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CRITICAL PERSPECTIVES ON SOUTHERN AFRICA

No.111



- 'Other people are left to live like normal': White victimhood on lockdown - Nicky Falkof
- Fighting and writing during Zimbabwe's interregna: Part I – A morbid murder - David Moore
- The making of the Trotskyist tradition in South Africa: a reading of 'The Spark', 1935-1937 – Crain Soudien
- The 'new' Customary Land Tenure in Zambia: Implications for Women's Land Rights and Livelihoods - Phillan Zamchiya and Chilombo Musa
- Vanya Gastrow (2022) Citizen and Pariah: Somali Traders and the Regulation of Difference in South Africa. Johannesburg: Wits University Press - Mamokete Modiba
- Roger Southall (2022) Whites and Democracy in South Africa. Melton, Woodbridge, UK: James Currey - Daniella Rafaely
- Saleem Badat (2023) Tennis, Apartheid and Social Justice: The First Non-Racial International Tennis Tour, 1971. Pietermaritzburg: UKZN Press – Goolam Vahed

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CRITICAL PERSPECTIVES ON SOUTHERN AFRICA

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EDITORIAL INTRODUCTION

VASU REDDY AND RELEBOHILE MOLETSANE

We are delighted to invite our readers to this general issue. Submissions for general issues are highly welcome and considered year-round. This volume follows our fresh new design format that featured in T110. We welcome feedback from readers about the look, feel and appeal (including any criticisms of the design). *Transformation* continues to strive to strengthen our ongoing remit to publish critical, intellectually rigorous and conceptually rich insights to stimulate and foster public and academic debate in South Africa, the continent and beyond. This includes actively inviting book reviews (and article reviewers). The editors are also seeking ideas for special issues where guest editors have the opportunity to thematically pursue an issue or area relevant to *Transformation*. We have several issues forthcoming and planned for subsequent years. We welcome hearing from our loyal readers and subscribers (including new voices) as to possible themes for future issues.

In this edition, we present an impressive array of excellent submissions made of four substantive articles and three book reviews of cutting-edge and pioneering ideas that should spur deeper thinking. In the articles section of this edition, we feature four powerful papers that illuminate a range of topical concerns: white victimhood during the COVID-19 lockdown (Falkof), a morbid murder in current Zimbabwean politics (Moore), customary land tenure and women's land rights in Zambia (Zamchiya and Musa) and the role of *Spark* (a publication of the Workers' Party of South Africa) and their battle against imperialism and capitalism (Soudien).

Falkof's '"Other people are left to live like normal": White victimhood on lockdown' examines a recurring racialised trope during the early period of the pandemic that is, in her formulation, 'palatable to white publics'. Focusing on online videos and petitions, including the temporary banning of beach sports, surfing, dog-walking, and leisure practices, Falkof develops a persuasive argument about the complexities of life and living via the representation of white people as extraordinary victims of pandemic policing.

'Fighting and writing during Zimbabwe's interregna: Part I – A morbid murder' by David Moore reads much a like crime fiction text, elegantly written with a strong conceptual and empirical base. Moore's argument resonates with Nadine Gordimer's predictions in her 1982 essay, "Living in the Interregnum" which predicted a post-apartheid period of ambiguity, uncertainty and contradiction among the segment of Southern African society he is writing about. His paper directs readers to a history, anthropology and political economy of current Zimbabwean politics aligned to the murder of a political opponent.

Phillan Zamchiya and Chilombo Musa's 'The "new" Customary Land Tenure in Zambia: Implications for Women's Land Rights and Livelihoods' offers a qualitative and quantitative argument. They maintain 'that the formalisation of customary land through a rural certification programme in Nyimba District, Zambia, has triggered the establishment of a new tenure regime that transcends the dualism between western legal forms of private property and idealised customary systems.' The authors leave readers, following a detailed suite of arguments, with about six themes that further trigger debates about tenure reform and women's land rights in Africa and what this might remotely suggest for policy.

'The making of the Trotskyist tradition in South Africa: a reading of "the Spark", 1935-1937' by Crain Soudien takes us back into history to *Spark*, a publication of the Worker's Party of South Africa (WPSA). Proceeding with a history of the latter, and the development of the publication, Soudien, following an observation by Bond (2010), describes, analyses and assesses the strengths, weaknesses and contradictions of social theoreticians of South African capitalism in the 1930s.

Our review section assembles three formidable texts published recently that deserve reading, engagement and debate by our readers.

Mamokete Modiba considers Vanya Gastrow's *Citizen and Pariah: Somali Traders and the Regulation of Difference in South Africa* (2022), that takes readers on a tour to township spaza shops. This is a text that narrates and analyses the experiences of Somali shopkeepers and their ability to access informal and formal justice mechanisms, including efforts to regulate their economic activities. Daniella Rafaely,

in her review of Roger Southall's *Whites and Democracy in South Africa* (2022), assesses how Southall 'takes his reader on a journey spanning early colonialism to segregation and apartheid, and then beyond that to the democratic transition and into present day South African experience.' Goolam Vahed, for his part, offers both a personal and powerful reflective review of Saleem Badat's *Tennis, Apartheid and Social Justice: The First Non-Racial International Tennis Tour, 1971* (2023) – a pioneering historical study and in several ways a biography of apartheid sport through the lens of Hoosen Bobat, a key protagonist. Badat's ground-breaking study which revisits a particular series of moments and events in an often erased aspect of non-racial tennis, namely a four-month-long 1971 tour of Europe by a non-racial team of South Africans under the auspices of the Southern African Lawn Tennis Union (SnALTU), has received global coverage since publication.

We hope you find this collection of articles and reviews to be thought-provoking and inspiring.

On a final note, we acknowledge the recent passing of John Saul, a prominent social scientist who made major contributions to Southern African studies. He played a founding role in Canada's main anti-apartheid and southern African solidarity organisation, the Toronto Committee for the Liberation of Southern Africa – TCLSAC from 1972 to 1975 and the Toronto Committee for the Liberation of Portugal's African Colonies or TCLPAC, which produced the important magazine *Southern Africa Report*, from 1985 to 2000. Widely published, he is well known for some pioneering texts, for example *Marxismo-Leninismo no Contexto Moçambicano* in 1983 and *A Difficult Road: The Transition to Socialism in Mozambique* in 1985. He also served as a former International Associate Editor of this journal.

REFERENCES

Bond, Patrick. 2010. "A half-century of competing political economic traditions in South Africa." Unpublished paper presented to the conference on Race, Class and the Developmental State, 16 November, 2010, Port Elizabeth.

Gordimer, Nadine. 1988. "Living in the Interregnum." Ed. Stephen Clingman. *The Essential Gesture: Writing, Politics and Places.* New York: Alfred A. Knopf.

'Other people are left to live like normal': White victimhood on lockdown

NICKY FALKOF

ABSTRACT

This article considers narratives of white victimhood and entitlement that emerged on social media during South Africa's first 'hard' lockdown in April 2020, in the initial stages of the coronavirus pandemic. While some commenters and citizens were initially supportive of the lockdown, the tone among sectors of white society soon changed to one of anger and paranoia as media texts began to circulate suggesting that lockdown regulations and policing disproportionately targeted white people. White enterprise, sociality and leisure were seen to be unfairly constrained, in an iteration of familiar narratives of 'reverse racism'. The article examines instances of claimed white victimhood expressed in online videos and petitions, centred on the temporary banning of beach sports, surfing and dog-walking, leisure practices that manifest what Mark Hunter calls 'white tone'. It shows how white exceptionalism persisted within one of the most dramatic global health crises of the past century.

In the first half of 2020, as the coronavirus pandemic swept across the globe, governments worldwide scrambled to find appropriate responses to the threat. These varied hugely in strategy and effectiveness, and included everything from curfews, closed borders and complete shutdowns to laissez-faire pretences at public health (Koh 2020). At the outset South Africa's government won praise from some corners for its swift response, instituting one of the world's strictest lockdown policies

that prioritised the population's physical safety and contained the spread of the virus during the first months of the pandemic (Stiegler and Bouchard 2020). The country's so-called 'hard' lockdown was in place from 26 March to 31 May 2020. During Level 5, the most extreme phase, people were ordered to remain indoors and were only permitted essential outings such as buying food and seeing medical professionals. During Level 4, outdoor activity was restricted to three hours a day and many public spaces remained off-limits. Curfews were imposed and the sale of alcohol, tobacco, hot food and non-essential items was banned.

Initial goodwill was soon eroded by news coverage of Covid-related corruption (Mathiba 2020; Mlambo and Masuku 2020), the deleterious personal and economic costs of the lockdowns (see for example Dorrit Posel, Oyenubi and Kollamparambil 2021; Smart et al. 2021; Viljoen 2021) and violent, sometimes lethal, overreach by security services (McMichael 2022, 74). Added to these social issues was a growing cynicism about the risks and even the reality of Covid-19, in line with an increased global spread of conspiracy theories that threatened to impact on public health initiatives (Bierwiaczonek, Gundersen and Kunst 2022; Pummerer et al. 2022). Alongside these paranoid reactions, some South Africans expressed outrage at what was perceived as a heavy-handed intervention into their personal freedoms. Much of this was communicated via social media, in memes, in petitions and Facebook posts, via videos and other shared material. At times this anger took an explicitly racialised tone, articulated by white people who actively invoked aspects of their identities as white. Social media thus provided an outlet for some South Africans' increasingly angry responses to the lockdowns' curtailment of individual choice and mobility, as well as for simmering resentments linked to ideas about 'reverse racism' and the apparently invidious position of white people in contemporary South Africa.

In May of that year I received one such video artefact via WhatsApp, forwarded to me by a colleague and friend who himself received it via WhatsApp from a family member. The video, titled 'Who is this lockdown really affecting', purported to be an exposé of the different ways in which different kinds of South Africans were being policed, with an emphasis on the unfair treatment of white people in Cape Town. My friend forwarded it to me knowing that I would share both his interest and his exasperation. The next day one of my own family members sent me the same video,

again via WhatsApp, where it seemed to be circulating. My friend and I commiserated about the difficulties of explaining to our respective relatives why the video was not trustworthy and convincing them to stop sharing it.

That conversation, one of many on similar topics, provided the germ of the idea for this article. I want to examine how the powerful trope of white South African victimhood manifested in this social media material during the early period of the pandemic and to consider how it was made palatable to white publics, to the extent that my friend's and my respective family members – knowing our work and our politics – saw no reason *not* to forward the video onto us. Indeed, our critiques of the video failed. Rather than acknowledging it as a biased and racist text, our family members took offence that their endorsement-by-forwarding had not been validated and quickly closed off any further conversation on the issue. Our shared challenge to the representation of white people as extraordinary victims of pandemic policing had been rejected, perhaps in part because those sharing the video themselves felt actively victimised by the conditions of the hard lockdown.

Critical analyses of the processes of the lockdown suggest that the opposite was true, and that people like our families and communities were not, in fact, the primary focus of police work during this crisis. Christopher McMichael (2022, 74) writes that stay-at-home orders

> were enforced by joint police, military and private security operations in impoverished communities with no consideration for the circumstances of life in these neighbourhoods. In general, police avoided more affluent suburbs... Overcrowding and inadequate basic services made obeying the stringent rules of the lockdown especially difficult for poor people living in townships and shacks. The security forces responded with brutality.

In poor areas police were attacking crowds with whips, conducting raids and torturing anyone thought to be violating lockdown (McMichael 2022, 74). Despite this state-sanctioned outpouring of anti-black and anti-poor violence, however, ideas about white victimhood persisted in certain digital media spaces, insisting that white South Africans were being unfairly targeted and penalised by lockdown laws.

In this article I am interested in how these ideas about white victimhood were expressed, shared and legitimated. I undertake a discourse analysis of three digital media texts that appeared during the hard lockdown: the video I received via WhatsApp and two online petitions. I examine each in detail, aiming to show how they discursively construct white victimhood. While space constraints do not allow me to investigate the comments posted, these are plentiful and support the claims made in the primary texts.

Of course, these media texts are comparatively niche. They have been shared and signed by thousands rather than millions and they did not have a significant presence in public discourse. What they do reveal, however, is the way in which whiteness was presented as special and exceptional, deserving of unique treatment but tormented by a dictatorial black government that failed to understand the moral and social importance of white leisure and lifestyle. These instances of digital outrage were the ideological precursors to an 'anti-Covid' movement that emerged once the hard lockdown was lifted, and which recalled responses to pandemic regulations elsewhere, particularly the 'libertarian, hyper-individualistic, and reactionary populism' that classified anti-lockdown protests in the US (Bratich 2021, 257).[1] What is significant here is that white South Africans resisting pandemic regulations insisted not only that the laws were unfair, but also that they were being used disproportionately to discipline white lives.

WHITE AND WEAK

I have written elsewhere about both the sociopolitical utility and the colonial-apartheid history of belief in white victimhood in South Africa (Falkof 2022a). Before I consider my specific context, however, it is useful to think about the idea's broader manifestations. White victimhood operates on the assumption that white people are the 'oppressed victims of discrimination' (Berbrier 2000, 179), that we experience exceptional and disproportionate prejudice, unfairness and victimisation in contemporary society, and that this victimisation is directly due to the actions of racialised groups and/or indirectly due to attempts to redress the consequences of legally enforced racial inequity. To put it another way, what I am calling 'white victimhood' is a persistent set of ideas that argues that white people have it worse than people who are negatively racialised, that it is our very whiteness that makes us targets of oppression, rather than offering some protection from the worst excesses of state

and social violence. The victimhood trope thus enhances the visibility of whiteness, in contrast to older scholarly claims about its invisibility (for example Chambers 1997; Dyer 1997). It insists that, rather than conferring privilege and deferring violence, whiteness actively makes people vulnerable.

Mike King, discussing a US moral panic about a violent game in which young black men allegedly attacked innocent white bystanders, writes

> The widespread combination of pervasive ahistoricism and concentration on individuals as victims or villains in modern race politics, a combination devoid of any analysis of social structure, has opened the door for white people to label themselves a racialised group – a group that is systematically discriminated against because of their race. (2015, 88–89)

The ahistorical assumption that racial discrimination affects white people specifically *because* they are white, against all evidence to the contrary, is an important element of white victimhood. Equally significant to this mode of thought is the habit of exceptionalism, which assumes that bad things that happen to white people are somehow inherently worse, and therefore more important and more deserving of public attention and response, than the same bad things happening to anyone else. The racial classification of the apparent victim actively changes the nature of the threat.[2] Something that may be considered unimportant or normal when it happens to negatively racialised people is reconfigured as dangerous and demanding appropriate action when it happens to white people. White exceptionalism is an everyday manifestation of the 'Eurocentric conception of the human which divides between individual white subjects and a racialised mass of others' (Lentin 2020, 119).

