

STEVEN L. ROBINS

From Revolution to Rights in South Africa

SOCIAL MOVEMENTS
NGOs & POPULAR POLITICS
AFTER APARTHEID



From Revolution to Rights in South Africa

Dedicated to my late father
Herbert Leopold Robinsky

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*Social Movements, NGOs
& Popular Politics after Apartheid*

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in the University of Stellenbosch

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Foreword & Acknowledgements

During the years from 1990 to 1992 I lived in Sengezane village in Gwaranyemba Communal Area in Zimbabwe's Gwanda District in Matabeleland. At the time I was busy doing my doctoral fieldwork on village-level politics of land resettlement and rural development. Quite early on during my fieldwork I visited Zimbabwe's capital city Harare with the intention of conveying to Dr Joseph Made, then a senior manager in the Agricultural Rural Development Authority (ARDA), some of the seething problems I had encountered at ARDA's 'Model D' resettlement scheme in Sengezane village. In good faith, and in retrospect rather naively, I thought that I could convince the ARDA manager to change the top-down, technicist implementation of extremely disruptive land-use planning interventions in Sengezane village. I had seen first hand how these land-use plans had caused havoc with villagers' daily lives and livelihood practices. I had hardly begun to outline the kinds of village-level complications and hardships these plans had unleashed, when Dr Made launched into a tirade against foreign researchers who criticised his government without providing solutions.¹ By the time I left this volatile meeting I had reconciled myself to the reality that my research findings would have no impact, and that Robert Mugabe's ZANU-PF government was not interested in criticism. I was relieved to know that, once I finished my fieldwork, I could return to South Africa to make a contribution to my country's new democracy.

The release of Nelson Mandela in February 1990, and the unbanning of the anti-apartheid liberation movements shortly thereafter, ushered in expectations of democratisation and transformation that had once seemed unimaginable. It was this optimism that I witnessed following the 1994 election of Mandela as the first President of the new South Africa. These heady times were also reflected in the extraordinary vibrancy of civic organisations, NGOs, and new social movements that emerged in a post-apartheid political landscape framed by one of the most progressive constitutions in the world. The proliferation of new political move-

¹ As it turned out, Joseph Made was later to become the Minister of Lands, and he was responsible for leading the charge of Robert Mugabe's 'fast track' resettlement programme that began in 2000.

ments included those concerned with the environment, indigenous rights, land, biotechnologies, low-income housing, gay and lesbian issues, housing and HIV/AIDS. It was within this dynamic political moment that the seeds for this book found fertile ground.

During the early 1990s, I became increasingly interested in the role of popular land struggles in catalysing new forms of identity politics amongst people in the Northern Cape Province who were previously classified as 'Coloured' but were increasingly identifying themselves as San, Griqua and Nama (Chapters 2 and 3). This period also witnessed the emergence of new forms of transnational activism initiated by community-based organisations such as the South African Homeless Peoples' Federation (SAHPF) (see Chapter 4). Following President Thabo Mbeki's controversial embrace of AIDS dissident views in 1999, my research began to focus on the ways in which AIDS activism was producing new political subjectivities, identities and practices (see Chapters 5 and 6). AIDS activism quickly became much more than a scholarly interest. Like the Treatment Action Campaign (TAC) activists, I too was outraged that President Mbeki embraced AIDS dissident theories and seemed to be in a state of AIDS denial at a time when five to six million South Africans were living with HIV. I soon found myself confronted with new ethical and intellectual dilemmas and challenges as a South African political anthropologist doing research in the midst of a devastating pandemic.

This interest in political anthropology, and my particular focus on social movements and activism, was not accidental; it reflected my growing political awareness as a white South African of the historical burdens of the twin legacies of colonialism and apartheid. These concerns had emerged in the course of my studies at the University of Cape Town (UCT) in the early 1980s. Although I had developed a gut sense of the systemic injustices of apartheid growing up as the son of a German Jewish refugee in the conservative, middle-class white suburbs of Port Elizabeth, it was my voracious reading of the works of South African sociologists, anthropologists and historians such as Martin Legassick, Harold Wolpe, Jean and John Comaroff, and Shula Marks that provided me with a historically and culturally informed understanding of the emergence of what Marxist theorists referred to as South Africa's particular version of 'racial capitalism' and 'colonialism of a special type'.

