

Table of Contents

On the Pogroms in South Africa 1

On the Pogroms in South Africa

By Richard Pithouse

The industrial and mining towns on the Eastern outskirts of Johannesburg are unlovely places. They are set on flat windswept plains amidst the dumps of sterile sand left over from old mines. In winter the wind bites, the sky is a very pale blue and it seems to be all coal braziers, starved dogs, faded strip malls, gun shops and rusting factories and mine headgear. All that seems new are the police cars and, round the corner from the Harry Gwala shack settlement, a double story facebrick strip club.

But even here the battle for land continues. The poor are losing their grip on the scattered bits of land which they took in defiance of apartheid more than twenty years ago. The state is, again, sending in bulldozers and men with guns to move the poor from central shack settlements to peripheral townships. In every relocation many are simply left homeless. It is very difficult to resist the armed force of the state but people do what they can. Officials are often stoned. In principle the courts should provide relief from evictions that are not just illegal but are in fact criminal acts under South African law. There have been notable successes but it is often difficult to get *pro bono* legal support, legal processes are slow and the evictions continue.

In the Harry Gwala settlement the poorest women are on their hands and knees searching for bits of coal to bake into lumps of clay to keep the braziers burning. Sâbu Zikode from Abahlali baseMjondolo in Durban and Ashraf Cassiem from the Anti-Eviction Campaign in Cape Town are here to meet with the Harry Gwala branch of the Landless People's Movement. These are all poor people's movements that have been criminalised and violently attacked by the state. The meeting is to discuss strategies for holding onto the urban land that keeps people close to work, schools, libraries and all the other benefits of city life. This is what it has come down to. Militancy is about holding onto what was taken from apartheid.

Here in Harry Gwala forced removals started in 2004. That was also the year in which the Landless People's Movement declared a boycott of the local government elections and were subject to severe repression, including the police torture of some activists. In August of the following year 700 residents marched on the Mayor demanding an end to forced removals and the immediate provision of water, electricity and toilets. Provincial Housing Minister Nomvula Mokonyane declared that the evictions "marked another milestone for housing delivery" and explained that "We are doing all this because we are a caring government and want to give you back your dignity". The Municipality's website responded to the march by noting that "Although there was an initial reluctance on the part of the Harry Gwala residents to move, the metro and the [private housing] company met them to work through any objections and give them reasons why such a move would be worth their while." But in May 2006, when the Municipality tried to move ahead with the forced removals in earnest, it became clear that residents were determined to hold their ground. The Johannesburg *Star* reported that "police fired rubber bullets and bulldozed their way into the Harry Gwala informal settlement near Wattville after residents barricaded themselves in with burning tyres. Shots rang out and people scattered in all directions as metro police fired at them. Twelve people were injured and were taken to hospitals in the area."

In Harry Gwala the evictions are remembered as a war. Now the settlement is recovering from a different kind of eviction, a different kind of war. It is to this that the discussion soon turns. The Freedom Charter adopted in Johannesburg in 1955 as the manifesto of the struggle against apartheid declared that "South Africa belongs to all who live in it." But for two terrible weeks in May people unable to pass mob tests for indigeneity were intimidated, beaten, hacked, raped and burnt out of shack settlements and city centres across South Africa. The attacks began in the shack settlements around

Johannesburg. In Harry Gwala the homes of two Shangaan families, one whom had come from Maputo in Mozambique and the other from Giyani in South Africa, were burnt and demolished. All that is left is squares of burnt earth. The local Landless People's movement moved swiftly to condemn the attacks and to work with the local police, with whom they have often been in conflict, to stop them from spreading further. In the nearby Makause settlement, which is not organised into an oppositional movement autonomous from the state, things were far worse. Here the settlement is dotted with burnt out and demolished buildings. There is also a terribly empty 200 metre long strip where, in February last year, 2 500 shacks were unlawfully demolished at gunpoint by the state and the residents forcibly moved to a transit camp 40 kilometres out of town.