White victimhood is nothing new, although its claims and volume have reached epidemic proportions in recent years. As global cultural diversity and representation have expanded, so has white resistance to them. The increased visibility of people of colour in politics, media and business has led to an upsurge in 'the narcissism of whiteness: its apparent inability *not* to experience a type of racial anxiety once forced out of its habitual bounds' (Hook 2020, 94). Sarah Banet-Weiser (2021, 61), writing about powerful white men's reactions to the #MeToo movement, argues

> While people in positions of privilege have historically claimed to be aggrieved or injured by those who threaten their dominance, we have witnessed a significant shift in the contemporary moment, where individual [white] men publicly and assertively claim to be victims, an identity category that... has often been used as a derogatory identification by groups in power.

This claim of imposed weakness, the vulnerability of being made someone else's victim, has much utility for what Alison Phipps calls 'political whiteness', a 'complex affective landscape... [that produces] a number of dynamics: narcissism, alertness to threat... and an accompanying need for control' (2021, 83). Political whiteness 'involves a will to power... [that] is often achieved through performances of powerlessness' (Phipps 2021, 86). As Banet-Weiser and Phipps suggest, we see these performances of powerlessness in the context of #MeToo. They are also evident in responses to the Black Lives Matter movement, to the Obama presidency, and to events as seemingly uncontroversial as Britain's National Trust acknowledging country houses' links to the historic slave trade (Fowler 2021).

In the context of South Africa, white claims of vulnerability and powerlessness have long provided politically expedient methods of sustaining white power. The 'poor white' moral panic of the 1930s, which was fired up by a Carnegie Corporation commission of enquiry (Bell 2000; Willoughby-Herard 2015), insisted that the white poor must be improved and uplifted, in contrast to the demonisation of impoverished black people that remains a resilient feature of South African society, even after apartheid (Zuma 2021). The panic about poor whites allowed the state and other interested parties to invigorate the boundaries of whiteness, emphasising its separateness from other racial groups, whose destitution was concurrently dismissed as natural. During the era of formal apartheid, the ruling National Party skilfully manipulated white fears of the 'inherent' violence of Africans to suggest that white South Africans were living in a state of siege, and thus to ensure voter compliance (Ullmann 2005; van der Westhuizen 2007). In contemporary South Africa, self-proclaimed minority rights groups weaponise and exceptionalise white concerns about violence to enhance their own political projects (Falkof 2022b, 35–76). The global trope of white victimhood has a particular weight in South Africa, and this underpinned some of the public resistance to lockdown regulations in 2020.

TOWNS AND BEACHES

I begin this analysis with the video that my friend and I received via WhatsApp. Like all of the texts I discuss in this article, the video shows no awareness of the fact that black South Africans were likely to have worse health outcomes as a consequence of the pandemic; that the worst economic consequences happened to the poorest South Africans, who are disproportionately black; and that those killed, harmed or violently evicted by South African security services during the lockdown were overwhelmingly black and poor (Haffajee 2020). One such instance was the murder of 40-year-old Collins Khosa, who was assaulted on 10 April 2020 in the yard of his home in Alexandra township, Johannesburg, by four members of the South African National Defence Force, after being wrongly accused of violating lockdown regulations relating to the possession of alcohol. He died later from blunt force trauma to the head (Reuters 2020). Instead the video presents middle class white people, their neighbourhoods and leisure practices, as the ultimate victims of the country's hard lockdown. Although race is never explicitly mentioned, whites are visually and discursively shown to be unfairly penalised by lockdown policing, while black South Africans go about their daily lives 'as normal'; ironic, of course, as this kind of dense, poor and often desperate way of living would not be considered 'normal' by the middle class people who are the video's intended audience.

The video is attributed to South Africa Live, an online magazine and Facebook page specialising in clips set in South Africa. SALive describes itself as an independent news outlet covering stories from across South Africa and around the world that '[hold] no bias, every article is first verified and then covered by one of our experienced local editors'. This claim of being bias-free can tell us something about both the creators and the imagined audience of this site. It recalls the common valorisation of 'colour-blindness', an ideological position that claims neutrality while actively enabling racism by refusing to acknowledge the structural power and impact of race (Ansell 2006; Bloch, Taylor and Martinez 2020). SALive showcases videos that it edits and captions itself before posting them on its site and on Facebook. These are distinguished by a logo that recalls the branding of the South African Broadcasting Corporation, which may add to the videos' modality, particularly for viewers who receive it on WhatsApp rather than accessing it via more formal channels (Davies 2020).

The video opens with a caption reading 'The question is, who is the lockdown really affecting?', over footage of an unnamed town. To an incongruously loud soundtrack of urban noise and Barbra Streisand's 1980 hit single 'Guilty', the camera pans across a busy scene featuring a black man pushing a trolley while wearing a face mask in front of a queue of mostly black people. The camera follows this man as he rounds a corner into a crowd waiting outside a Boxer store (this cheap supermarket is mainly found in townships and poorer areas in South Africa). As he turns the corner, the footage speeds up and he jerkily moves through a large and busy crowd, mostly masked, mostly black. (The speed of the Streisand soundtrack remains the same.) We now see the next caption: 'This footage was taken yesterday at a local town centre in South Africa. It pretty much speaks for itself...'

The shot cuts to a beach, with the caption 'Meanwhile this footage was taken in Cape Town'. The soundtrack ends abruptly and we hear only the gentle murmur of the waves. The visuals are almost entirely free of people, barring some police and a dog walker in the background. The colour palette shifts from hectic reds and yellows to calming whites and blues. The camera tracks across the sand, taking in two parked police vans. Despite these, the overall impression is placid and peaceful, especially when compared to the loud, speeded-up mania of the busy town scene.

In close up we see a white man wearing a mask. The voiceover – presumably that of the filmmaker – asks 'won't you just tell us what's going on here please,' to which the man in the frame answers in a tone of exaggerated calm, 'Well, my understanding is that the guys were standing on this patch of sand here and they were told to move off.' Meanwhile the onscreen caption reads, 'A local man is being interrogated for exercising on the beach by himself.' We hear a jarring voice asking what he is doing. The camera pulls back and reveals uniformed policemen questioning him, as he lifts a kayak paddle in the air to demonstrate his hobby. The word 'interrogated' suggests a more violent and intimidating scene than the one we see before us.

After a cut we return to the town centre, with the loud soundtrack restarting, alongside a caption reading, 'Whereas here people are going on as if we are not in the middle of a global pandemic.' The people pictured in this scene are again mostly black,

almost all wearing masks, pushing shopping trolleys and carrying bags. We hear the filmmaker's voice muttering 'No social distancing' above a caption reading 'With not a police officer in sight.' The video then cuts again to a long-distance grainy shot of a town centre full of cars and people, with the caption: 'In Pietermaritzburg CBD we see it is even worse.' There is nothing here to suggest that the shot is indeed of this town or even that it has been taken during the lockdown period: it could as easily have been stock footage inserted into the video. Because it is taken from a distant vantage that removes any detail, all we see is the crowd.

The next cut takes us back to the beach, where we see three police officers waiting for surfers to roll back in. The caption here reads, 'Meanwhile, back in Cape Town, police officers are out in numbers, ready to arrest those who are ABIDING by lockdown rules.' We see a brief scene of three officers walking towards the man with the kayak paddle, attempting to remove the paddle from him and querying whether he is indeed exercising. The caption reads, 'Police resources are being used in abundance for those in upmarket areas!' In the next cut we return to an unnamed town scene, this time not speeded up and without the garish soundtrack, but clearly much busier. The caption reads, 'While in CBDs and rural areas other people are left to live like normal...' The camera continues to pan across the busy town. A caption reads, 'The question of why there is such a difference of where the rules are being enforced and where they are not... should be a huge cause for concern!' The video then fades to black and brings up the South Africa Live logo with a WhatsApp number that people can use to send 'interesting' videos.

While the meanings of the video are fairly obvious – 'local', meaning white, people in the cosmopolitan city of Cape Town are being harassed, while 'rural', meaning black, people are left to go about life 'as normal' – its discursive and cinematic tactics are worth unpacking. First, the video's unsubtle approach foregrounds its ideological positioning. In the beach scene, the white kayaker is interviewed by the filmmaker. He is placed centrally and alone in a number of medium and close-up shots, and we can hear his voice and see his face clearly. He is recognisable and individual. During the town scenes, however, people are presented as a crowd. No one speaks except as part of indeterminate noise, no one is seen alone in a shot, and no one

is given an individual personality. These aesthetic choices replicate colonial and apartheid presentations of black people as a 'horde', a faceless mass, connoting threat and danger (in this case of disease rather than violence), in contrast to the unique individuality of the white subject (Deborah Posel 1989). The association of the black crowd with the threat of disease echoes historical beliefs about hygiene, health and sanitation that were used to segregate and thus 'purify' colonial-era cities, moving black people out of urban areas and into slums and ghettos on their outskirts (Swanson 1977).

Also notable is the video's differing treatment of practices that are presented as black/rural/town and white/upmarket/city. The black people in the video are carrying bags, pushing trolleys and queueing for a supermarket. They are in a bustling town centre shopping for food at affordable and therefore busy stores. The voiceover, camera technique, soundtrack, film speed, shot colour and captions code these essential activities as frenzied and out of control. The white people, meanwhile, are peaceably undertaking their hobbies on a largely empty beach. In those sequences the shots, soundtrack, captions, interview style and content suggest that these rarefied leisure activities are benign and wholesome. The video presents an obvious opposition between apparently 'reasonable', voluntary pursuits like kayaking and surfing on the one hand, and, on the other, apparently 'unreasonable' pursuits like shopping for food and essentials in a crowded peri-urban setting.[3]

In terms of content, the video's claims rest on the fact that there is 'not a policeman in sight' in the town centre – which of course tells us only that no police have been filmed by this particular filmmaker in these particular shots – while police are 'out in numbers' and 'in abundance' on the Cape Town beach. The language and camera techniques again suggest excess and uncontrollability. What is being highlighted is not the fact that police are present in Cape Town, but rather that they are approaching white people and querying white leisure practices, a form of policing that in South Africa is so unusual as to seem illegitimate. Rather than revealing anything significant about inappropriate policing, the video in fact reveals the discomfort and anxiety that white people feel when policed *at all*: an experience that is, for most, uncommon, in contrast to black South Africans, for whom police often mean threats, danger and violence (Bruce 2005).

LEISURE AND LIFESTYLE

The claim that white lifestyles suffered disproportionately under the lockdown regime appeared elsewhere in the South African social media landscape in relation to surfing and dog-walking, two highly charged forms of white leisure. I am, of course, not suggesting that only white people surf or have dogs. Rather, these practices are socially coded as middle class and thus at least as white adjacent. They carry what Mark Hunter calls 'white tone' (2016), the association of certain behaviours and social forms with the privileged status of whiteness regardless of whether the people undertaking them would necessarily be defined as white. Additionally, in the two instances I discuss here these kinds of leisure were vehemently defended by people who presented themselves as white.

Both surfing and dog-walking were banned under Levels 5 and 4 of South Africa's hard lockdown. Communities of white people reacted strongly to these restrictions, making dramatic claims about the value of such activities in terms of mental and physical health; their relative safety during the pandemic; the unfairness of the prohibitions against them; and their necessity to those who undertake them. Many of the claims presented surfing and dog-walking within a moral and normative paradigm, where these practices were both *good* and *normal*. Those whites who protested framed the bans as ignorant at best and as biased, heartless and even evil at worst. In this way white commentators set themselves up in opposition to the ANC government, which, regardless of the public health crisis it faced, was seen to be targeting white people with draconian and nonsensical legislation.

For context, both surfing and dog-walking are comparatively elite practices in South Africa. In theory surfing should be at least relatively accessible, given that its primary requirement is being able to get to a beach, of which the country's coastline has many. However the legacies of segregation and spatial apartheid (Murray 2011; Nightingale 2015) mean that black, Indian and coloured communities in surfing-heavy cities like Cape Town, Port Elizabeth (now Gqeberha), East London and Durban often live far from desirable shorelines and may depend on expensive and inefficient public transport to reach them. The cost of equipment like boards and wetsuits may also put a surfing hobby out of the reach of many people. Attempts to diversify the image of surfing have been hampered by its history, the 'double whiteness of the Californian influences that shaped local surfing culture at "whites only" beaches during apartheid'

(G. Thompson 2015, 1). Despite the 'Zulu surfing histories' referenced in, for example, the film *Otelo Burning* (G. Thompson 2014; see also Samuelson 2014), surfing in South Africa can often look like an overwhelmingly white pursuit.

Similarly, dog ownership has specific histories and connotations in South Africa. During the colonial era the three domestic dog breeds that are indigenous to the country were 'integrated into a racialised South African imaginary that divided them into "white" and "black" breeds' (Baderoon 2017, 347). These distinctions persist in the way in which some white South Africans talk about 'township' or mongrel dogs as undesirable pests in contrast to the beloved pets and impressive guard dogs of the suburbs, which are usually more aspirational breeds. In some instances dog ownership as a whole is dismissed as a white affectation, as seen in a notorious 2012 speech given by the former President, Jacob Zuma, in which he was reported to have said that 'spending money on buying a dog, taking it to the vet and for walks belonged to white culture and was not the African way, which was to focus on the family' (quoted in Baderoon 2017, 349).[4] Many have commented on the contrast between white South Africans' violent inhumanity to other people, which underpinned the colonial and apartheid states, and their affectionate attachments to dogs. Both Jacklyn Cock (1989) and Rebecca Ginsburg (2011), in their books on domestic labour during apartheid, mention the dehumanising experience for black domestic workers of having to care for employers' dogs who were often better fed than workers' own children back in the 'homelands'.

While owning a pet is of course not a racialised life choice, and plenty of dog owners are not white, there are ways in which the *performance* of dog ownership, the public narrative that emerges around it, is associated with whiteness. On a general level whites are '[mythologised as] stewards of nature' (Nixon 2011, 190), as much for their interest in wildlife conservation as for their apparently innate kindness to their pets. Prioritising the wellbeing of animals is often presented as an inherently white trait. This becomes particularly pointed when we consider the act of dog-walking, in which white senses of entitlement to public space extend to white people's dogs, whose exercise is presented as sacrosanct. The fact that white suburban pet owners often outsource their dog-walking to poorly-paid black employees (dog-walkers, security guards and gardeners) does not seem to affect the imaginative link between 'good' whiteness and care for animals.[5]

FREE BEACHES

Unsurprisingly, the temporary bans on surfing and dog-walking under South Africa's lockdown spurred much social media outrage. While multiple examples exist, here I consider two petitions addressed to the South African government and posted on the popular Change.org site. Both appeal to law and morality, and both reveal a startling lack of acknowledgement of conditions that may affect poor and black South Africans.