My training in political anthropology, and my political education more broadly, had begun in earnest in 1979 in the Department of Social Anthropology at the University of Cape Town (UCT). In the late 1980s, social anthropologists at UCT – Emile Boonzaier, Mamphela Ramphele, Peter Skalnik, John Sharp, Andrew Spiegel, Robert Thornton and Martin West – published a pathbreaking critique of apartheid state discourse in an edited volume called *South African Keywords* (1988). This text provided students like myself with the intellectual tools to unpack and deconstruct the apartheid state's discourses on race, ethnicity, tribe and so on. My understanding of the political situation in South Africa was further deepened by my 1982 Honours research on forced removals in Qwaqwa, an impoverished and overcrowded rural homeland of the South Sotho. It was here that I witnessed first hand the devastating consequences of apartheid social engineering,

whereby hundreds of thousands of black South Africans were forcibly removed from 'white South Africa' and dumped in underdeveloped labour reserves. This was my real political and intellectual awakening. After completing my Honours degree, I was fortunate to study at Columbia University (1986–1994) in New York with two pre-eminent political anthropologists, George Bond and Joan Vincent. This training exposed me to broader theoretical questions raised by political anthropology in Africa.

This book is a culmination of ethnographic investigations done over the period of more than a decade. The essays were written during a period of dramatic political transformations in terms of which nothing seemed stable and certain. In recent years this political landscape has become even more uncertain. In December 2007, South Africans, including political pundits, journalists and commentators, were taken by surprise by the dramatic electoral victory of former Deputy President Jacob Zuma's 'camp' at the ANC's Conference at Polokwane in Limpopo Province. Although the polls had indicated that Zuma had considerable support at the ANC branch level, not many pollsters predicted that his 'faction' would take a clean sweep of the top six positions of the ANC party leadership. This constituted a 'palace coup' and a dramatic routing of President Mbeki and his support base. Zuma became President of the ANC, thereby thwarting President Mbeki's attempt to win a third term as president of the ruling party.

The book does not, however, deal with ANC party politics and struggles for political power of the sort that surfaced during the build-up to the December 2007 ANC Conference. Neither does it focus on the role of the trade unions and the SACU in national political life. Instead, it focuses on NGO and social movement activism and popular politics during the post-apartheid period. The case studies on land, housing and AIDS activism and mobilisation were researched and written during a period characterised by the global emergence of new social movements and new forms of identity politics. Although class-based mobilisation in the trade union movement has persisted, the book does not delve into the rich and well-researched field of labour movements. The book has also deliberately avoided analysing the twists and turns of political parties, ballots and procedural democracy, an area of study that has tended to be the domain of political science. Hopefully by focusing quite narrowly on NGOs and social movements, it will contribute towards expanding our understandings of new political discourses, organisations, citizenships and identities.

There are numerous individuals I wish to acknowledge. These include my teachers at University of Cape Town, especially Emile Boonzaier, John Sharp, Andrew Spiegel, Robert Thornton, and Martin West, as well as my Columbia University Professors, George Bond, Joan Vincent and Marcia Wright. The list of colleagues and friends who contributed in a variety of ways to the making of this book is long and includes the following researchers, academics and activists: Ted Bauman, Manmeet Bindra, Joel Bolnick, Sarah Bologne, Chris Colvin, Jean Comaroff, John Comaroff, Roger Chennels, David Chidester, Nigel Crawhall, Ben Cousins, Bill Derman, Brahm Fleisch, Kathy Glover, Thomas Koelble, Thami Maqulana, Shula Marks, Donald Moore, Leo Podlashuc, James Suzman, Kees van der Waal, and