In the second week the pogrom spread to the city centre and there were clashes at the Central Methodist Church, a well known haven for undocumented Zimbabweans, where residents successfully barricaded themselves in with piles of bricks for defence. In January there had been a much more damaging attack on the church. On that occasion the attack came from the police. They stormed in with dogs, pepper spray and batons and arrested 500 people. The church told the media that people were assaulted and robbed in the attack and that even those with documents were arrested.

In the second week the pogroms also spread to Durban, Cape Town and the small towns in the hinterland. In Durban the first attack was on a down town Nigerian bar and was followed by attacks on Rwandese and Congolese people living in city flats and then attacks on Mozambicans, Zimbabweans and Malawians living in shack settlements. In Cape Town it began with the Somali shopkeepers, who have been murdered at an incredible rate for years. The state has dismissed the clearly targeted nature of the ongoing killing of Somalis as 'just ordinary crime'.

Some of the mobs were singing Jacob Zuma's campaign song, *Bring My Machine Gun*. Some came out of shack settlements and migrant worker hostels linked to Inkatha. Some were just drunk young men. The most widely reported tests used to determine indigeneity, such as seeing if people know the formal and slightly archaic Zulu word for elbow, were taken straight from the tactics that the police have used for years. The mob definition of foreigner always centred on foreign born Africans but in some instances Pakistanis and South Africans of minority ethnicities, especially Shangaan, Venda and Tsonga people, were also targeted. There are a number of credible allegations of police complicity in the pogroms but in some places community organisations were able to work with local police stations to bring the violence under control. There are many accounts of individual acts of brave opposition to the attacks by both South Africans and migrants. In the Protea South shack settlement in Johannesburg migrants were able to successfully organise themselves into self-defence units and to protect themselves with round the clock patrols. It is striking that in many, although not all, of the areas under the control of militant organisations of the poor that have been in serious conflict with the state there were no attacks at all.

After two weeks 62 people were dead, a third of them South African citizens, and figures for the number of people displaced ranged from 80 000 to 100 000. Some had fled the country and others were sheltering in churches, at police stations and in refugee camps. Conditions in the camps are often grim. Human rights organisations have issued strenuous condemnations and there have already been threats of collective suicide, clashes with the police and demands for the United Nations to take over management of the camps from the South African state.

Thabo Mbeki's Presidency was, in the spirit of Pan-Africanism, animated by a vision of an African Renaissance that would finally redeem the world historical promise of the Haitian Revolution. On the first day of 2004 he resisted considerable international pressure and stood with Jean Bertrand-Aristide in Port-au-Prince to celebrate the two hundredth anniversary of that Revolution. Six months later Mbeki welcomed Aristide to Pretoria with an uncharacteristically warm hug on a red carpet. This

followed Aristide's kidnapping and removal to the Central African Republic by the American military on the last day of February. Aristide still lives in Pretoria.

Some saw these acts of solidarity as a concrete step towards Pan-African solidarity. Mbeki's detractors on the left pointed to the voluntary adoption of a structural adjustment programme in 1996, or the decisive moves to bring popular politics under party control from 1990, to argue that he was merely Africanising domination. But others argued that he, in the spirit of realpolitik and mindful of the fate of Toussaint l'Ouverture, Bertrand Aristide and their revolutions, had made a tactical decision to use the wealth of South Africa to make his global battle against anti-African racism a bourgeois initiative secured by the technocratic management of the poor.

Most of the slaves that made the Haitian Revolution were born in what is now the Democratic Republic of Congo. Their revolution offered citizenship, black citizenship, to everyone who fought in it, including Polish and German mercenaries who deserted their posts to join it. Citizenship became a political question rather than a matter of indigeneity or ethnicity. But for those two weeks in May it wasn't safe to be Congolese in many of the poor neighbourhoods in South African cities. There are still places where Aristide, whose excellent but French accented Zulu could easily mark him as Congolese or Rwandese, would be unwise to tread without security.