The first, titled 'We Want To Surf/Exercise', is accompanied by a benign stock photo of a white man wearing a wetsuit and holding a surfboard, posed in front of a sunset-lit sea. It was posted in April 2020 by David Slick, whose profile photo shows a white man wearing a baseball cap, and signed David G. Visagie, an Afrikaans-sounding last name. By the time I accessed it on 7 July 2020 it had 10,430 signatures, including some that were very recent, despite the fact that surfing was, by July 2020, no longer banned. The petition is carefully phrased to suggest that surfers understand the government's position, but nonetheless they feel compelled to inform the apparently ignorant lawmakers that their decision to ban surfing under lockdown is incorrect and inhumane. It begins by thanking the president and provincial premier 'for all that you have done, and are continually doing, to help try protect South Africans in this unprecedented time'. Immediately after this gracious approach, however, it begins making the case that surfing is an exceptional form of leisure that should be free from legislation, and that surfers themselves deserve to be spared such policing. It states that 'surfers and ocean users... have been affected by this pandemic, and our new social restrictions, in a unique way'. It describes surfing as 'more than just a hobby', but rather something crucial for 'survival and sanity': 'a time for us to be alone with our thoughts, away from the struggles of everyday life, away from stress, anxiety, depression'. Mental health issues like anxiety, stress and depression also impact poorer South Africans, many of whom live in cramped and dense conditions and seldom have the luxury of 'being alone with [their] thoughts' or of expressing freedom through leisure pursuits like surfing.[6] Nonetheless the petition suggests that surfers' mental health is exceptional, more deserving of special concessions than that of all the other South Africans stuck inside their houses, apartments and shacks during the hard lockdown.

The petition goes on to call surfing 'essential to our way of life', a turn of phrase that appeals to powerful ideas about culture that hold much weight in contemporary South Africa. It then shifts to a legal/moral argument, stating that those behind it 'feel that this overrides some basic human rights and our own groundbreaking constitution' and begging politicians to 'please stop the lockdown, otherwise you may lock up otherwise law-abiding citizens'. The appeal to human rights and the constitution is a familiar white tactic in South Africa, in which elements of the law that are seen to draw on western liberal values are emphasised as part of an idealistic rainbow nation discourse. This often happens alongside a general classification of the South African state, including its legal system, as rotten and illegitimate. Laws are invoked when they are seen to support the needs of middle-class white people but dismissed in other cases. The surfers in question see themselves as '*otherwise* law-abiding': that is to say, they are willing to abide by the law unless they object to it. Inherent here is the suggestion that, as this particular law overrides the 'rights' that whites feel they are owed, their refusal to abide by it is a *moral* choice. Legal obligations are treated as contingent: they should not apply to this special group, whose 'culture' is under threat.

A further moral claim is made by dividing citizens/subjects into the good and the bad. This position implies that 'we' are not like 'them', the *real* problem people who do not obey the law in risky ways. It asks that ministers 'make the ocean available to those of us who do not crowd the beach or rocks with tents or large groups of people'. This is in line with historical rhetoric about racial exclusion on South African beaches, which 'constructed black beach-goers as an alien presence on white beaches and, more specifically, as a threat to the integrity of beaches as the preserve of the (white) family' (Durrheim and Dixon 2001, 435). The petition gives various explanations for why surfing is a low-risk activity, adding 'It is more risky to go to a local supermarket for bread.' As in the SALive video discussed above, people who have the luxury of being alone, who are not part of crowds or large groups, are safe, whereas other kinds of people present a danger. A division is set up between the surfer, who will only break the law if the law is wrong, and other people who shop, come to beaches with their families and move in crowds. Those who cannot access space become the problem, the reason that 'responsible' surfers are being denied their 'culture'.

WHO KEPT THE DOGS IN?

The second petition, titled 'Allow dog walking during SA lockdown', is much shorter, less subtle and less conciliatory. It was posted by Sherri Roberts – an English and white-sounding name, unaccompanied by a profile photo – in April 2020, and had 21,587 signatures when accessed in July 2020. The image accompanying this petition is uncompromising: it shows a close-up of a number of dogs locked in what seems like a small cage, with the one in the centre gazing sadly at the camera from behind the mesh. The text is straightforward, without the flowery language and appeals to shared humanity seen in the surfing petition, although it draws similarly on discursive claims of reasonableness, morality and the law.

It begins by stating simply, 'Animals need to be exercised. This petition aims to allow the exercising of dogs and other domestic animals in a responsible manner during the South African COVID-19 Shutdown'. By defining the exercising of dogs as a necessity, a 'need', the petition ensures that dog-walking is presented as a vital imperative rather than a leisure activity (which indeed it is, but for dogs rather than owners). Its claims about a 'responsible manner' suggest that it is common knowledge that dog-walkers are able to undertake this activity in a way that is appropriate. As with the surfing petition, 'responsible' becomes shorthand for common sense, whereby certain types of people should be freed from the constraints of legislation as they have the moral and intellectual capacity to behave 'properly'. Law enforcement is not necessary for these people as they are self-regulating. It is notable that these petitions do not demand an end to the lockdown as a whole, but only a special concession. Full citizenship, expressed in the right to be excused from certain kinds of policing and legislation, must accrue only to certain kinds of people.

The petition goes on to make a moral argument about the failures of the lockdown: 'Domestic animals are not to be confined to a small space.' The tone of the phrase 'are not to be' brooks no dissent: it posits the rights of domestic animals as absolute and positions anyone contradicting these as flatly in the wrong, regardless of context or situation. It argues, 'This is especially relevant to animal owners living in small spaces (apartment, flat) and rely [sic] on daily walks to exercise their dogs.' As with the surfing petition's claims about mental health, there is a painful irony here: this writer raises concerns about the living conditions of dogs whose owners reside in small spaces at

a moment in South Africa's history when inadequate housing was making pandemic preparedness impossible for the vast majority of the poor.

The petition goes on to baldly state, 'We have a moral and legal obligation to ensure our animals are looked after properly. Animal owners need to be able to exercise their pets in a responsible manner during the shutdown.' There is an assumption here that those who own dogs – who are, within this modality, thought of as being middle class and possibly associated with whiteness – will 'just know' how to properly assess risk during a pandemic. It also contains an oblique suggestion that those 'others', who do not have the empathy and humanity required to care for animals, would not know how to do so.

This association of whiteness with an innate capacity to care for animals and the natural world has a long colonial history, and manifests powerfully in the realms of tourism and wildlife conservation. In the context of Kenya, Grace Musila discusses the way in which 'wildlife tourism and conservation emerges as an important platform for the performance of whiteness' (2015, 166). Rob Nixon calls this a 'white nature industry' (2011, 182), in which 'white nature tourists... have less troubled access to sublime natural absorption in a post- or neo-colonial environment because they can experience their whiteness as an unselfconsciously unclassified state' (2011, 185). Like interest in wildlife, kindness to pets is presented as symbolic of an unconsidered but unquestioningly superior white morality.

The petition ends by giving a link to a website that contains the text of the relevant animal welfare legislation. The ban on dog-walking during the hard lockdown is thus classified as illegal, immoral and infantilising of 'responsible' people who have the knowledge and compassion to appropriately care for their pets while also managing to avoid spreading the virus. The fact that no details are given as to *how* this will be undertaken, or why the petition's author is so certain that dog-owners can do this safely, suggests just how deeply the assumption runs that dog-walking is normal, natural and solely undertaken by 'sensible' people.

CONCLUSION

These three examples – the SALive video, the petition to allow surfing and the petition to allow dog-walking – are marginal texts that received little attention in the public

domain. They did not affect lockdown policy and, to the best of my knowledge, were never engaged with at an institutional level. They seem to have had no consequences beyond allowing certain disgruntled white South Africans to express their anger at the unusual experience of being robustly policed.

Nonetheless, these texts are interesting for the way in which they condense certain longstanding discursive elements of South African 'white talk' (Steyn 2005). They reiterate how whiteness is imaginatively constructed by certain white people as exceptional, wise, reasonable, moral, sensible, caring and good, in opposition to black people and a largely black state that is presented, variously, as ignorant, cruel, amoral, lacking in empathy, unreasonable, despotic, dangerous and disease-ridden. These are, of course, very old ideas and very old oppositions; what is significant is the way in which they manifested during a time of global crisis. Not even a pandemic or a hard lockdown that affected literally every citizen of the country could diminish powerful ideas about whites as exceptional, as extraordinarily victimised, and as deserving special treatment.

NOTES

1. This is not to suggest that all anti-lockdown protest emerged from within the middle classes; as Mengjo Thomas (2021) shows, resistance to the state's approach emerged from NGOs, health workers, the transport sector and other working class groups.
2. The notion of white exceptionalism has also been productively used to discuss issues including white claims of anti-racist 'allyship' (A. Thompson 2003) and the differential punishments meted out to white and to other drug dealers (El-Sabawi and Oliva 2021).
3. There is also a point to be made here about the way in which the South African media as a whole historically treats black people's consumption patterns as pathological, tasteless and dangerous (see Iqani 2015).
4. For a thoughtful discussion of Zuma and the meaning of the domestic dog in South Africa, see Imraan Coovadia's essay 'Best friends and worst enemies' (2014).
5. In one of the many tragic episodes that characterised this time period, a black dog walker hanged himself in the Cape Town neighbourhood of Sea Point during lockdown, allegedly after being exploited by a white-owned dog-walking company (de Greef 2021). This story shows once again who was really affected by the dire economic crisis engendered by Covid and lockdown.
6. Studies have shown that 'mental health and substance abuse problems constitute a considerable burden of disease among disadvantaged communities in South Africa' (Havenaar et al. 2008, 209).

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MEDIA TEXTS

South Africa Live video, "Who is this lockdown really affecting", posted to Facebook on 20 May 2020. Accessed 15 June with 758 comments and 5.4k shares. https://www.facebook.com/RealLiveSA/posts/2610251435970088

"We Want To Surf/Exercise", posted on Change.org in April 2020 (exact date unknown), accessed 7 July https://www.change.org/p/western-cape-government-we-want-to-surf-exercise

"Allow dog walking during SA lockdown", posted on Change.org in April 2020 (exact date unknown), accessed 7 July https://www.change.org/p/president-cyril-ramaphosa-allow-dog-walking-during-sa-lockdown?source_location=topic_page

REFERENCES

Ansell, Amy E. 2006. "Casting a Blind Eye: The Ironic Consequences of Color-Blindness in South Africa and the United States'." *Critical Sociology* 32 (2–3): 333–56. https://doi.aorg/10.1163/156916306777835349.

Baderoon, Gabeba. 2017. "Animal Likenesses: Dogs and the Boundary of the Human in South Africa." *Journal of African Cultural Studies* 29 (3): 345–61. https://doi.org/10.1080/13696815.2016.1255599.

Banet-Weiser, Sarah. 2021. "'Ruined' Lives: Mediated White Male Victimhood." *European Journal of Cultural Studies* 24 (1): 60–80. https://doi.org/10.1177/1367549420985840.

Bell, Morag. 2000. "American Philanthropy, the Carnegie Corporation and Poverty in South Africa". *Journal of Southern African Studies* 26 (3): 481–504.

Berbrier, Mitch. 2000. "The Victim Ideology of White Supremacists and White Separatists in the United States" *Sociological Focus* 33 (2): 175–91. https://doi.org/10.1080/00380237.2000.10571164.

Bierwiaczonek, Kinga, Aleksander B. Gundersen, and Jonas R. Kunst. 2022. 'The Role of Conspiracy Beliefs for COVID-19 Health Responses: A Meta-Analysis'. *Current Opinion in Psychology* 46 (August): 101346. https://doi.org/10.1016/j.copsyc.2022.101346.

Bloch, Katrina Rebecca, Tiffany Taylor, and Karen Martinez. 2020. "Playing the Race Card: White Injury, White Victimhood and the Paradox of Colour-Blind Ideology in Anti-Immigrant Discourse." *Ethnic and Racial Studies* 43 (7): 1130–48. https://doi.org/10.1080/01419870.2019.1648844.

Bratich, Jack. 2021. "'Give Me Liberty or Give Me Covid!': Anti-Lockdown Protests as Necropopulist Downsurgency." *Cultural Studies* 35 (2–3): 257–65. https://doi.org/10.1080/09502386.2021.1898016.

Bruce, David. 2005. "Interpreting the Body Count: South African Statistics on Lethal Police Violence." *South African Review of Sociology* 36 (2): 141–59. https://doi.org/10.1080/21528586.2005.10419135.

Chambers, Ross. 1997. "The Unexamined." In *Whiteness: A Critical Reader*, edited by Mike Hill, 187–203. New York and London: New York University Press.

Cock, Jacklyn. 1989. *Maids and Madams: Domestic Workers Under Apartheid.* Revised. London: The Women's Press.

Coovadia, Imraan. 2014. "Best Friends and Worst Enemies: Years of the Dog in South Africa." *LA Review of Books*, 29 August 2014. https://lareviewofbooks.org/article/best-friends-worst-enemies-years-dog-south-africa/.

Davies, William. 2020. "What's Wrong with WhatsApp." *The Guardian*, 2 July 2020, sec. Technology. http://www.theguardian.com/technology/2020/jul/02/whatsapp-groups-conspiracy-theories-disinformation-democracy.

Durrheim, Kevin, and John Dixon. 2001. "The Role of Place and Metaphor in Racial Exclusion: South Africa's Beaches as Sites of Shifting Racialization." *Ethnic and Racial Studies* 24 (3): 433–50. https://doi.org/10.1080/01419870020036738.

Dyer, Richard. 1997. *White.* London: Routledge.

El-Sabawi, Taleed, and Jennifer Oliva. 2021. "The Influence of White Exceptionalism on Drug War Discourse." *Temple Law Review* 94: 649.

Falkof, Nicky. 2022a."White Victimhood: Weaponising Identity and Resistance to Social Change." In *The Routledge Handbook of Social Change*, edited by Richard Ballard and Clive Barnett, 67–76. London: Routledge.

———. 2022b. *Worrier State: Risk, Anxiety and Moral Panic in South Africa.* Manchester: Manchester University Press.

Fowler, Corinne. 2021. "Country Houses, Slavery, and the Victorians: Reinterpreting Heritage Sites." In *Black Neo-Victoriana*, 230–49. Brill. Leiden.

Ginsburg, Rebecca. 2011. *At Home with Apartheid: The Hidden Landscapes of Domestic Service in Johannesburg.* Charlottesville: University of Virginia Press.

Greef, Kimon. 2021. "The Life and Death of an Immigrant Dog Whisperer." GroundUp News. 15 June 2021. https://www.groundup.org.za/article/life-and-death-immigrant-dog-whisperer/.