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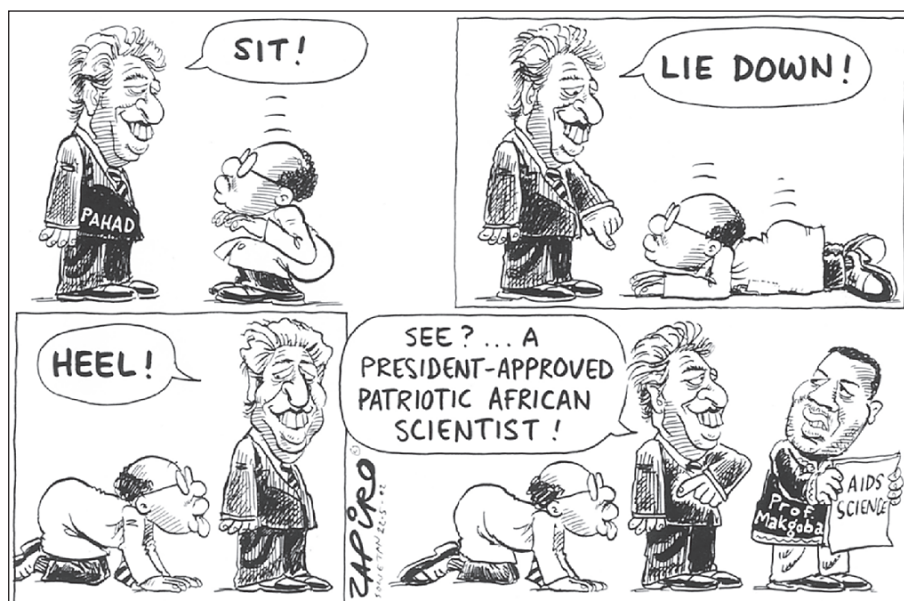
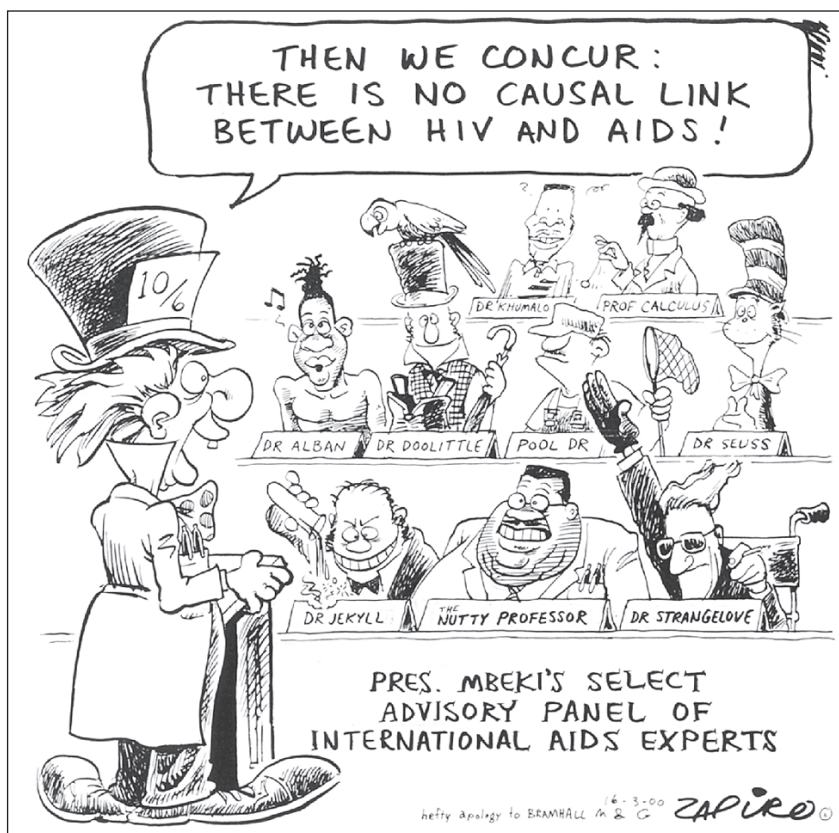
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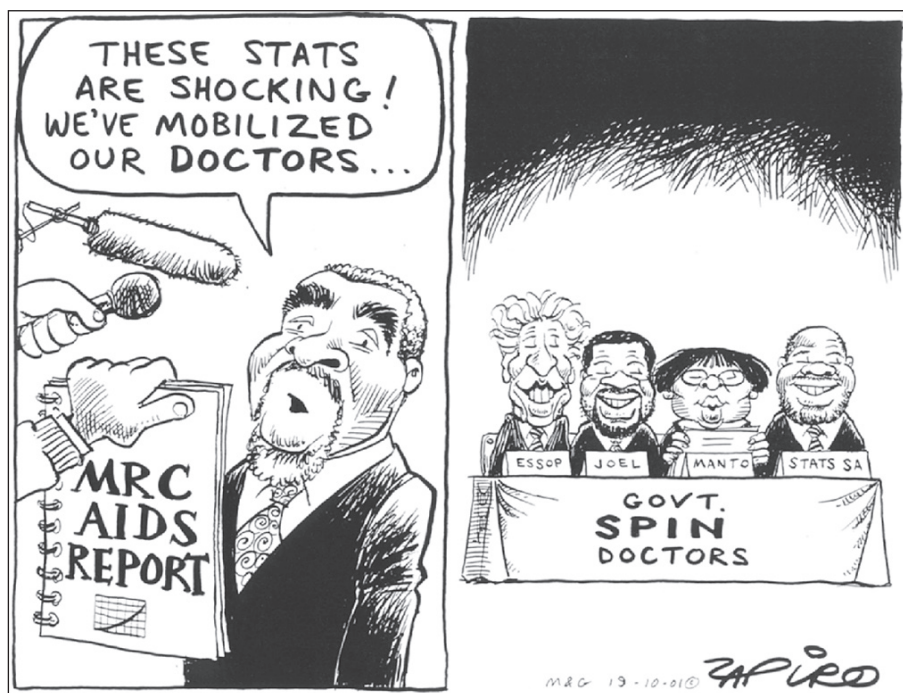
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- 2006 From Rights to "Ritual": AIDS activism and treatment testimonies in South Africa', *American Anthropologist*, Volume 108, No. 2 (June): 312–23.
- 2005 'Housing Activist Networks from Cape Town to Calcutta: A case study of the politics of trust and distrust', in Steinar Askvik and Nelleke Bak (eds), *Trust in Public Institutions in South Africa*. Burlington, VT: Ashgate, pp. 121–36.
- 2004 "'Long live Zackie, Long live": AIDS activism, science and citizenship after apartheid', *Journal of Southern African Studies*, Volume 30, No. 3, (September): 651–72.
- 2001 'NGOs, "Bushmen" and Double Vision: The ≠khomani San land claim and the cultural politics of "community" and "development" in the Kalahari', *Journal of Southern African Studies*, Volume 27, No. 4, (December): 833–53.
- 1997 'Transgressing the Borderlands of Tradition and Modernity: "Coloured" identity, cultural hybridity and land struggles in Namaqualand (1980–94)', *Journal for Contemporary African Studies*, 15 (1): 23–44.