Contrary to much of the discussion in the media this state of affairs is not new. Indeed a month before the recent attacks 30 shacks were burnt and 100 people displaced from the Diepsloot settlement in Johannesburg. When the police eventually arrived their only response was to arrest twenty Zimbabweans for being undocumented. Migrants have been driven out of shack settlements in sporadic conflagrations since October 2001 when hundreds of Zimbabweans were hounded out of the Zandspruit settlement, also in Johannesburg. Three weeks before the attacks in Zandspruit the Department of Home Affairs had announced 'Operation Clean Up' in which people in the settlement were asked to support the Department in 'rooting out illegal immigrants'. Between 600 and 700 people were rounded up and deported to Mozambique and Zimbabwe. When many of the people deported to Zimbabwe found their way back a few days later, and refused a demand to leave within ten days, they were driven out by their former neighbours.

The extreme hostility with which the post-apartheid state has responded to African migrants is well documented in numerous human rights and academic reports. Migrants to South Africa confront a notoriously ungenerous policy regime that is compounded by a bureaucracy and police force that are both systemically corrupt and prone to extorting money from migrants, documented or not, on the threat of arrest and deportation. There are many cases where South Africans have also been arrested and deported to countries they have never previously visited because they could not speak Zulu well, didn't have the 'right' inoculation marks or were 'too black'. If the police suspect that someone may be an 'illegal immigrant' and she doesn't have papers on her she will be detained in a holding cell and then sent to a repatriation centre to await deportation. If she is documented but doesn't have papers on her she may still end up being deported as it is people picked on suspicion of being illegal that have to prove their legal right to be in the country. There is no burden of proof on the state. There is a right to one free phone call from the police holding cells and another from the repatriation centres but that right is routinely denied. Sometimes people whose presence in South Africa is perfectly legal just disappear. Their families only discover what has become of them after they have been deported. One consequence of this is that any one who thinks that they may be under suspicion has to carry their papers with them at all times. The similarity with the apartheid pass system has not escaped the notice of migrants.

The Lindela Repatriation Centre looms with a particular malevolence in the fears of migrants. Set in an old mining compound on the outskirts of Johannesburg its function is to hold illegal immigrants while they wait to be deported. The phrases 'gross violations of human rights' and 'concentration camp' role out with the word 'Lindela' in the language of human rights organisations as naturally as the word 'criminals' goes with 'illegal immigrants' in the language of the politicians, police and much of the popular media. Yet none of this resolute condemnation, much of which is undergirded by exhaustive empirical detail, has had any significant difference. Detailed human rights reports going back to 1999 describe routine violence, deliberate sleep deprivation, sexual assault, the denial of the right to a free phone call, appalling and appallingly limited food, a total lack of reading and writing materials, endemic corruption, unexplained deaths and extended periods of detention with out judicial review. There have been riots in Lindela going back to at least 2004. It is still hell. Senior people in the ANC Women's League, including Nomvula Mokonyane, have financial interests in Lindela.

The state has not been alone in this. On radio talk shows, in newspapers and university lecture theatres it quickly becomes clear that the fears and stereotypes that white people projected onto black people under apartheid are now often projected, unapologetically, onto the poor in general and shack dwellers and migrants in particular. Things that can no longer be publicly said about black people can still be said about the poor, with and without papers. It is not unusual for middle class black people to take this up with enthusiasm. It's been an open season for a long time. The fear and hostility of the old order have been redirected rather than overcome in the new order.

The most important attempt to theorise xenophobia in South African is a book by Michael Neocosmos called *From Foreign Natives to Native Foreigners: Explaining Xenophobia in Post-Apartheid South Africa*. The book was published by Codesria in Dakar, Senegal in late 2006. Codesria do not have a distribution network equal to the quality of the work that they have published over the years and it has been more or less impossible to get a copy of the book in South Africa. But Codesria have put it online[1] and a book that seemed to have fallen stillborn from the press is suddenly being widely read and discussed in the wake of the May pogroms.