Haffajee, Ferial. 2020. "ANALYSIS: Ramaphosa Calls 11 Lockdown Deaths and 230,000 Arrests an Act of 'over-Enthusiasm'– Really!" *Daily Maverick.* 1 June 2020. https://www.dailymaverick.co.za/article/2020-06-01-ramaphosa-calls-11-lockdown-deaths-and-230000-arrests-an-act-of-over-enthusiasm-really/.

Havenaar, Juhan M., Mirjan I. Geerlings, Lauraine Vivian, Marh Collinson, and Brian Robertson. 2008. "Common Mental Health Problems in Historically Disadvantaged Urban and Rural Communities in South Africa: Prevalence and Risk Factors." *Social Psychiatry and Psychiatric Epidemiology* 43 (3): 209–15. https://doi.org/10.1007/s00127-007-0294-9.

Hook, Derek. 2020. "The White Centreline Vanishes': Fragility and Anxiety in the Elusive Metropolis." In *Anxious Joburg: The Inner Lives of a Global South City,* edited by Cobus van Staden and Nicky Falkof. Johannesburg: Wits University Press.

Hunter, Mark. 2016. "The Race for Education: Class, White Tone, and Desegregated Schooling in South Africa." *Journal of Historical Sociology* 29 (3): 319–58.

Iqani, Mehita. 2015. "The Consummate Material Girl?" *Feminist Media Studies* 15 (5): 779–93. https://doi.org/10.1080/14680777.2015.1025804.

King, Mike. 2015. "The 'Knockout Game': Moral Panic and the Politics of White Victimhood." *Race & Class* 56 (4): 85–94.

Koh, David. 2020. "COVID-19 Lockdowns throughout the World." *Occupational Medicine* 70 (5): 322–322.

Lentin, Alana. 2020. *Why Race Still Matters.* Newark: Polity Press. http://public.eblib.com/choice/PublicFullRecord.aspx?p=6184677.

Mathiba, Gaopalelwe. 2020. "Corruption, Public Sector Procurement and COVID-19 in South Africa: Negotiating the New Normal." *Journal of Public Administration* 55 (4): 642–61.

McMichael, Christopher. 2022. *Shoot to Kill: Police and Power in South Africa.* Johannesburg: Inkani Books.

Mlambo, Victor H, and Mandla M Masuku. 2020. "Governance, Corruption and COVID-19: The Final Nail in the Coffin for South Africa's Dwindling Public Finances." *Journal of Public Administration* 55 (3–1): 549–65.

Murray, Martin J. 2011. *City of Extremes: The Spatial Politics of Johannesburg.* Durham: Duke University Press.

Musila, Grace. 2015. *A Death Retold in Truth and Rumour: Kenya, Britain and the Julie Ward Murder.* Suffolk: James Currey.

Nightingale, Carl Husemoller. 2015. *Segregation: A Global History of Divided Cities.* Chicago: University of Chicago Press.

Nixon, Rob. 2011. *Slow Violence and the Environmentalism of the Poor.* Cambridge, Mass.: Harvard University Press.

Phipps, Alison. 2021. "White Tears, White Rage: Victimhood and (as) Violence in Mainstream Feminism." *European Journal of Cultural Studies* 24 (1): 81–93. https://doi.org/10.1177/1367549420985852.

Posel, Deborah. 1989. "A Battlefield of Perceptions: State Discourses on Political Violence, 1985–1988." In *War and Society: The Militarisation of South Africa*, edited by Jacklyn Cock and Laurie Nathan, 262–74. Cape Town: David Philip.

Posel, Dorrit, Adeola Oyenubi, and Umakrishnan Kollamparambil. 2021. "Job Loss and Mental Health during the COVID-19 Lockdown: Evidence from South Africa." *PloS One* 16 (3): e0249352.

Pummerer, Lotte, Robert Böhm, Lau Lilleholt, Kevin Winter, Ingo Zettler, and Kai Sassenberg. 2022. "Conspiracy Theories and Their Societal Effects During the COVID-19 Pandemic." *Social Psychological and Personality Science* 13 (1): 49–59. https://doi.org/10.1177/19485506211000217.

Reuters. 2020. "Court Orders Suspension of South African Soldiers over Death of Man in Lockdown." *Reuters*, 15 May 2020, sec. Coronavirus. https://www.reuters.com/article/us-health-coronavirus-safrica-military-idUSKBN22R24O.

Samuelson, Meg. 2014. "Re-Telling Freedom in Otelo Burning: The Beach, Surf Noir, and Bildung at the Lamontville Pool." *Journal of African Cultural Studies* 26 (3): 307–23. https://doi.org/10.1080/13696815.2014.935303.

Smart, Benjamin, Herkulaas Combrink, Alex Broadbent, and Piet Streicher. 2021. *Direct and Indirect Health Effects of Lockdown in South Africa.* Center for Global Development. Washington DC.

Steyn, Melissa. 2005. "White Talk." In *Postcolonial Whiteness: A Critical Reader on Race and Empire*, edited by Alfred J. López, 119–36. Albany, NY: State University of New York Press.

Stiegler, Nancy, and Jean-Pierre Bouchard. 2020. "South Africa: Challenges and Successes of the COVID-19 Lockdown." *Annales Médico-Psychologiques, Revue Psychiatrique* 178 (7): 695–98. https://doi.org/10.1016/j.amp.2020.05.006.

Swanson, Maynard W. 1977. "The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape Colony, 1900-1909." *The Journal of African History* 18 (3): 387–410.

Thomas, Mengnjo Tardzenyuy. 2021. "Protests during the 2020 COVID-19 Lockdown in South Africa." *MoLab Inventory of Mobilities and Socioeconomic Changes.* Halle/Saale: Max Planck Institute for Social Anthropology.(10.48509/Molab. 8077).

Thompson, Audrey. 2003. "Tiffany, Friend of People of Color: White Investments in Antiracism." *International Journal of Qualitative Studies in Education* 16 (1): 7–29.

Thompson, Glen. 2014. "Otelo Burning and Zulu Surfing Histories." *Journal of African Cultural Studies* 26 (3): 324–40. https://doi.org/10.1080/13696815.2014.940037.

———. 2015. "Surfing, Gender and Politics : Identity And Society in The History of South African Surfing Culture in the Twentieth-Century." PhD thesis, Stellenbosch, South Africa: Stellenbosch University.

Ullmann, Christine. 2005. "Black Peril, White Fear – Representations of Violence and Race in South Africa's English Press, 1976-2002, and Their Influence on Public Opinion." PhD thesis, Köln: Universität zu Köln.

Viljoen, Barry Lachlan. 2021. "Unintentional State Enforced Parental Alienation Syndrome during the Hard Lockdown in South Africa." *The Family Journal*, 1066480720987998.

van der Westhuizen, Christi. 2007. *White Power and the Rise and Fall of the National Party.* Cape Town: Zebra Press.

Willoughby-Herard, Tiffany. 2015. *Waste of a White Skin: The Carnegie Corporation and the Racial Logic of White Vulnerability.* Oakland: UCLA Press.

Zuma, Buhle. 2021. "From Apartheid to Empire: How (Post) Apartheid South Africa Became an Anti-Poor Black Society." *PINS-Psychology in Society* 62 (3): 25–45.

Fighting and writing during Zimbabwe's interregna: Part I – A morbid murder

DAVID MOORE

ABSTRACT

This article started out as a review essay reflecting on how three books (Kanyenze 2022; Mpofu 2021; and Fontein 2022) illustrate Zimbabwe's interregna influence on the scholarly pursuits of economics, political philosophy, and anthropology in that country. But a murder got in the way. Its interpretation by those representing Zimbabwe's two political poles as either an assassination or quotidian horror inspired further investigation within the ambit of the 'morbid symptoms' of the interregna only subtly suggested by the academic books ready for review. The brutal killing of a single mother in Zimbabwe's biggest township became indelibly imbued with political competition and thus provided what I had planned to be an illustrative introduction to the review article. However, Moreblessing Ali's death soon became more than that: my pursuit of the discursive conflict – and physical violence around it – became a micro-political example in itself of Zimbabwe's macabre interregna. That the case had not been officially resolved as the August 2023 election approached indicated its importance. The election took place as these words were heading to press. Yet another suspect victory, this time of 52.6% for ZANU-PF's Emmerson Mnangagwa as president and 44% for Nelson Chamisa of the Citizens Coalition for Change, was announced on August 26 (Zimbabwe Electoral Commission 2023). Thus, the Moreblessing Ali murder has become a good proportion of Part I of a two-part series. The start of this paper presents a thumbnail outline of Zimbabwe's current political and economic

situation – a conjuncture of sorts. Theoretical arguments on 'interregna' follow. The last section pursues the ideologies and politics of Moreblessing Ali's political death. Part II will include the review article, further theoretical considerations of Zimbabwe's interregna, and how August's election fits in with these discussions.

> [Zimbabwe] never gets worse or better. It just finds new ways to stay the same. (James 2014, audiobook)

> In the same ways we limited our political imagination to the end of colonialism ... Mugabe's end represented the end of our political imagination. Now that we are living through Mugabe's end, we will come to understand that Zimbabwe's future is not a matter of the old dying and the new being born (Chigumadzi 2018, 147-8).

More than half a decade has passed since Zimbabwe's late 2017 'coup of a special type' and the inauguration of the country's 'second republic' (Moore 2018, 2022a; Tendi 2020). Barely over a year after 'Operation Restore Legacy' was ushered in by a 'militarily assisted transition' – as ZANU-PF's politically correct interpretation of the purge that exited the nonagenarian president Robert Mugabe and ensured one faction of the ruling party remained in power, would have it – the immediate public joy at Mugabe's long-awaited retirement dissipated. First, there was the summary shooting of post-election demonstrators and bystanders in mid-2018. An investigatory commission led by South Africa's gravest ever ex-president – Kgalema Motlanthe – was established to find out who ordered it, who did it, and who should do what about it: however, its recommendations have never been pursued (Matyszak 2019b). Second came the following year's 'January *jambanja*' when an undefined mixture of soldiers, police, and ZANU-PF's youth raped, killed, and otherwise rampaged to dispel (or, counter-intuitively, encourage) a stay-away sparked by popular discontent with an astronomical rise in the cost of petrol, but more generally (and third) with the reincarnated ruling party's incapacity to inspire progress. No one bothered with a commission that time (Matyszak 2019a; Moore 2019, 2022b).

The years up to early 2023 have inspired much more despair than hope – from displaced farmers banking on the new dispensation to compensate them for the loss of their properties as the second millennium began (Ndlovu 2022), to the rest facing

a more than 250% inflation rate (over 350% for food: Zimbabwe's food inflation being the world's worst while nearly five million of its people have been mired in what the World Food Programme has called 'abject poverty and acute hunger'), 20 hours without power every day (Kairiza 2022), and a street value of their dollar buying 1/1200th of the oft-used American note (Zimrates 2023).

For those contemplating a continuance of the struggles for more liberal forms of democracy along the lines started by the National Constitutional Assembly and the Movement for Democratic change in the late 1990s, the decimation of trade unions that have joined together first and second generation human rights has meant leadership by the ideologically bankrupt evangelical party-movement called the Citizens Coalition for Change (CCC) (Sachikonye, Raftopoulos and Kanyenze 2018; Mavedzenge 2022 a&b; Moore 2020a, 201-7; cf Gunduza 2022). The CCC changes mean more – or less – than just a new name due to ZANU-PF's efforts to destroy it by feeding the worms within (Allison 2022; CSIA 2022; Matyzsack 2022; Munhende 2022), but still the party maintains support and retains its ability to incur ZANU-PF's fear, loathing, and viciousness (Cheeseman 2023; cf Tendi 2023). Repression has changed somewhat. Mugabe's finesse, febrile as it turned toward the end of the millennium's first decade, seems to have been superseded by 'Crocodile' Mnangagwa's clumsier, cruder means – ranging from shooting at impatient voters, fomenting days of rampage, abducting doctors and women politicians, and refusing bail to its louder complainants who cross arbitrarily designed laws (Changachirere 2020; Hodgkinson 2021; Moore 2022b).

Yet it should not be forgotten that the changes are barely more than skin deep. Mugabe's ghost must account for Gukurahundi and the mid-2008 election slaughters while the victim's *ngozis* (avenging spirits) make life difficult for their live perpetrators (Fontein 2022). Mnangagwa's 'Lacoste' cohorts, who won the 2017 purge, can be as sly as the 'intellectuals' who, some people think, ran the losing 'Generation 40' group. Professor Jonathan Moyo was such a person. He was a ZANU_PF election manager and often head of the Mugabe information management apparatus. He is now in post-coup exile in Kenya but well-connected via the internet and prolific Tweets (Mpofu 2021, 138-9, 184, 201, 306-7, 311, 323; Moore 2022a, 129, 133-9, 173-4, 180) – who may want to resuscitate power in altered forms (VOA 2022).

The winners' intellectual corps in the media, judiciary, and security apparatuses adhere faithfully to the line that their victims fake their fates, manipulate the opposition party's fissures and constitutional bloopers to keep them divided (Biti 2020), and sing a united chorus accusing all their opponents of being puppets of 'the west'. They are well-practised in all the election tricks ranging from coercion to chicanery (Moore 2014) – and find new ones, such as delaying and distorting delimitation processes for the August 23 'harmonised' presidential, parliamentary (including the Senate), provincial, and municipal elections (SAPES 2022; CCC Presser 2022). Media reports on the gerrymandering in the Zimbabwe Electoral Commission's delimitation guide, however, suggest that factional fights linger long in party-state institutions: the constituency manipulation may have been the work of G-40 diehards (Nyangani and Mathanda 2023). On the economic front, too, the rather strained 'open for business' refrain of the 'second republic's' leaders, well-practised and oiled for years by some within the ranks of British foreign-policy blunderers – with hopes sometimes verging on 'expectations', as Melber and Southall have it – (2021, 235, 243; Tendi 2017; Moore 2022a, 15-17, 129-30) – failed to eventuate. As Zamchiya has discovered, perfidious Albion did not stop at economic advice but also 'partly trained' the late Sibusiso Moyo in the diplomatic arts suitable for one on track to ZANU-PF's leadership (2023a, 8). Nor should it be forgotten that this sort of liberation legacy is Zimbabwe's own, as Roger Southall reminded us a decade ago (2013).

