse in South Africa after it was used to describe the apartheid security agents offering military support to the Zulu nationalist attacks on ANC supporters in the last years of apartheid. It is highly pejorative and implies outside manipulation towards evil ends. S'bu Zikode has since responded to the consistent use of the Third Force slur in a newspaper article published in various titles in the Independent group in early November 2005. It has been widely commented on and republished in Afrikaans, English and Zulu in publications ranging from newspapers to two academic journals and three mass market magazines. 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, including the local Councillor Yacoob Baig, Mayor Obed Mlaba and City Manager Mike Sutcliffe, continue to deploy variations of the Third Force discourse.

74. 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. 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 is the general disinterest of the ambulance and police services that is being challenged.
75. Fazel Khan and Sally Gilles have continued to make and show films as the struggle has unfolded.
76. Discussion in this regard is ongoing and while there certainly are people who would prefer an electoral challenge the majority continue to favour peoples' politics over party politics.
77. Various people, including Mlaba, Sutcliffe and a number of ANC councillors have attacked the shack dwellers' protests as 'political' – implying or directly stating that they are part of a project to mount an electoral challenge to local ANC councillors and hence lack any credibility. As Richard Ballard has pointed out it is alarming that the possibility of a local electoral challenge to the ANC emerging from these struggles is so casually assumed to be good grounds for dismissing them as 'illegitimate'.
78. Author's notes, 29 August.
79. Carvin Goldstone, 'Feeling Good about Durban', *The Mercury* 8 September 2005.
80. All quotes from this meeting are taken from Fazel Khan's notes.
81. The toilet blocks have now been built. The pay per use idea was dropped and, after ongoing 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.
82. There have been a number of other instances in which services have been removed from shack settlements. These include general policy decisions, such as the 2001 policy decision to stop the electrification of settlements, and more targeted actions such as the disconnection of the Pemary Ridge settlement from water during daylight hours in late October 2005.
83. This was the only settlement where resistance was developed and expressed through an ANC aligned organisation. The Municipality quickly used this to its advantage by making a deal for housing in the city with Quarry Road on condition

that Quarry Road cease working with the other settlements. They did so and the local leadership is reported to have informed people that only SANCO members will get houses.

84. D'sa has been a very effective activist for years in the township of Wentworth where he has campaigned against evictions, disconnections and the ongoing environmental racism of the oil refineries in the township.
85. Paul Kirk, '6 Thousand People Have to Use 6 Toilets', *The Citizen* 15 September 2005.
86. Carvin Goldstone & Michael De Vries, 'Clamour rises for shelter, services', *The Mercury* 15 September 2005.
87. The academic in question, Patrick Bond, has been the most effective academic critic of the ANC's neo-liberal policies but had, in fact, had nothing at all to do with the shack dwellers' struggle.
88. By late October a new committee had been elected into office in Foreman Road. The new committee was headed by Philani Dlamini, Lungisani Jama and Mnikelo Ndabankulu and generally made up of very young people. The old committee, led by Ma' Mjoli and widely understood to have been bought by Baig, initially accepted the transition. But on 15 November 2005, the day after the Foreman Road march was attacked by the police, the new committee was threatened by young armed men loyal to Ma' Mjoli. The threat of violence was generally believed to have been in response to pressure from above. Zulu-speaking police officers from South Durban were called and mediated the tense stand off fairly. The next Sunday, 20 November 2005, was the last day for voter registration. Baig staged a rally to encourage registration. Ma' Mjoli was able to mobilise a total of fifteen people to come to the rally. The contrast between this and thousands who supported the march destroyed the popular credibility of Ma' Mjoli's old committee entirely and seems to have removed the threat of violence.
89. Conversation with author, 15 September 2005.
90. It was rescheduled to later in October as key officials were in Nairobi for discussions with officials running the UN supported slum clearance programme there.
91. Some months later, in December 2005, a delegation of ten people from *Abahlali baseMjondolo* travelled to Johannesburg for the annual meeting of the Social Movements' Indaba. There they issued a direct challenge to the undemocratic practices of NGO-based vanguardist intellectuals. The democratisation that swept the settlements proved sufficiently self confident to sustain its momentum across the country and on to the terrain of the NGO-based Trotskyist intellectuals. For an important reflection on the currents of dogmatism within in the South African left, and better alternatives, see Andrew Nash, 'The Moment of Western Marxism in South Africa', *Comparative Studies of South Asia, African and the Middle East*, Vol. XIX, No. 1, 1999.
92. Fazel Khan was later nominated for the position of deputy chair when the committees of the fourteen settlements that had thus far been active in the struggle formally constituted themselves as a social movement – *Abahlali baseMjondolo* (shack dwellers). Khan declined the nomination on the grounds that only people

- living in shacks should be able to hold office in the movement. This was accepted as a founding principle of the movement.
93. On 21 November 2005 there were fourteen settlements formally affiliated to the movement and another eight with various forms of partial affiliation. All of the fourteen 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.
 94. Fax from the Municipality dated 9 November 2005 and in the possession of the author. 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 fifty top constitutional rights academics from round the world. However he remains unrepentant and has justified his illegal suppression of basic rights in national newspaper and radio 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 constituted power.
 95. Freedom of Expression Press Statement, dated 10 November 2005.
 96. Author's notes.
 97. Freedom of Expression Press Statement, 'FXI disturbed by growing number of state violations of the right to protest', 15 November 2005 A month later more than 50 delegates to the prestigious international Comparative Constitutionalism and Rights: Global Perspectives conference held at the University of KwaZulu-Natal (UKZN), and opened by Vice-Chancellor Makgoba, signed a petition called for an investigation into both Sutcliffe's illegal ban on the Foreman Road march and the illegal police action.
 98. A month after the march the Vice-Chancellor of UKZN, Professor Malegepuru Makgoba, informed Fazel Khan (in front of three witnesses) that Mayor Mlaba had asked him to take action against the UKZN academics he believed to be 'behind' the march. Makgoba said that he would submit the National Intelligence Agency report on the academics in question to the university council to see if there were grounds for a charge of incitement. Makgoba had just forced renowned scholar-activist and public intellectual Ashwin Desai out of the university on grounds that appear to be entirely illegal and related to a charge of incitement with regard to a university workers' struggle in 1996.
 99. But, ironically, as mass protest was suppressed locally the opportunity for individual representatives of the movement to take high profile national platforms was increasing dramatically. On 14 December 2005 Philani Dlamini from Foreman Road was scheduled to appear on the largest national radio station, Ukhozi FM, System Cele was scheduled to appear on a small station, Al Ansaar, and S'bu Zikode was scheduled to debate the national minister of Local Government, Sydeny Mufumadi, on national television. No self-funded and

organised movement of the poor has ever won these kinds of platforms before in post-apartheid South Africa.

100. Jacob Bryant has made a good start to this. Bryant's interviews indicate that the Kennedy Road settlement had previously been run by an Induna (chief) in an undemocratic and exploitative manner until 2002 when Zikode led the push towards democratisation.
101. Badiou, *Metapolitics*, p. 101.
102. Badiou, *Metapolitics*, p. 73.
103. Badiou, *Metapolitics*, p. 88.
104. Badiou, *Metapolitics*, p. 24.
105. This is why genuine solidarity with a democratic movement is only possible via participation in its meetings. The meeting, in Badiou's language, is the space of (real) politics.

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