Neocosmos rejects fashionable attempts to explain xenophobia in terms of postmodernity and globalisation and notes that it was in 1961 that Frantz Fanon described the kind of situation where 'foreigners are called on to leave; their shops are burned, their street stalls are wrecked.' For Neocosmos, following Fanon and the work of the Ugandan scholar Mahmood Mamdani, the essence of the problem is in the structure of the post-colonial state.

Neocosmos, following Ernest Wamba-dia-Wamba in the Democratic Republic of the Congo, also takes Alain Badiou very seriously. He rejects the largely economic understanding of politics that has typified influential sections of the academic left in South Africa in favour of a political understanding of politics. He argues that the debates on the academic left have largely been in favour of the state against the market and have tended to exclude any consideration for the agency of ordinary people. He sees in the statist orientation of this left a considerable complicity with the politics of liberalism which, in his diagnosis, can only see rights as something to be awarded and secured by the state.

His book gives a history of how apartheid denied South African citizenship to Africans and attempted, via the Bantustan system, to manufacture foreigners as a political and cultural identity. He also shows how this was continually challenged by popular democratic conceptions of citizenship. For instance Black Consciousness posited the lived experience of blackness as a principle of unity rather than ethnicity and so, against both the apartheid idea of ethnic Bantustan citizenship and the multi-racialism of the ANC, included Africans, Indians and people of mixed race in one non-racial political movement. Some trade unions, and in particular the National Union of Mine Workers, developed an understanding of citizenship based on place of work rather than place of origin. The mine workers'

union was even able to take this principle into the first moments of the post-apartheid state by securing citizenship for workers from Lesotho. And in the 1980s the United Democratic Front posited a citizenship based on opposition to apartheid which saw white and black people on both sides of its conception of the nation and its enemy.

For Neocosmos the radicalisation and democratisation of the popular struggles against apartheid in the second half of the 1980s, a process that in his analysis was forced on the leadership from below, created a new nation in struggle. He argues that the demobilisation and corporatisation of that politics, a process that began in 1989 and was more or less concluded by 1993, enabled a return to the exclusive power of the state to define citizenship.

In his view this was the worm that hid in the rose of the new democracy from the beginning. He points to the distinction in the constitution between citizens and persons and notes the consequent logic in frank statements by the ANC that it cannot extend human rights to non-citizens. But he is not replacing economism with legalism. He also argues that a considerable part of the motivation for the immediate commitment to the idea of 'fortress South Africa' was driven by an assumption that 'hordes of foreigners' would threaten South Africa's aspiration to build a powerful modern state that could take its rightful place on the international stage. The continuities with apartheid thinking about South Africa as somehow outside of, superior to and endangered by Africa are clear. He also shows that the idea that the state could manage the poor by delivering basic services to a passive population led to an assumption that efficiency in this regard, and consequent gains in social cohesion, would be compromised by an increase in the number of citizens. For Neocosmos the ANC is unable to think beyond the confines of exclusion and control...Popular organisational and militant democratic struggles are no longer within its ambit of thought.

He acknowledges the work done by NGOs to catalogue the rights abuses suffered by migrants at the hand of the South Africa state and provides a harrowing overview. Some of the evidence adduced is particularly striking. For instance while many instances are cited of politicians ascribing crime to undocumented migrants and conflating the categories of 'illegal immigrant' and 'criminal' the fact is that 98% of people arrested on criminal charges in South Africa are legal citizens. Equally striking are the statistics for the numbers of Germans, Americans and British people who overstay their visas but are not arrested and do not end up in Lindela and are not deported. In the first months of 1996 the figure stood at 26 000. Neocosmos does not shy away from the strength of popular xenophobic sentiment but stresses that empirical research indicates that 'popular attitudes towards foreigners are much more contradictory and not as systematically oppressive as in the case of state agencies.'