ON INTERREGNA, INCLUDING ZIMBABWE'S

At the very minimum, elections offer the possibility of change within an elite of political actors: at most, they might usher in a new way of ruling that could extend far beyond parliamentary precincts. In both cases – if the large assumption of freedom and fairness is granted – a new group of people start a new reign and hold the reins of the sort of political power their society and culture expect. They just might resolve one of the many Gramscian clichés that have become part of progressive language over the past few decades. Hardly anyone in vaguely leftist circles has yet to hear the lines about the morbid symptoms enveloping the interregnum – the period between reigns – when 'the old is dying and the new cannot be born'. Those who have contemplated the quote for some time, however, disagree about its original meaning and its subsequent interpretation. Gilbert Achcar, for example, argues that Gramsci's enigmatic phrase refers to 'ultra-leftist' vs. 'social democratic' conflicts

within the Italian Communist Party about how to deal with the Great Depression-induced capitalist crisis and the rise of fascism (2021). The imprisoned Gramsci thought the Italian Communist Party's (PCI) repression of the social democrats was wrong: he felt that a democratic transition was possible when fascism fell and that social democracy should not be equated with Mussolini and Hitler's form of rule. The 'morbid symptoms' he referred to were not, then, about the rise of fascism in general but the PCI's inability to theorise and strategise correctly. For Achcar, the PCI's interpretation and practice also signified 'an ultra-sectarian orientation that served to consolidate the Stalinist bureaucratic control of the Soviet Union and of the Comintern' (Achcar, 384-5), the consequences of which allowed the triumph of far-right rule in Europe. Gramsci was probably thinking about both his 'modern prince's' crisis *and* Italy's generalised one – good advice for those trying to manage current interregna everywhere.

Enigmatic and cryptic lines – especially when a prison censor looms – are guaranteed to inspire a myriad of interpretations. The most recent of these is Rune Møller Stahl's transformation of Gramsci's immediate interregnum into ones spanning decades. For him, the decade or so after the 2008 crash shattered the 'material and ideological foundations of neoliberalism' reigning since the 1980s. The world witnessed 'the beginning of the end of neoliberal hegemony', but only doubt, ambiguity, indecision and insecurity followed: 'the current era [is] one of sustained political crisis and confusion.' The previous 'hegemonic equilibrium [has] shattered' but there is 'no new hegemonic project able to take over' (Stahl 2019, 334). Stahl compares the contemporary period with that of Gramsci's *Prison Notebooks*, which, it should be emphasised, was centred on the rise of fascism within the 'Caesarist' vacuum, as Francesa Antonini's *Caesarism and Bonapartism in Gramsci: Hegemony and the Crisis of Modernity* articulates so well (Stahl 2019; Moore 2022c). Then – and now – the interregnum is a 'period of uncertainty, confusion, and disagreement among the dominant elite, in which former ideologies, although they still have institutional power, lose traction and become disoriented' (2019, 334-36). This idea should be applied to the subaltern groups as well as the dominant classes. It could also encompass the *longue durée* between modes of production.

Such a process could be deeper and wider than even Gramsci's 'organic crisis', wherein, as Worth puts it, 'the hegemonic legitimation of the social order is either

fractured or lost and [conjunctural] fixes are not sustainable in the long term' (Worth 2022, 3). The interregna between modes of production could involve a the painful and very slow birth of a whole new social order, not just alterations within it. Indeed, Stahl's interregna may be more than just stalled capitalist forms; they may be the impasses or detours toward what *Empire* nearly a quarter century ago called an 'information mode of production', more recently heralded by various gurus as the fourth industrial revolution (Hardt and Negri, 2000). Guides to this 'world without work' (Susskind 2021) seem to ignore the 'third world' – aside from China, which may be an exception proving the rule – and how the essential component of capitalism, namely wage labour, came into being. The transition to an advanced capitalist world run by artificially intelligent robots may be hard to handle for workers 'suddenly ... without a job and an income' (Susskind 2021, x), but what about those who have never been engaged in *waged* labour without incomes subsidised by non-capitalist modes (Moore 2019b). And is there a state yet which can manage the contradictions of what Peter Ekeh (1975) called the 'two publics' it serves and administer something equivalent to a basic income grant? Such questions serve to throw any teleological assumptions about 'development' in most of the 'third world' into permanent doubt. Yet change there is, conditioned to be sure by capitalism's very uneven swings and turns, interspersed by the odd revolution or two (Desai and Heller 2020). No matter how chaotic these interregna appear, it is wise to bear in mind that they are symptoms of very large and long-term *systematic* change – they may be unravelled by careful techniques of assemblage, but the overall determining factors can be discerned (see Schech 2022).

In the social formations on the peripheries of global capitalism's long march, this period of time involves *many* modes undergoing various transformations within the same geographical space; thus the plural form of interregnum is necessary. The time and pace taken for various 'developmental' movements vary too, as will the coercive means by which they move into different configurations of capitalism and their political, ideological, and cultural accoutrements. As I have argued elsewhere, the 'holy trinity' of development is one way of discussing this derivative discourse – the father being primitive accumulation, the son nation-states and the hegemonic discourses cementing them, and the holy ghost democratisation, only one form of which is 'liberal' (Moore 2015). Perhaps this notion dates back to the 1970s, when debates about 'modes of production' and their 'articulation' proliferated, reaching

South Africa via Harold Wolpe (Moore 2019b).[1] Terry Eagleton hopes that in a Marxist utopia, people will find 'something more intriguing than the Asiatic mode of production' to talk about (2011, 2), but given the receding horizons for that paradise such contemplation may bear resurrection. Especially, one would emphasise, in what used to be called the 'third world'.

Panashe Chigumadzi emphasises Gramsci's 'pessimistic optimism' or 'critical realism' with more gloom than hope; she prefaces her paraphrase about the new being born that starts this paper with a 'not', while Gramsci's warning that the 'new cannot be born' is within the context of an interregnum assumed to eventually end. Chigumadzi's chronicle of trauma – amidst the tribulations of women's struggles and some spirit mediums' memories – sees little chance of new births unless the 'intergenerational spirit of African self-liberation' rises in better ways than it has so far (2018, 150). What Marlon James (2015: Audiobook) wrote of his Jamaica just finding different ways to remain the same, fits Zimbabwe too. Such sober reflections allow one to examine Zimbabwe outside the lenses of a 'predatory state' (Bratton 2014; Shumba 2017) or 'personal rule' by one man (or his successor), even if he is dressed up in ersatz Nietzschean 'will to power' clothes (Mpofu 2021). Such contemplation also pours cold water on the liberal dreams of easy democracy in the post-Cold War era (Moore 2015b).

The story of a political murder in an area of Chitungwiza, a city of over 400,000 but still perceived as a township, may illustrate Zimbabwe's interminable interregna, or 'slow crises' (Vigh 2022), in very specific and detailed ways.

A POLITICAL MURDER IN NYATSIME, CHITUNGWIZA[2]

On the night of May 24 in 2022, or soon after, Moreblessing Ali was killed, extremely brutally, outside a nightclub at the Chibhanguza Shopping Centre in Nyatsime. Ali's friend Kirina Mayironi had witnessed Ali being beaten by a man who said Ali's dog was bothering him as he dragged her away. Mayironi tried to help her friend but the man repelled her and some of the pub's patrons with a shower of bricks. She left, to report the abduction the next morning.

Within days two versions were circulating about the identity of both the murderer and his victim and the motivations of the killer; he was alleged to be Pius Mukandi

(aka Jamba) and was either an angry ex-lover or a ZANU-PF hit man. Moreblessing Ali was either a long-time and popular CCC activist or this aspect of her identity was incidental – or she had even abandoned it. This murder – extraordinarily grisly by any account – may have been intrinsically political and thus an assassination: so argues the CCC. ZANU-PF (and thus the state since they are inseparably fused) denies the inherent political nature of the killing and offers a mirror image of the CCC's interpretation. In this view, the opposition party is lying about the murder in order to gain political mileage for the upcoming 2023 elections: the CCC (or some of its members), its supporters, and Moreblessing Ali's family have invented the role of Zimbabwe's ruling party in this gruesome event.

As ZANU-PF spokesperson Tafadzwa Mugwadi told the audience of South Africa's national television network, the murder was 'a lover's tiff gone wrong' that had been used by CCC propagandists as part of their campaign 'to keep Zimbabwe out of the Commonwealth'. It was 'quite unfortunate', he said, that a 'certain section of Zimbabweans [are] desperate on politicising everything!' He chastised the 'quite unfortunate' people who have 'have chosen to be misled' by the CCC's 'unfortunate ... baseless lies' about this lovers' argument that went too far. Given his leader's dedicated pursuit of peace and fair elections, all of this misinformation was 'quite unfortunate', the one-time university student leader sighed (SABC 2022). Mugwadi and other media manipulators within the ruling party-state apparatuses, well-schooled in the rhetorical style of Mugabeism (Ndlovu-Gatsheni 2015; Moore 2011), sneered at their opposing parties' claims with a condescension almost guaranteed to take their claims beyond the realms of belief. On the other hand, the CCC's indiscriminate use of 'fascist thugs' opprobrium only fired the inheritors of Mugabeist discourse to more derision. These vehement words led to real violence.

According to the CCC, Moreblessing Ali – a single mother of 46 years who had been a council worker since 2007 and mother of two children (Nyasha, 26 and Silence, 24, a father of one) – was a member of and activist in the opposition party. ZANU-PF had arranged her murder as a lesson for CCC activists readying for the national, provincial, and municipal 'harmonised' elections to be held in around a year's time. Besides the flurry of Twitter and WhatsApp messages after Mayironi's visit to the police station, the first official message from the CCC came from the phone of the movement-party's spokesperson Fadzayi Mahere. She retweeted an 'Ali family and Friends' missive on

May 29 saying that they feared that Ali had been kidnapped and 'then bundled into a car by a Zanu PF mob. She's a CCC activist targeted for her opposition to the regime'. Moreblessing's brother Washington, who had been residing in the UK since 2001, began the campaign to ascertain the facts about his sister's death – and thus expose ZANU-PF's hand in it. It took the state-run newspapers nearly a month to besmirch him, claiming he had run from crimes in Zimbabwe in 1999 to Australia and by 2001, failing a bid for asylum, from a myriad of crimes in the UK – including theft from his own party (Muzavazi, 2022).[3]

The CCC deputy national chairman, Zengeza West MP, and lawyer Job Sikhala – a veteran of the 1990s university student group that played such a key role in the MDC's formation – took up the family's cause, joining the search for Moreblessing Ali. Sikhala is braver and more outspoken than most of his peers. He is openly critical of the more cautious of his colleagues who would be prone to substitute 'foolhardy' for 'brave', and had often broken off from the mainstream MDC. Since re-joining in 2014, his party's leaders seem content to consent very silently to him condemning their support of the 11/2017 coup and leading the 'July 31 Movement' – a relatively stillborn stayaway of that date in 2020. The latter landed him in jail for at least the fourth time since the early 2000s – a place where he has often been subjected to various degrees of torture, and where he would return in mid-2022 (Moore fieldwork, 2001-2019; Pindula 2020). His colleagues in the CCC leadership advised quietude after he was imprisoned at that time.

Grace Kwinjeh (2022), with the authority of a founding member of the original MDC, representing it until 2020 in the European Union, but currently an independent journalist critical of the party and its leader, Nelson Chamisa, wrote on June 6 that she had 'worked with the Ali's [sic] from the founding of the MDC back then, [and] this murder should not be dismissed as a random attack, but rather a well calculated one'. She implicated Mnangagwa in the murder – and many more – warning that the fate of The Gambia's Yahya Jammeh could befall him:

> ...as [Mnangagwa] sits today on his Precabe Farm, he is conscious to the fact that this too will end. He has to fully understand the consequences of his actions while in office, they will haunt him, his family for generations to come. Some of have even spoken of Ngozi – avenging spirits.

On June 8 the oft-imprisoned and bail-denied journalist Hopewell Chin'ono, re-tweeted a message from Ali's UK family and 'Southend-on-Sea Citizens' asking UK-based Zimbabweans to demonstrate on the 11th of June at the Zimbabwean embassy against the 'thugs ... named ZANU-PF terrorists' and the 'obstructionist' Zimbabwean police responsible for Ali's disappearance. On June 9 Mahere tweeted that the CCC would start a search party for Ali, and again on the 11th. The Crisis in Zimbabwe Coalition assisted with the production of flyers for the search party.

Coincidentally or not, the murderer's mother called the police about the stench from her dry well on the day Mahere expected a massive search – more than three weeks after the murder. On the 11th of June Zimbabwean police found Ali's dismembered body in the shallow disused well, ten kilometres from the scene of the crime. Job Sikhala was there when they found Moreblessing Ali's dissevered and decaying body; Jamba had cut her into two or three parts, with her intestines stuffed in a plastic bag. Moreblessing's death soon reached a level surpassing the average lovers' spat. Within hours, the tweets circulated the news that Simba Chisango, 'a well-known Zanu PF terror gang leader' and 'land baron' in Chitungwiza, Mukandi's half-brother (or cousin), was also at the house when the police arrived. Some messages claimed he had been with Mukandi as he bludgeoned Moreblessing Ali. However, Jamba Mukandi could not be found for five more days, after which he would confess.

As the CCC began to assist – or take charge of – Moreblessing's funeral and/or memorial arrangements, as if to silence the cell-phone buzz permanently, the Zimbabwe Republic Police posted an undated report (ZRP 2022). It attempted to debunk the allegations of 'some social media activists and politicians' that Jamba was part of any political intrigue. He 'is not a member of any political party,' it claimed. It continued with an unintentional admission that there was more work to be done: '*currently* there is *no evidence* [emphasis mine] to show that Simba Chisango is also linked to the disappearance of Moreblessing Ali or the scuffle which occurred at Chibhanguza Shopping Centre.' The report stated twice that Jamba was Moreblessing's former boyfriend. He was angry, police investigations had apparently revealed, that Moreblessing Ali had dumped him 'after he had spent a lot of money on her during their love affair'. Having stated what appeared to be factual authority with only the slightest whiff of doubt, the ZRP urged 'the public and political activists to allow the

current investigations to proceed smoothly'. They should not try to 'take advantage of the differences between Moreblessing Ali and Pius Jamba to settle political scores or gain mileage'.

It is usually the case that Shona burials and funerals take place in short order after death. However, the burial is postponed if problems intervene that would upset the dead person's spirit. Fontein's recounting of the Moses Chokuda case in Gokwe bears noteworthy similarities to Moreblessing Ali's. Chokuda was killed by three ZANU-PF affiliated killers in March 2009. Those who commissioned his death tried to bury the body quickly, but Chokuda's *ngozi* demanded vengeance first. His family obeyed, and his body was buried after due punishment and compensation more than two and half years later (Fontein 2022, 103-4 and personal communication 22/01/13; cf for similar cases *Nehanda Radio* 2010). In Moreblessing Ali's case, it seems that spontaneous community moves to mark her untimely, brutal, and political death inspired the two most important political parties to action before consulting any spirit mediums.