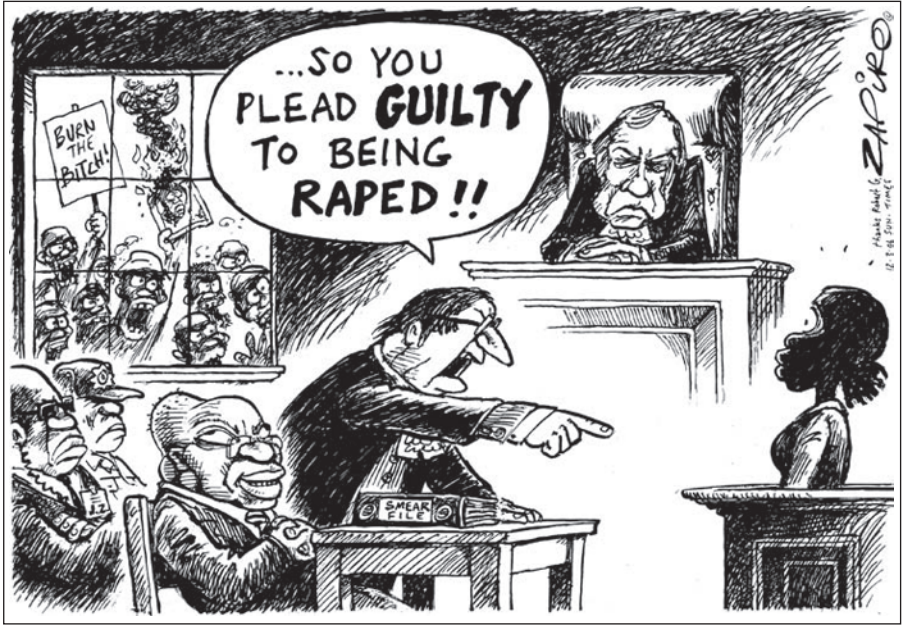
Abbreviations

ALP	AIDS Law Project
APF	Anti-Privatisation Forum
ART	anti-retroviral therapy
ARV	anti-retroviral
AZAPO	Azanian People's Organisation
BEE	Black Economic Empowerment
Contralesa	Congress of Traditional Leaders of South Africa
DOT	Direct Observation Therapy
FJZ	Friends of Jacob Zuma
KGNP	Kalahari Gemsbok National Park
Khululeka	Khululeka Men's Support Group, Gugulethu
KZN	KwaZulu-Natal
MDM	Mass Democratic Movement
MSF	Médecins Sans Frontières
NSMs	New Social Movements
NUM	National Union of Mineworkers
PAC	Pan-Africanist Congress
PD	People's Dialogue
PLWAs	People Living with AIDS
PMA	Pharmaceutical Manufacturers' Association
PMTCT	prevention of mother-to-child transmission
POWA	People Opposing Women Abuse
SABC	South African Broadcasting Corporation
SACP	South African Communist Party
SADC	Southern African Development Community
SADF	South African Defence Force
SAHPF	South African Homeless People's Federation
SANAC	South African National AIDS Commission
SASI	South African San Institute
SDI	Slum Dwellers International
SECC	Soweto Electricity Crisis Committee
STS	Science and Technology Studies

TAC	Treatment Action Campaign
TAN	transnational advocacy network
THO	Traditional Healers Organisation
TRC	Truth and Reconciliation Commission
UCKG	(Brazilian) Universal Church of the Kingdom of God
UDF	United Democratic Front
UNWGIP	United Nations Working Group for Indigenous Peoples
VMx	Victoria Mxenge Housing Scheme
WIMSA	Working Group of Indigenous Minorities in Southern Africa







1

Introduction

From Revolution to Rights

We did not say our struggle against apartheid was a civil rights struggle. We said it was a liberation struggle. There is actually a difference ... A liberation struggle includes socio-economic issues, it includes power relations. It includes structures of society, etc. Whereas civil rights is a legalistic notion. For instance, you would agree, surely, if we change the law on the rights of women with respect to property that would not actually emancipate women ... So, when people were talking today, in the [G8 Parliamentary Conference] meeting about women's rights, it was quite a limited, legalistic formulation. (Professor Ben Turok, an African National Congress Member of Parliament, *New Agenda*, Issue 19, 2005:14–15).

Discourses of rights and responsibilities conveniently cast the powers of economy and state as relatively benign at a historical moment when both seem nearly unassailable anyway. (Brown 1995: xiii)

Introduction¹

During South Africa's first decade of democracy, cultural rights claims took varied and fascinating forms. For example, shortly after the arrival of democracy in 1994, delegations of middle-class white Afrikaners converged on UN-sponsored indigenous rights meetings in Geneva and elsewhere claiming to be indigenous peoples just like the Inuit, the San, Aborigines, Maoris, and so on. At roughly the same time, similarly minded Afrikaners established the all-white *Volkstaat* (Homeland) of Oranje in an attempt to live out their ideals of ethnic self-determination in a post-apartheid constitutional democracy that protected language and cultural rights.

On the other side of the racial divide, in January 2007, animal rights activists from the SPCA contested the right of senior Africa National Congress (ANC) politician Tony Yengeni to spear a bull at a family ritual. Vigorous public debates ensued in the media about Yengeni's 'cruel spearing' of the bull before it was

¹ Acknowledgements – Brahm Fleisch, Chris Colvin, Jean Comaroff, Lauren Muller, Thomas Koelble, Kees van der Waal, Vivienne Ward, Harry Garuba and colleagues at the Centre for African Studies, University of Cape Town.