While he accepts the symptomatic observations of the human rights NGOs he rejects their diagnosis of the cause of those symptoms and their prescription for a remedy. In his view their extensive and detailed cataloguing of state and popular xenophobia has been undertaken in order to ensure that migrants are able to access their human rights, something which is 'seen as the responsibility of the state under pressure from those same NGOs'. Human rights discourse is orientated around appeals to the state, not a popular democratic politics. It therefore lacks both the capacity to issue compelling prescriptions to the state and to undertake the practical work of engendering better modes of life within communities. All it can do is to make requests. Although he does not say this, it is notable that neither the advances in this discourse, nor its institutionalisation in formal civil society, have resulted in meaningful progress from the perspective of someone picked up by the police for being 'too black' or speaking Shangaan or French.

For Neocosmos 'xenophobia and authoritarianism' are 'a continuation of apartheid oppression' that are, in the end, a 'product of liberalism'. He proposes, against the state centric politics of liberalism, a recovery of popular emancipatory politics. This argument certainly has much more going for it than

most of the views bandied about after the May pogroms, many of which took the form of simultaneous recommendations for firmer police action, better state intelligence and more projects to educate the poor about human rights. With some modifications it may also be able to explain some aspects of the other forms of popular reaction that have been growing in intensity.

In recent months there have, in some areas, been public attacks on lesbians and women dressed in trousers or in skirts deemed too short. It is certainly the case that as poor women are expected to take over more and more of the work needed to keep families and communities going there is an implicit gendering to decisions about the price of water, the numbers of taps and toilets that are provided to shack settlements, the need for volunteers to take on cleaning work, the care of the sick and so on. But it is certainly not the case that, as with xenophobia, these kinds of attacks can credibly be said to directly follow the logic and practices of the state or to be in any way complicit with the law.

While racist arguments about culture are often still used to explain the attacks on women progressives tend to argue that they are due to a general economic disempowerment. There is certainly a systemic disempowerment consequent to the endless economic crisis that ordinary people must confront, even in boom times. But there is also a systemic disempowerment consequent to both the complimentary authoritarianism of technocratic state and NGO responses to poverty and the top down party control over most of the political spaces through which ordinary people can access the state. It is notable that these kinds of attacks on women have not occurred, and are in fact simply unthinkable, in places where grassroots movements in which women are strong have created a political space for the collective self empowerment of the excluded. The fact that these are not the only spaces in which these kinds of attacks are unthinkable does not diminish the record of democratic grassroots political projects in this regard.

As Neocosmos has noted in a recent essay the popular movements that have rebuilt a democratic grassroots militancy were able to successfully defend and shelter people at risk in the May pogroms and, on at least one occasion, confront attackers head on. There was not one attack in any of the more than 30 settlements where the largely Durban and Pietermaritzburg based shack dwellers' movement Abahlali baseMjondolo is strong. Despite being crowded into ever fewer bits and pieces of urban land, all of which remain under threat from a state determined to 'eradicate shacks by 2014', the movement was also able to offer shelter to some people displaced in the attacks. In a widely circulated and translated statement Abahlali baseMjondolo declared that 'An action can be illegal. A person cannot be illegal. A person is a person where ever they may find themselves. If you live in a settlement you are from that settlement and you are a neighbour and a comrade in that settlement.' The Landless People's Movement in Johannesburg and the Anti-Eviction Campaign in Cape Town were also able to mount some opposition to the pogroms. In Khutsong, a town to the West of Johannesburg where popular conflict with the state has probably been most acute, the Merafong Demarcation Forum was also able to ensure safety. All of these organisations have, in the face of considerable repression boycotted elections and sought to build a militant grassroots politics outside of the party structures beholden to the state.

There is a sense in which crises are confrontation with the real. Certain kinds of assumptions, claims and speculations that can survive without a direct challenge melt away in the face of this kind of shock. Others emerge on a firmer footing. Neocosmos' book has come out of the crisis with a lot more life than it had in April. But if the May crisis has appeared to offer some support to his analysis that analysis should certainly be extended. One obvious way in which the critique of the politics of liberalism should be developed would be to consider the various ways in which the South African poor are also excluded from substantive citizenship and the desperate rivalries that this can produce.