If Twitter tweets and CCC-TV are reliable indications, Job Sikhala and others in the CCC made haste to memorialise Moreblessing's death, channelling civic action which had been inspired by a combination of previous CCC messages or despairing anger about their contemporary situation. The CCC may have been pursuing political capital or justice or both given that they are contiguous in a political system in which the liberal idea of the separation of religion, politics, and the dispensation of justice is a distant myth. The CCC actions could also have intended to stave off premature closure by the ruling party's state apparatuses; the ZANU-PF messengers, minions, and militia were quick off the mark and prone to interpret calls of any sort of resistance to authority as clarions to violence.

Whatever the motivations, by June 12 people began to gather at Moreblessing Ali's home where her son, daughter, and grandchild remained. Job Sikhala's tweets pictured a man he called a 'drunken ZANU PF thug masquerading as the authority of the area banning people from mourning MA at her residence'. He continued: 'He has come in a company of drunken thugs and attacked mourners at the funeral [sic]'. The man, in an unidentifiable uniform, is recorded on a Heart and Soul ZIM YouTube saying, 'it is ZANU-PF territory ... the authorities don't want violence. We need it [a

funeral or a memorial] in a church ... no political songs or things,' and added that no one would be allowed to wear CCC regalia. Sikhala tweeted part of the video and wrote 'I challenge @PoliceZimbabwe to explain the meaning of this!!!'.

Sikhala's speech at the impromptu memorial gathering – to which, the ZANU-PF media reported, he bussed his St. Mary's supporters – was recorded along with an interview on a YouTube channel called Heart and Soul. In the latter, he asserted that Moreblessing Ali had been an opposition activist in the area for ages. Since the CCC's formation in early 2022, its members had been violently harassed by a ZANU-PF gang led by Chisango, he asserted. Sikhala listed the five cases of attacks he had reported to the police.

> We want to know the killers of Moreblessing Ali ... This will not end well until this thing comes to conclusion. Until these culprits are caught we will make sure that the spirit of Moreblessing Ali will not rest until these people are hounded out. Their families and their extended families will suffer.

He then told the interviewer that the family would not bury the body until justice had been delivered, starting with a full, independent, forensic post-mortem.

At the impromptu service, he spoke to the crowd. 'We will fight them to the end ... ZANU-PF has a history of killing citizens of this country'. He revisited history: 'We know what they did during the period of Gukurahundi. We know that in 2000 they disappeared one of our members [David Coltart's campaign manager] in Bulawayo.' These were the words that would see him charged with inciting violence, and in remand – with many bail hearings granting no reprieve – where he remains at the time of writing, awaiting a trial for which he demands full media coverage.

CCC leader Nelson spoke next. As if aware that Sikhala's words would lead to violence and land his colleague in prison once again, he softened the previous verbal blows. 'We have a duty to defend one another. We have a duty to unite so that peace prevails. The liberation struggle was about citizens' dignity', he intoned in solemn monotone. He raised his voice slightly, however, with his analysis of Moreblessing Ali's murder. 'This was politically motivated', he stated, 'this is a very bad indication of

the elections in 2023. It tells you that the dogs of violence, the darkness of violence, the dark clouds are gathering'. All the CCC wants, he continued, is 'responsibility from government; government must protect its citizens ... that is what we expect – nothing more, nothing less. The hour is darkest before dawn'. Adding dashes of hope and solidarity, he intoned: 'we are there, we are almost there, we are getting there ... we want to support the Ali family ... [including the] very dedicated Washington [Ali, Moreblessing's brother]. He closed on a note of caution, combining historical, religious, and political evangelism:

> Tsvangirai was not a violent man; he was a victim of violence but refused to be tempted in violence. ... It's the same mode. ... We want peace, not to be tempted by violence. ... We are a champion of peace on the continent: Kenya, Tanzania, South Africa, they look up to us for the leadership to transform Africa, to transform Zimbabwe, to transform generations. Let's all unite to move our country forward. God fights in our corner. Don't be provoked into violence.

One of Sikhala's subsequent tweets reported that fifteen women who were 'mourners are currently being attacked at MA's funeral [sic] by ZANU PF thugs in the company of ZBC. ... [they] have been kidnapped and where they have been taken is unknown'. He closed the series of tweets with 'ZANU PF attacked everyone at MA's funeral [sic] last night and highjacked [sic] the funeral. We are going to the court on an urgent basis now to interdict their MP, Cllr and Simba Chisango who are leading the funeral highjackers.' The next day, Sikhala tweeted a picture of himself with members of the Ali family outside Chitungwiza's main hospital, denied access to Moreblessing's body on the grounds of Covid. He later tweeted that a memorial service – not a funeral, given that such would not happen until the Ali family was satisfied justice had been served – for 'Mobby', would take place on the 14th.

The self-styled ZANU-PF organic intellectuals (Moore 2013, 102-3) were nearly as quick with their efforts to quell the flames of resistance – or to continue their efforts to quell what some of them called 'false truths' (Moore 2022a, 15-18). Kennedy Mandaza, the ZANU-PF in South Africa, was on SABC-TV almost as quickly as the CCC mourners met at the Ali home. Over 17, 500 people may have been able to watch all of his nearly 12 minutes. After his condolences he declared that ZANU-PF condemns

'any form of violence by anyone and it has no business in criminal acts of such nature' and so called on the police to unearth 'whatever happened since the 24th of May up to the 14th of June'. But, it was 'also regrettable that politicians at this particular time, they go on the overdrive to make references and insinuations yet the police forces are trying to investigate'. The CCC should not 'link institutions and individuals' – and even if the perpetrator was linked to ZANU-PF it did not indicate the ruling party was involved: 'ZANU-PF itself does not involve itself in matters of this nature'. The CCC's stance was 'mere politicking trying to score political points where it is not necessary', and he reiterated that individuals' crimes do not implicate the party. He closed with a nod to his president and his collective leadership, who had 'time and again' called for peace because they know the value of free and fair elections.

Tafadzwa Mugwadi was as quick as his colleague south of the Limpopo, and had to work harder, too, as he penned his take for the *Bulawayo Chronicle* (2022) in Mugabeist cadences – albeit ratcheted up a few notches and more cumbersome than the original – for the next morning's reading. He opined that the CCC's response to Moreblessing Ali's murder was a 'sad, stinking and malicious attempt by renegade opposition honchos, rank and file to score cheap, inhumane and unbridled political points on crime scenes in Zimbabwe'. Mugwadi compiled a list of culprits, numbered for those who like a semblance of exactitude: first, Chamisa's 'banana MDC-CCC faction'; second, 'the civil society and NGOs' third; 'renegade diplomats' led in harmony by the USA, UK, Canada, and the EU; and fourth, the 'choreographed subservient pro-Uncle Tom media and its social media behave-alike'. He promised to reveal the truth in his 'must-read' article by outlining 'normal' police procedure upon learning of a crime.

This command was followed by the ZANU-PF version, starting with the wrong date – the 26th – of the murder. The police report was paraphrased, but the substantive truth was that the CCC sought 'to score political expediencies, feasting on the grief of a family that is little known for any political activism'. Based on a 'random check of all social media platforms' Mugwadi claimed that Ali was not an 'active user of any social media platform for any political ideological persuasion'. He did not claim to have checked to see if all of the CCC's activists had access to what they call 'juice' for their phones' data. He repeated his assertion that his words were a 'must-read' for Zimbabweans and 'global citizens' wishing to know why his usual suspects '*must*' interpret '*every* crime, or clear act of crime ... politically' [emphases mine]. Mugwadi's

"deeper" reasons for the 'yellow faction' of the MDC-CCC and the 'rented trojan' media resorting to the 'tired script' of 'faking victimhood' even though Morgan Tsvangirai had apparently abandoned it, reside in the lack of alternatives to ZANU-PF's plans to revive the country. Thus the CCC stages fake abductions, as with, he claimed, Dr Peter Magombeyi and the comedian Samantha Kureya in 2019, and the mid-2020 case of MP Joana Mamombe, with youth league activists Cecelia Chimbiru and Netsai Marova, now 'standing before the courts in a case quiet [sic] so clear that they lied against the State ... to win political milestones' (the trial resumed in late January 2023). The article segued into more tales of the opposition's 'hijacking' of funerals, closing with how the SABC was twice 'sold a dummy' by similar MDC-CCC shenanigans.

The *Chronicle* article ended with a soppy 'Open Letter [sic] Moreblessing Ali's family', which was reprinted without the preceding rant in Harare's *Herald*, and missing 'to'. It passed on wishes for the Lord's comfort and promises that ZANU-PF would also assist but quickly moved to: 'in my capacity as Director, I advise' you and your friends to beware of the 'malicious, unscrupulous and scandalous attempts to manipulate her death by opposition elements and some sections of the media which seek to weaponise your grief against others who are grieving with you and looking for the same answers with you'. Wait, he advised, until the suspect, who he named as Pius Jamba, 'will give all of us all the missing answers in the whole puzzle.' Scoring 'cheap political points ... undermines Ubuntu'. The next day the *Herald* added a bit of investigative journalism: a few empirics supplemented ZANU-PF's claims that the murder was not an assassination. An interview with Kirina Mayironi at the funeral wake ascertained that Pios [sic] Jamba was Moreblessing Ali's ex-boyfriend. He chased her and other patrons away with a barrage of 'missiles', and although she did not see him 'because of darkness and drunkness [sic]' the others told her it was Pious [sic] Jamba. Chisango was interviewed too, admitting he was ZANU-PF's district chairperson and that Jamba was his half-brother. Jamba, however, he said 'does his own things as an adult, some of which I might even not agree with,' and was not a member of any political party. Masimbi Masimbi, a local councillor, reiterated that the matter was a criminal, not a political one: 'purely a domestic affair that turned sour. It is purely a criminal case which has nothing to do with politics. ... Jamba and Moreblessing had a love affair until this sad incident that happened at a bar.' Masimbi stated that Ali had been a member of the MDC-A/CCC but turned to Zanu PF when

she got a residential stand and began to stay in Nyatsime. Apparently she was actively involved in her new political home in 'Cell 2'. That article ended with a few quotes from Mugwadi about the global conspiracy focused against Zimbabwe's efforts to re-join the Commonwealth.

The inter-party violence that for the last few weeks had been voiced, tweeted, texted, written up by 'citizens' and more formally employed journalists or was confined to the interstices of politicised gangs, erupted the next day during the memorial service that Job Sikhala had announced on the 12th. *Bulawayo24's* CCC-sympathetic report put it this way: 'a ZANU-PF mob tried to scatter the [memorial] gathering in Nyatsime. Several houses, shops and at least one vehicle were damaged as CCC youths fought back'. Chamisa featured a few lines into the piece and repeating the ideas of a couple of days previously, urged his supporters 'not to be provoked.' ZANU-PF wanted anarchy to reign by goading the CCC to violence; thus 'we have a duty to promote peace'. Only those who are despised by the people would resort to violence, he reasoned. Chamisa restored calm. CCC members said their opposites in ZANU-PF killed CCC member Edison Chinembiri and stoned and burnt their houses, but they saved at least one councillor's house. A few bystanders were caught in the crossfire, and some shops at the mall where Moreblessing Ali went out for her fatal beers, were ransacked. A police report on the events recorded that Sikhala, Godfrey Sithole, MP for Chitungwiza North, and fourteen CCC members were 'arrested in connection with the orgy of public violence.' Indeed, Sikhala and Sithole were charged with inciting it.

The *Herald's* reportage was a mirror image: its article began with the picture of a young man patching up a broken window with an old cement bag 'to shield the house from the cold after windows were destroyed by CCC supporters'. The CCC activists rampaged during the night. Twenty houses were 'destroyed' while the mobs smashed the windows and 'ransacked' thirteen shops and six tuck-shops at the Chiphanguza Shopping Centre. A gazebo and four cars were torched there too. The 'wrath of the activists ... had been incited by Zengeza West legislator Job Sikhala to avenge ... a victim of gender-based violence'. The police statement noted the plate numbers of a few cars in the vicinity and ordered the owners to report to the station. Sikhala, said the *Herald*, had 'openly' instigated the party supporters to take the war to Zanu PF. The article closed with the rote reiteration: this violence 'comes as the opposition, civic society and some Western embassies have been trying to score cheap political

points through baseless claims that a Zanu PF activist is behind the murder of Ali.' Coincidentally or not, on the next day – the 16th – Jamba was found and arrested at his mother's rural home in Chidamoyo, Mashonaland West, more than a five-hour drive from Chitungwiza. As noted above, he confessed. He had tried to sell a cotton gin (or a 'grinding mill') in order to fund travels to Mozambique or Zambia, but community members reported him to the police.

According to the state prosecutor's report to the court a few days later, Jamba stated that Ms Ali's dog disturbed his 'free movement' and was also 'responsible for the loss of his money'. He had dragged Ms Ali to a building under construction, repelling her friend and dispersed nightclub observers with a catapult and bricks. Jairus "Jamba" Mukandi proceeded to bludgeon Moreblessing Ali, killing her with an 'unknown instrument' and strangulation with her trousers. He did not discuss previous relations with either Ms Ali or ZANU-PF. He was advised not to plead, and to appear for a bail hearing by July 1. As of mid-July 2023 there were no media reports of further court proceedings regarding Mukandi's sentence.[5]

Within two weeks, two senior ZANU-PF officials were reported dead. One was Nyatsime party chairman George Murambatsvina, due to the stress he suffered after his house was destroyed. The other, former district chairperson of Manyame Tina Gweshe, was said to have died either by poison or by Moreblessing's unsettled *ngozi's* intervention. Silent and Nyasha were in hiding and worried that their mother's body would be tampered with.

At the end of the year, Moreblessing Ali's children halted the state's attempt to arrange a pauper's burial for her body, still in the Parirenyatwa Hospital mortuary. Some members of their extended family attempted to co-operate with the state's attempts to bury the body. Along with Washington in the UK – who as of mid-July 2023 was planning to release a documentary about his sister's murder – the Ali siblings remain steadfast in refusing her burial until they know all the circumstances around her death and Sikhala is granted bail. The children have refused DNA tests for fear of poisoning. They also rejected Emmerson Mnangagwa's request to meet with them in early 2023, fearing the worst. One of Moreblessing's children has been taken to a safe country to escape harassment from ZANU-PF gangs.