slaughtered at a cleansing ceremony for the four months that he spent in prison for defrauding parliament.² In response, Mongezi Guma, the chairman of the Cultural, Religion and Linguistic Rights Commission, claimed that criticism of this age-old Xhosa ritual violated the constitution. As Guma told the press, 'It is ethnocentric and undermining to hide behind animal rights and deny human beings their rights to uphold and practice their cultures and religions. Even more serious is the temptation to violate the constitution, which protects the cultural and religious rights of all who live in South Africa'.³ Another commissioner, Nokozula Mndende, explained that Yengeni had not speared the bull but merely 'prodded' it with a spear to make the bull 'burp,' or make any other sound, to indicate that the ancestors had accepted the ritual slaughter.⁴ Meanwhile, the Ministry of Arts and Culture spokesperson, Sandile Mamela, reiterated the constitution's protection of the right of all indigenous people to perform rituals that connected them with their ancestors.⁵ The Minister of Labour, Membathisi Mdladlana, responded by extending an invitation to the Society for the Prevention of Cruelty to Animals (SPCA) 'to join us as we will be slaughtering a bull without [anaesthetizing] it ... We want the bull to bellow – and then we'll sing the praises of our ancestors'.⁶ Following initial criticism of these ritually prescribed slaughter methods, the SPCA's executive director, Marcelle Meredith, decided to accept the invitation to attend Mdladlana's ceremony, stating that 'we are assured there is no suffering, if the slaughter is carried out in the traditional manner by a skilled person, taking into account the transport, handling and restraining of the animal'.⁷ Clearly, cultural rights, animal rights, and 'rights talk' more generally, have become an integral part of public discourse in the new South Africa. 'Rights' talk has also proven to be sufficiently flexible to be mobilised by widely divergent ends of the political spectrum.

South Africa's relatively peaceful transition to a rights-based constitutional democracy has been praised internationally as a 'miracle'. The larger-than-life figures of former President Mandela and Archbishop Tutu came to embody the possibility of peaceful democratic transitions in even the most violent and conflict ridden societies. South Africa's Truth and Reconciliation Commission (TRC) became a number one export to countries struggling to overcome legacies of violence, brutality, and authoritarianism. Similarly, South Africa's 'state-of-the-art' constitution, with its emphasis on socio-economic, linguistic and cultural rights, as well as on sexual and gender equality, has been touted as one of the most progressive on the planet. However, a decade after democracy the gap has widened between this bright vision of a 'rights paradise' and the grim everyday social, economic and political realities experienced by the majority of South Africa's citizens. This book tracks the twists and turns of 'rights talk' and South Africa's liberal democratic revolution.

² Vusumuzi Ka Nzapheza, 'Circumstances, not practice of slaughter probed, says SPCA.' *Cape Times*, 24 January 2007, p. 4.

³ "'Yengeni only prodded bull": Cultural panel seeks talks with SPCA on all groups' rites.' *Cape Times*, 26 January 2007, p. 5.

⁴ Ibid.

⁵ Ibid.

⁶ 'Mdladlana invites SPCA to witness slaughtering of bull.' *Cape Times*, 29 January 2007, p. 1.

⁷ 'SPCA to see ritual slaughter at Mdladlana's rural home after all.' *Cape Times*, 31 January 2007, p. 3.

Rights, revolution and the limits of liberation

During the course of the ANC's dramatic transformation from liberation movement to ruling party there was a seismic shift in its political lexicon. Radical keywords and concepts such as socialism, national liberation, class struggle, peoples' revolution, resistance to racial capitalism and colonialism-of-a-special type, were replaced with tamer words such as rights, citizenship, liberal democracy, nation-building, transformation, black economic empowerment (BEE) and so on. This dominant language of liberal 'rights' and citizenship is still regularly challenged by the revolutionary rhetoric of the popular Left in the trade union movement and the South African Communist Party (SACP).

Whereas the militant language of national liberation envisioned the revolutionary seizure of state power, the ANC government was soon rudely reminded of the limits of political power in a country characterised by centuries of social and economic inequality and racial domination (Terreblanche 2002). During the anti-apartheid struggle, scholars on the left had described apartheid as a system of racial capitalism whose overthrow would require more than simply taking racially-based legislation off the statute books. Addressing the raw facts of deeply entrenched race and class inequality, it was argued, would require nothing less than a socialist revolution. However, with the collapse of the Berlin Wall and the break-up of the former Soviet Union, socialism was no longer on the cards for a liberated South Africa. These constraints became increasingly visible as the ANC took over the mantle of political power.

This sobering recognition of the limits to liberation after apartheid (Robins 2005) was accompanied by a noticeable shift in the ANC's political ideology and economic programmes. It also involved significant shifts in political language, including the introduction of a new set of liberal democratic keywords. Furthermore, post-apartheid NGOs and social movement activists have increasingly recognised the emancipatory potential of rights-based approaches.