With an entrenched unemployment crisis that excludes around 40% of people from formal employment now compounded by the sudden escalation in food and transport prices there's not much disagreement about the depth of economic exclusion. Of course people do invent new modes of solidarity and survivalist communalism to cope but a dangerous desperation is also rife. Not everyone is in a position to confront the prospect of entering their 30s without ever having had a decent job with equanimity. For people bent on plunder anyone who is vulnerable, as undocumented migrants living under a hostile state most certainly are, is at risk.

Exclusion from substantive citizenship is also a question of space. The South African state is seeking to reverse the popular desegregation of cities achieved since the 1980s. There are major projects to drive the poor out of flats in the city centres in the name of creating 'World Class Cities'. Centrally located shack settlements are also under attack from a full fledged programme to 'eradicate' shacks by 2014. While most cities have one or two well funded projects to upgrade centrally located shack settlements they are the exceptions that legitimate the rule. The fact is that the state is beating the poor out of the cities in the name of 'slum clearance', the precise phrase used by apartheid, and before that colonialism, for the same purpose. The poor are being driven out of urban spaces over which there is sometimes a considerable degree of autonomous self management into regulated and commodified contemporary versions of the peripheral apartheid township - a space separate in every way from the fantasy of world class cities but far enough out of town for this fact to be tolerable. An often politically innovative urban proletariat which appropriated urban land, as well as electricity and water, and often, although not always, turned it into a commons organised with a considerable degree of popular autonomy from state power is being recomposed into an individualized set of consumers safely warehoused on the urban periphery. The return to forced removals is a direct attack on people's livelihoods, access to education and health care, desire for an urban life and identity as citizens. With regard to the latter it is worth recalling that the denial of the right to the city was a central part of the denial of citizenship to Africans under apartheid. Every successful eviction increases the already severe overcrowding in the spaces that survive and escalates competition for space that can take all sorts of forms including ethnic and racial conflict amongst South Africans.

Despite more than 3 years of vigorous protests by the grassroots left across the country against local party councillors and their ward committees the reality of political exclusion doesn't have much elite currency. Civil society doesn't always easily recognise that democracy isn't only about elections and NGOs. People who appropriated or forged substantive rights to citizenship through the insurgent popular struggles of the 80s, or who were promised full social inclusion in Mandela's image of the nation, now find that, whatever their identity documents may say, they have been excluded from a key aspect of substantive citizenship - the right to speak, to be heard and to co-determine their future. Developmental processes are overwhelmingly technocratic and expert driven and the party is, for the very poor, now a top down structure that is used more for social control than as a space for popular discussion. In fact in many shack settlements party structures are the armed enforcers of state discipline. Many of the thousands of popular protests over the last few years (often clearly misnamed as 'service delivery' protests by both the NGO left and the state) were aimed at trying to subordinate local party structures and representatives to popular power. It has been very striking that in many of these protests the people organising them have declared that they have returned to struggle because they have, again, 'been made foreigners in our own country'. This feeling has expressed itself in some remarkable mobilisations that have united people with and without legal citizenship to struggle to democratise society from below. But in the absence of democratic organisation it can also take the terrifying form of a desire to assert one's own citizenship by turning on the 'real' non citizens.

The popular democratic politics in which Neocosmos invests his theoretical hope is the practical politics that was able to defend and shelter people targeted in the May pogroms, and has previously, although covertly, offered the same protection from the state. It is a politics that moves from the

bottom up and which the state and many NGOs, including those on the left, consider to be outside of professional civil society and its aspirations to manage the poor and, therefore, criminal. The police have been trying to beat it into submission since 2004.

Mbeki repressed the return of this politics and could travel to Haiti in his own jet. Aristide embraced this politics and was forced to leave Haiti in an American jet. But in Port-au-Prince and Johannesburg, against the odds, against the soldiers and the police, against the mob that have decided to become the police, against the expert and against the NGO it endures, fragile, wounded but alive.

Richard Pithouse, Durban.Â 16 June 2008

[1] It is available at the Codesria website at:
<http://www.codesria.org/Links/Publications/monographs.htm>