If the *Herald's* veracity reaches closer to the intentions of those running Zimbabwe's party-state than other varieties of truth, Sikhala may never see a community outside of Chikurubi's walls. Half-way through December, Nobleman Runyanga's piece 'Sikhala not a political prisoner' listed the reasons why the CCC's clarion caller is unlikely to win his trial (2022). Runyanga was keen to debunk the usual suspects' claim that Sikhala is the victim of a 'captured judiciary'. He moved into his charges with a Mugabe-like mantra: it is part of that legacy to respond to criticism with wounded plaint followed by upright and contained bitterness. After noting Sikhala's 'record of criminality' during the 1990s at university, Runyanga moves into his corrective with 'for the record, the whole world knows that the Zimbabwean Government upholds the sacrosanct principle of separation of powers' and compiles his list of the reasons behind Sikhala's ten failed attempts to be allowed bail. Apparently he had four cases pending: first, his incitement to violence as he co-authored the July 31 Movement's 2020 plans during which he broke the conditions for bail by posting 'content that would likely incite violence' on social media; second, he used his social media to 'communicate falsehoods ... prejudicial to the State' by claiming 'that a policeman had accidentally killed a baby strapped on her mother's back' when he was sending hitch-hikers off a prohibited stretch of a Harare street; third, his urging of Ali's mourners to avenge her death, which 'resulted in the orgy of arson, violence and vandalism' in the area, and providing transport for 'the thugs who attacked Zanu PF members'; and fourth, his circulation of a video that accused Zanu PF supporters of kidnapping and killing Ali. One can criticise the wide range of the state's social media law but it is the law: the rest of Runyanga's article is more of a list of insults than cool analysis. Do people really compare Sikhala to Nelson Mandela, as Runyanga repeats four times (cf Ndoro 2022b)?

Nearly a month later, another Zanu PF fan writing for the *Herald* (with not a few saying she is really the information permanent secretary Ndavaningi 'Nick' Mangwana's *nom de plume*) – whose Twitter account, sporting clever Mnangagwa election posters and pictures of her with young musicians, suggesting the old party was actively recruiting a new generation – took over the cudgels. Nicole Hondo (hondo means 'war' in Shona) lectures her youthful readers how *not* to be a politician, using Job Sikhala as the negative example (2023). Her first lesson: 'beware of your own internal rivals who push you to the forefront of doing stupid things which themselves will not do'. She suggests that 'he-who-shall-not-be-challenged' is worried that Sikhala is more

popular than himself, given the most of the CCC has been 'primed for violence since 1999'. Thus Chamisa and the other 'smart ones in the party' encourage Sikhala to do the 'most stupid, illegal things' they would never attempt. They cheered him to 'jump off a cliff' and (mixing the metaphors) continued to do so while they 'left him to hang'. Hondo even wondered if it they were the 'same whom Sikhala recently accused of trying to poison him in prison'.

The second item in Hondo's advice is not to take social media seriously. She cited a recent case in the UK in which a CCC supporter's Facebook speeches advocated bombing Zimbabwean government buildings and the presidential cavalcade. He was sentenced to three years in prison. He 'let the cheers get to his head', said Hondo, basking in 'the retweets and likes on social media and whistles on the ground from drunk youths' but when he appeared for his sentence he was 'weeping alone' and got none of the support he expected from the CCC. Third, the *Herald* correspondent cautioned that 'opposition status' does not 'guarantee immunity': CCC members are not accountable only to 'some house of questionable "Lords"', referring to Liberal Democrat Jonathan Oates' consistent support for the CCC and current opposition to Zimbabwe's re-admission to the Commonwealth. The law is the law, she repeats, and fans the fissures in the CCC once again. All other 'senior CCC officials' know this: 'hence you do not find the likes of Fadzayi Mahere taking part in silly demonstrations or inciting people to violence'. Instead, she blows an ambiguous kiss on Twitter from the comfort of her home in the suburbs and a hashtag. Mahere and her peers are lucky to have 'excitable ignoramuses to put at the forefront and take the fall' while they take in the 'GoFundMe proceeds'. Hondo closes with a plea for the CCC to join Mnangagwa in his noble developmental efforts and to 'stop being a western puppet.' Thus go the new versions of the 1960s 'one party unity for the development state' ideology, but with a more cynical edge than that of the optimistic age. If Sikhala's wish for his January trial had been granted, one would have expected the ZANU-PF intellectuals' temperatures to rise higher.

A few months after the events in Nyatsime closed, a relatively new electronic newspaper called *Newshawks* (2022) summarised a human rights organisation's predictions for the 2023 electoral contests: *Zimright's Zimbabwe on the Brink: Living in Fragile Peace* (2022) prophesied fear and loathing as 'elections have become ... a nightmare'. Fear pervades communities as gangs of unemployed youth are

'deployed to terrorise communities and harass NGOs deemed to be interfering with the political objectives of the elites' (one supposes 'elites' refers to both ZANU-PF and CCC). Politics, the report declaims, is 'an art of war': parties determine access to food and jobs for these militia and their families while ordinary people live in fear. As the article closes, it implies that Moreblessing Ali's assassination 'by a notorious Zanu PF activist, Pius Jamba' is indicative of the widespread authoritarian tendency during Zimbabwe's interregna. Perhaps *Newshawks'* inadvertent painting Jamba with the same brush as his half-brother is symptomatic, too, of widespread unfounded assumptions in such reportage.

Whatever the weave of the battle over Moreblessing Ali's horrific death, it is indicative of the widespread malaise characterising Zimbabwe's concatenation of nearly eternal 'slow crises' (Vigh 2022). Part II of my interrogation will examine the state of some of the academic disciplines in its domain, with notes on an election that will undoubtedly be unsurprising, but no less unfair and unfree than its predecessors. Further research on this political murder will be pursued.

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NOTES

1 For an excellent survey of Zimbabwean debates on accumulation (catholically defined) from below and above, see Zamchiya (2023a).

2 References for this section range from the party-state's *Herald* to various 'independent' media. The latters' degrees of opacity vary regarding relations with other political entities, of which the CCC is the most dominant. Others include the small faction that has managed to keep the name 'MDC'. Scribes from and/or for the losers of the November 2017 ZANU-PF purge, commonly known as Generation 40 or 'G-40', are also evident in some media. Aside from few notable exceptions, both the formal and 'social' media are unreliable empirically and very weak on 'investigative journalism'

although they repeat the broad outlines of the case. Their political affiliation is relatively recognisable. Thus it is necessary to construct a more or less disinterested whole from often incommensurable parts, although it is important to indicate the political slant of the media reports. I have not cited all of the repetitive and/or incomplete sources. Important references, direct quotes, and cases where bias may not be immediately evident will be indicated or cited where attributable, but this paper will not note the scores of references that would add chaff to the wheat. The omitted sources are however available from the author. Websites were accessed between December 10, 2022 and the end of July 2023.

3 In a July 5, 2023 WhatsApp interview Washington Ali denied all these allegations, explaining his long history with the National Constitutional Assembly and the MDC in Zimbabwe and with solidarity activities such as the Zimbabwe Information Centre in Australia at the turn of the millennium. His work in the UK has focused on the MDC and CCC as well as a charity for refugees. He did not want to honour the Herald's 'bullshit' with a public response.

4 Job Sikhala and Jacob Ngarivhume attempted to revive the MDC's street credibility with this stayaway, but with little support from the party leadership, especially strict government enforcement of Covid-19 restrictions, and ZANU-PF acting spokesperson Patrick Chinamasa goading his party's supporters to violence against such traitors (BBC 2020). Zamchiya (2023b, 7) charts evidence of the Mnangagwa-Lacoste faction of ZANU-PF suspecting that some members of the ruling party supported the July 31 Movement: they were suspended. This was linked to suspicions of vice-president Constantino Chiwenga's infidelity, and consistent tales that G-40 remnants – including Grace Mugabe – had been funding the CCC and were so doing with the July 31 Movement. Novelist Tsitsi Dangarembga spent two years in and out of jail and courts for participating in the short-lived movement's first march. She was finally indicted for promoting public violence (McVeigh 2022).

5 As of mid-July 2023 Pius 'Jamba' Mukandi remained detained in Harare's Central Remand Prison, where conditions are better than Sikhala and Sithole's at the notoriously inhospitable Chikurubi prison (Ndoro 2022a). Sithole was granted bail in November.

REFERENCES

Achcar, Gilbert. 2021. "Morbid Symptoms: What Did Gramsci Really Mean?" *Notebooks: The Journal for Studies on Power* 1(2).

Allison, Simon. 2022. "Zimbabwe's New Opposition Party Faces the Same Old Problems." *World Politics Review* April 19. https://www.worldpoliticsreview.com/in-zimbabwe-elections-a-new-opposition-party-faces-old-problems/?one-time-read-code=66034167428437563956.

Antonini, Francesca. 2020. *Caesarism and Bonapartism in Gramsci: Hegemony and the Crisis of Modernity.* Leiden: Brill.

BBC Newsday. 2020. "Pherence Shiri death." July 30. https://www.bbc.co.uk/sounds/play/w172x2wbptqwtx5.

Biti, Tendai. 2020. "The Story of My Arrest in Mnangagwa's Tinpot Zimbabwe." *Africa Report* June 9. https://africanarguments.org/2020/06/tendai-biti-the-story-of-my-arrest-in-mnangagwa-tinpot-zimbabwe/.

Bratton, Michael. 2014. *Power Politics in Zimbabwe.* Boulder CO: Lynne Rienner.

CCC Presser. 2023. "Position on the Delimitation Report." *Zimbabwe Daily*, Jan 10. https://www.youtube.com/watch?v=wX6bY2p5J4w.

Changachirere, Glanis. 2020. "The Gendering of Violence in Zimbabwean Politics." *African Arguments*. December 8. https://africanarguments.org/2020/12/the-gendering-of-violence-in-zimbabwean-politics/.

Cheeseman, Nic. 2023. "When Zimbabwe Stops Pretending to be a Democracy." *Africa Report* January 23. https://www.theafricareport.com/276990/when-zimbabwe-stops-pretending-to-be-a-democracy/.

Chigumadzi, Panashe. 2018. *These Bones Will Rise Again.* Johannesburg: Jacana.

Chinodya, Shimmer. 1989. *Harvest of Thorns.* Harare: Baobab Books.

CIASA (Citizens in Action Southern Africa). 2022. "Voter Education must be Extended to Election Officers and Public." *Newsday* March 9. https://www.newsday.co.zw/2022/03/voter-education-must-be-extended-to-election-officers-public.

Desai, Radhika, and Henry Heller. 2020. "Revolutions: A Twenty-First-Century Perspective." *Third World Quarterly* 41(8).

Ehrenreich, Barbara. (1989). *Fear of Falling: The Inner Life of the Middle Classes.* New York: Pantheon.

Ekeh, Peter. 1975. "Colonialism and the two publics in Africa: a theoretical statement." *Comparative Studies in Society and History*, 17(1).

Fontein, Joost. 2022. *The Politics of the Dead in Zimbabwe 2000-2020 – Bones, Rumours and Spirits.* Woodbridge: James Currey.

_____. "From 'Other Worlds' and 'Multiple Ontologies' to 'a Methodological Project That Poses Ontological Questions to Solve Epistemological Problems'. What Happened to Thinking Through Things?" *Ethnos* 86(1).

Gunduza, Mufaro. 2022. "The Lion and the Antelope: A Footnote to Justice Alfred Mavedzenge's Analysis of Nelson Chamisa's Leadership Style." *Nehanda Radio* September 21. https://Nehandaradio.com/2022/09/21/the-lion-and-the-antelope-afootnote-to-justice-alfred-mavedzenges-analysis-of-nelson-chamisas-leadership-style/amp/

Hamilton. Lawrence. 2017. "Freedom in the Decolonizing Republic'. *The Good Society* 26(1).

Hardt, Michael and Tony Negri. 2000. *Empire.* Cambridge MA: Harvard University Press.

Hodgkinson, Daniel. 2021. "The Price of Bravery: Speaking Out in Zimbabwe's 'Second Republic." *African Arguments* March 31. https://africanarguments.org/2021/03/the-price-of-bravery-speaking-out-in-zimbabwes-second-republic/

Hondo, Nicole. 2023. "Job Sikhala: A Case of What NOT To Do in Politics". *The Herald* January 9. https://www.herald.co.zw/job-sikhala-a-case-of-what-not-to-do-in-politics/

James, Marlon. 2014. *A Brief History of Seven Killings.* New York: Riverhead.

Kairiza, Tinashe. 2022. "Zim Plunges into Yet Another Violent Route Ahead of 2023." *Zimbabwe Independent* June 24. https://www.theindependent.co.zw/2022/06/24/zim-plunges-into-yet-another-violent-route-ahead-of-2023/.

Kwinjeh, Grace. 2022. "They Have Killed Moreblessing Ali!" *Nehanda Radio* June 12. https://Nehandaradio.com/2022/06/12/they-have-killed-moreblessing-ali/amp.

Matyszak, Derek. 2019a. "Emmerson Mnangagwa Exposed." *ISS Today* January 23. https://issafrica.org/iss-today/emmerson-mnangagwa-exposed.

_____. 2019b. "The Motlanthe Commission's Anniversary of Shame: the Results of the Inquiry into the 1 August 2018 Shootings Reveal Zimbabwe's Lack of Reform.' *ISS Today* August 12. https:// issafrica.org/iss-today/the-motlanthe-commissions-anniversary-of-shame.

_____. 2022. "Reports of Zanu-PF Defeat in 2023 Polls are Tad Premature." *Daily Maverick* April 10. https://www.dailymaverick.co.za/article/2022-04-10-reports-of-zanu-pf-defeat-in-2023-polls-are-tad-premature/.

Mavedzenge, Justice Alfred. 2022a. "Critical Reflections on Nelson Chamisa's Leadership Style and Approach." *Constitutionally Thinking* September 24. https://constitutionallythinking.wordpress.com/law-and-politics/.

_____. 2022b. "A Critical Analysis of CCC's list of demands for electoral reforms in Zimbabwe." *Constitutionally Thinking* October https://constitutionallythinking.wordpress.com/author/mvdjus001/.

McVeigh, Tracy. 2022. "Tsitsi Dangarembga on Zimbabwe: 'Every Time We Say It Can't Get Any Worse, It Does.'" *Guardian* September 30.

Melber, Henning, and Roger Southall. 2021. "Zimbabwe's Foreign Policy Under Mnangagwa." *Journal of Asian and African Studies* 56(2).

Moore, David 2011. "Zimbabwe's Media: Between Party-State Politics and Press Freedom under Mugabe's Rule." In *Zimbabwe: Picking up the Pieces*, edited by Hany Besada. London: Palgrave.

____. 2014. "Death or Dearth of Democracy in Zimbabwe?" *Africa Spectrum* 49(1).

____. 2015a. "Conflict and After: Primitive Accumulation, Hegemonic Formation and Democratic Deepening'." *Stability: International Journal of Security and Development* 4(1).

____. 2015b. "An Arc of Authoritarianism over Africa: Toward the End of a Liberal Democratic Dream?" *Socialist Register 2016: The Politics of the Right* 52.

____. 2018. "A Very Zimbabwean Coup: November 13-24 2017 – Context, Event, Prospects." *Transformation* 97.

____. 2019a. "Fantasy that Mnangagwa Would Fix Zimbabwe Now Fully Exposed." *The Conversation* January 22. https://theconversation.com/fantasy-that-mnangagwa-would-fix-zimbabwe-now-fully-exposed-110197.