In 2005, a decade after the first democratic elections, Zackie Achmat from South Africa's Treatment Action Campaign (TAC) was nominated for a Nobel Peace Prize. Although the prize was ultimately not awarded to Achmat, his international visibility as the moral voice on HIV/AIDS in the Third World was undisputed. TAC had, since its establishment in 1998, become recognised internationally as one of the most effective AIDS social movements. This was largely due to its dramatic legal victory over the global pharmaceutical industry, which was trying to prevent developing countries from importing and manufacturing antiretroviral generic drugs. Meanwhile, in South Africa, TAC had acquired an equally impressive reputation for its successful court victories and modes of popular mobilisation that eventually compelled a recalcitrant state to provide antiretroviral therapy (ART) to South African citizens living with AIDS (see Chapter 5).

Although post-apartheid South Africa witnessed the emergence of a proliferation of NGOs and social movements in the land, housing, labour and health sectors, amongst others, TAC's innovative forms of rights-based activism captured the

imagination of South Africans and international health and development agencies, governments, and civil society organisations.

These new forms of political activism, however, were paralleled by new, sometimes uncomfortable, forms of economic reorganisation. In the same year as Achmat's Nobel nomination, the South African Broadcasting Corporation (SABC) aired the South African version of Donald Trump's franchised reality television show *The Apprentice*. South Africa's home-grown Trump is the revolutionary-turned-billionaire, Tokyo Sexwale. Sexwale, an ex-African National Congress freedom fighter, became one of the country's most wealthy men in the space of a few years following the transition to democracy in the early 1990s. The meteoric rise of former-revolutionaries-turned-corporate elites such as Sexwale and the former trade unionist, Cyril Ramaphosa, reinforced a 'home-grown' ideology of meritocracy that implied that anyone could become filthy rich if they were sufficiently single-minded, talented and determined. In 2007 reports had circulated in the media that Sexwale and Ramaphosa were leading contenders to succeed President Mbeki when he steps down in 2009.

Whereas the liberation struggle mobilised the working class and the 'masses', in the post-apartheid period it appeared that the culture of corporate capitalism rewarded individuals with drive and ability.⁸ Black economic empowerment (BEE) initiatives by the new government created opportunities for the extraordinarily rapid accumulation of wealth by a small group of black capitalists. At the same time, however, in a number of speeches in 2006 and 2007, President Thabo Mbeki lashed out against the greed and self-aggrandisement of those who used access to political office and political connections to accumulate personal wealth. In fact, many of the post-apartheid black corporate elites, together with their partners in the state, also preached and promoted the communitarian virtues of the African Renaissance, community development, and *ubuntu*.⁹

This combination of highly individualistic and competitive ideologies of economic liberalism, together with communitarian notions of 'African renewal', resonated in interesting ways with new forms of 'Asian liberalism' which, according to Aihwa Ong (1999: 48), promote both ruthlessly competitive capitalism and developmental programmes initiated by 'caring' and paternalistic Asian states.¹⁰ In other words, rather than seeing the post-apartheid transition as simply a shift to a neo-liberal package of hyper-individualism, 'rights talk' and 'free market' capitalism, it would seem that the political and economic realities reveal a hybrid cocktail comprising both neo-liberal

⁸ For the South African Left, however, the unimaginable wealth accumulated by this small circle of former anti-apartheid activists is evidence that only a few black South Africans stand to benefit from the transition to liberal democracy (see Bond 2000; Marais 1998). From this perspective, South Africa's particular brand of neoliberal capitalism is characterised by enclaves of extraordinary wealth in a vast sea of racialised poverty and hyper-marginalisation.

⁹ *Ubuntu* has come to be understood as an indigenous African philosophy and popular orientation in terms of which people acquire their humanity in relation to others, unlike 'western' forms of liberal individualism and self-interest. It is associated with Nguni-speaking groups and has also been appropriated by consultants who work for business corporations seeking to instil unwavering company loyalty and solidarity that transcends racial and class divides in the workplace. Drucilla Cornell, the philosopher and jurist, is currently involved in an interdisciplinary exploration of *ubuntu*'s ethical, aesthetic and juridical potential in a global context.

¹⁰ Ong, A. 1999. 'Clash of Civilizations or Asian Liberalism? An Anthropology of the State and Citizenship', in Henrietta Moore (ed.), *Anthropological Theory Today*.