____. 2019b. "Review Article: Articulations, More Articulations ... and Accumulation", *Transformation* 99.

____. 2022a. *Mugabe's Legacy: Coups, Conspiracies, and the Conceits of Power in Zimbabwe*. London: African Arguments and Hurst.

____. 2022 b. "Unravelling Zimbabwe's January Jambanja: Truth, Lies, Rumours, and Conspiracies." In *New Leaders, New Dawns? South Africa and Zimbabwe under Cyril Ramaphosa and Emmerson Mnangagwa*, edited by Chris Brown, David Moore and Blair Rutherford. Kingston and Montreal: McGill-Queens University Press

Moyo, Zenzo. 2018. "Civil Society, the State and Democracy in Zimbabwe, 1988-2014: Hegemonies, Polarities and Fractures." Unpublished PhD thesis, Department of Anthropology and Development Studies, University of Johannesburg.

Mpofu, William Jethro. 2021. *Robert Mugabe and the Will to Power in an African Postcolony.* Gewerbestrasse: Palgrave Macmillan.

Munhende, Leopold. 2022. "Zimbabwe: 'CCC Has Existing Structures' - Chamisa Responds to Opposition Critics." *New Zimbabwe* October 14. https://allafrica.com/stories/202210150055.html.

Musekiwa, Takudzwa. 2021. "State Violence against Civil Society in Africa: The case of Zimbabwe,

Kenya, and Egypt." Unpublished PhD thesis, Department of Anthropology and Development Studies. University of Johannesburg.

Muzavazi, Pardon. 2022. "Exploiting grief for political opportunism." *Herald* June 22. https://www.herald.co.zw/exploiting-grief-for-political-opportunism/.

Ndlovu, Ray. 2022. "Zimbabwe Wants to Change $3.5 Billion Farmer Deal After Missing Payments." *Bloomberg* November 25. https://www.bloomberg.com/news/articles/2022-11-25/zimbabwe-wants-to-change-3-5-billion-farmer-deal-it-hasn-t-met?leadSource=uverify%20wall

Ndlovu-Gatsheni, Sabelo, ed. 2015. *Mugabeism and Entanglements of History, Politics, and Power in the Making of Zimbabwe.* Cham: Springer.

Ndoro, Nyashadzashe. 2022a. "Prisons Treating Moreblessing Ali Alleged Killer Better Than Sikhala and Sithole." *Nehanda Radio* July 15. https://nehandaradio.com/2022/07/14/prisons-treating-moreblessing-ali-alleged-killer-better-than-sikhala-and-sithole/.

____. 2022b. "'I'm Just a Social Activist, Not a Power Monger' – Sikhala tells 'persecutors'." *Nehanda Radio* December 21 https://nehandaradio.com/2022/12/21/im-just-a-social-activist-not-a-power-monger-sikhala-tells-persecutors/.

Newshawks. 2022. "Zim Heading Towards Bloodbath." August 20. https://thenewshawks.com/zim-heading-towards-bloodbath/.

Nyangani, Kenneth and Evans Mathanda. 2023. "Zec Fuels Zanu PF Factional Wars." *Zimbabwe Independent* January 15. https://www.theindependent.co.zw/news/article/200006189/zec-fuels-zanu-pf-factional-wars.

Pindula. 2020. "Job Sikhala." September 22. https://www.pindula.co.zw/Job_Sikhala#google_vignette

Runyanga, Nobleman. 2022. "Sikhala not a Political Prisoner." *The Herald* December 12. https://www.herald.co.zw/sikhala-not-a-political-prisoner/.

SABC. 2022. "Moreblessing Ali's Murder – Her Brother and Zanu-PF." *The World Wrap.* June 18. https://www.youtube.com/watch?v=0RykLdjqeFE

Sachikonye, Lloyd, Brian Raftopoulos and Godfrey Kanyenze, eds. 2018. *Building from the Rubble: The Labour Movement in Zimbabwe Since 2000*. Harare: Weaver Press.

SAPES Trust. 2022. "Organised Violence, Torture and Elections: Can Zimbabwe Citizens be Insulated Ahead of 2023 Polls?" *Newsday* November 19. https://www.newsday.co.zw/thestandard/standard-people/article/200003861/organised-violence-torture-and-elections-can-zimbabwe-citizens-be-insulated-ahead-of-2023-polls.

Schech, Susanne. 2022. "Assembling Humanitarianism in the Cold War: The Role of the Red Cross in the Bay of Pigs Prisoner Exchange." *Journal of Historical Geography* 78(1).

Shumba, Jabulani. 2017. *Zimbabwe's Predatory State: Party, Military and Business.* Pietermaritzburg: University of KwaZulu-Natal Press.

Southall, Roger. 2013. *Liberation Movements in Power: Party and State in Southern Africa.* Woodbridge: James Currey.

Stahl, Rune Møller. 2019. "Ruling the Interregnum: Politics and Ideology in Nonhegemonic Times." *Politics and Society* 47(3).

Susskind, David. 2021. *A World Without Work: Technology, Innovation and How We Should Respond.* London: Penguin.

Tendi Blessing-Miles. 2017. "Zimbabwe: the UK's Misguided Role in the Rise and Fall of Mnangagwa."

African Arguments November 8. https://africanarguments.org/2017/11/zimbabwe-the-uks-misguided-role-in-the-rise-and-fall-of-mnangagwa/

_____. 2020. "The Motivations and Dynamics of Zimbabwe's 2017 Military Coup." *African Affairs* 119(474).

_____. 2023. "Zimbabwe: A Reply to Nic Cheeseman's Column on Democracy." *Africa Today* January 26. https://www.theafricareport.com/278394/zimbabwe-a-reply-to-nic-cheesemans-column-on-democracy/

Vigh, Henrik. 2022. "Slow crisis in Bissau and Beyond." *Global Discourse* 12(3-4).

VOA. 2022. "Former Zimbabwe Minister Kasukuwere to Contest 2023 Presidential Election, Won't Apologize for G40 Activities." *Voice of America* November 27. shttps://www.voazimbabwe.com/a/6852253.html.

Weiner, Tim. 2008. *Legacy of Ashes: The History of the CIA.* New York: Anchor.

White, Luise. 2021. *Fighting and Writing: The Rhodesian Army at War and Postwar.* Durham NC: Duke University Press.

Wilkins, Sam. 2013. "Ndira's Wake: Politics, Memory, and Mobility among the Youth of Mabvuku-Tafara, Harare." *Journal of Southern African Studies* 39(4).

Worth, Owen. 2022. "The Great Moving Boris Show: Brexit and the Mainstreaming of the Far Right in Britain". *Globalizations* DOI: 10.1080/14747731.2021.2025291.

Zamchiya, Phillan. 2023a. "Social Differentiation and 'Accumulation from Above' in Zimbabwe's Politicised Agrarian Landscape." *Journal of Southern African Studies* DOI:10.1080/03057070.2022.2158433

_____ 2023b. "Intra-Party Cohesion in Zimbabwe's Ruling Party after Robert Mugabe." *Journal of Asian and African Studies* 10.1177/00219096221149686.

Zimbabwe Electoral Commission. 2023. August 26. https://www.zec.org.zw/download/2023-harmonised-elections-presidential-results/

Zimbabwe Human Rights Association. 2022. *State of Peace Report: Community Peacebuilding Action Report 2021* Harare: Zimrights.

Zimrates. 2023. January 23. https://www.zimrates.com/usd-zwl-23-january-2023/.

The making of Trotskyist tradition in South Africa: A reading of 'The Spark', 1935 – 1937

CRAIN SOUDIEN

ABSTRACT

The purpose of this contribution, towards understanding the contribution of the early years of Trotskyism in South Africa, is to distil the major analytic themes that developed in the political organ of the Workers Party of South Africa, *The Spark*. It looks critically at the first three years of *The Spark* to establish how the WPSA was positioning itself relative to the unfolding class struggle in South Africa. In asking what theoretical and conceptual starting points around the questions of race and class emerge out of this corpus of writing it seeks to show that the early Trotskyists were, in their vocabularies and theoretical frames, little different to their political opponents in the Communist Party of South Africa. Through *The Spark* they showed, however, that there was in the question of race something distinct about South African capitalism. They began but did not complete this explanation in their attempts to explain how segregation worked.

INTRODUCTION

Between 1935 and 1939 the Workers Party of South Africa (WPSA) published over 200 issues of *The Spark* - their 'organ', as they called it. The primary focus of this publication was to 'do battle against Imperialism and Capitalism and their conscious and unconscious supporters'. The publication developed a particular style and a template for what it would address. Characteristic was a combative and engaged form

of writing focused on both global developments and the situation in South Africa. In this overview I attempt to distil the major analytic themes that developed over the first three years of this publication to establish how the WPSA was positioning itself relative to the unfolding class struggle in South Africa. I ask what theoretical and conceptual starting points we might discern in this corpus of writing. Is there anything which advances our understanding of the nature of socialist struggle in South Africa? I ask the question in the context of Patrick Bond's survey of the theoretical landscape of political economy analysis over the last fifty years which comes to the conclusion that the socialist theoreticians of the 1930s had not produced any clear insights into the nature of South African capitalism:

> Prior to the early 1960s, there were many political analyses of the South African economy, but I have not encountered any with the explanatory ambition and theoretical insights that characterized the subsequent decades. Although beginning in the 1930s, Johannesburg and Cape Town activist intellectuals established a long tradition of debating the merits of permanent revolution – contrasted to the stagist theory of the Communist Party – it is striking that the many variants of Trotskyist organising never boasted a major analytical statement that advanced our knowledge of even development as an interrelated class, racial, gendered, ecological, geographical and geopolitical process (Bond, 2010,1).

I analyse, following this provocation, the content of the journal from its inception in March of 1935 to its thirty-third issue in December of 1937.[1]

I begin with a brief history of the WPSA. This history, as shown below, is addressed in the work of several scholars and historians (see, *inter alia*, Drew 1996, Southall 1978, Hirson 1993a and Soudien 2019). It is presented here and acknowledged, only in outline. The subject clearly requires dedicated attention. That this attention has not been forthcoming is due to a multiplicity of factors some of which are ideological and relate to conflicts within the broader socialist tradition and some, more material, to the effect of the decision by the WPSA to go underground in 1939. It supposedly continued to operate right up until the late 1950s but maintained after 1939 a severely self-policed posture of secrecy and made no public pronouncements after this date. Its records, as they are evident in an archive holding at the University of

the Witwatersrand, including some important correspondence, indicate activity up to 1939. Thereafter, there is nothing. With this history, the article moves to focus on *The Spark* as it emerged with the establishment of the Workers Party of South Africa (WPSA) in 1935 and tracks its development to the end of 1937. The intention here is to *read* the journal discursively to see how it comes to anticipate and lay down a direction for Trotskyism in South Africa.

THE WORKERS PARTY OF SOUTH AFRICA

The WPSA was established in 1935. The fullest accounts of its activities and place in South African history are provided in two pieces, the first by Baruch Hirson (1993a) and the second by Allison Drew (1996). Hirson's contribution is embedded in a well-known sixty-plus-page account of the development of Trotskyism in South Africa. Drew's is made in the course of contextualising her two-volume collection of the most important documents of the left-wing tradition in South Africa. Important as these two contributions are, we still know relatively little about the organisation, its people and, critically, the intellectual and political trajectories that were birthed within it. In telling the story of the New Era Fellowship (NEF), a direct creation of the WPSA, I have sought to make some sense of the broad political, sociological, cultural and economic thinking which came out of the wider network within which members of the WPSA operated (see Soudien, 2019). But we do not have a full picture of the WPSA itself, even in the four years between 1935 and 1939 for which some records of the organisation are available. It is probable, now, unless a major archival discovery is made, that this fuller picture will never emerge. All the central figures of the organisation are dead. Those who may know about the WPSA, continue to hold fast to the organisational command never to reveal anything about the organisation, who was in it, and how it worked.

What is clear in this serious historical gap in our knowledge is that the WPSA came into being directly out of the global struggle over the future of socialism. Hirson (1993a, 27 and 1993b) places the beginnings of organisations such as the WPSA at the end of the 1920s and the beginning of the 1930s. 'They were not born in blood', he said, 'but in confusion' (Hirson 1993a, 27). That confusion was the result of a confluence of factors playing themselves out both outside and inside the country.

Outside the country, the most significant factor influencing the confusion was the rise of Nazism in Germany and the collapse of working-class struggles in several countries around the world. Deutscher (2003, 102) said of the period that '[i]n the West these were the years of the Great Slump; and history's record of folly and crime was suddenly enlarged by the rise and triumph of Nazism.' This was compounded, profoundly, by events in the Soviet Union and most notably the direction in which Joseph Stalin led the struggle for socialism. Marking these developments were, on the one hand, the policy of forced collectivisation which led to the decline of the Soviet economy and serious hardship amongst its people, and, on the other, the institution of totalitarian rule within the country and within the Communist Party. Reacting to these developments in the Soviet Union, Leon Trotsky, a leading partner of VI Lenin of the Russian Revolution, broke with Stalin which led to his exile, and the building of a new international coalition of communist parties, the Fourth International. The central issue, in Trotsky's view, was Stalin's and the Third International's policy that socialism could be built in one country. This, argued Trotsky, was a betrayal of the international nature of the working-class struggle.

Inside South Africa, a related set of conflicts arose within the relatively young and small left-wing community which deepened the confusion. The conflict was brought on by a 1928 resolution of the Communist Party of South Africa (CPSA) on the 'South African Question'. The resolution determined that the Party should shift its strategic focus away from the white working-class to the black peasantry. The CPSA's main task, the organisation said, was 'to influence the embryonic and crystallising national movements among the natives in order to develop these movements into national agrarian revolutionary movements' (Bundy 1987, 261). The task of the revolution, the Comintern urged from the Soviet Union, was to fight for the making of 'The Native Republic' or 'Black Republic'. This resolution aroused, as Simons and Simons (1983, 404) said, quoting Eddie Roux, 'great controversy' in the ranks of the CPSA: 'Almost all the white communists were indignant... (as were) African members trained in the old tradition.' Roux said that they saw in the policy a revival of Marcus Garvey's cry 'Africa for the Africans' and thought that it was 'the exact opposite of the party's steadfast appeal for international unity' (Simons & Simons, 1983, 404). Controversial and divisive as the resolution was, it became the policy on which the CPSA managed itself in the Thirties. Purer ideologically as the organisation had become as a result of this

policy turn, it 'immeasurably weakened', argued Bundy (1987, 262) '(the organisation) as a potential radicaliser of a national liberation movement.'

'Purer' as the victorious element in the CPSA might have perceived themselves, there were others, however, who were deeply aggrieved by the role of the Comintern and the lack of independence of those members of the CPSA who sought to implement the directions from Moscow where the Comintern was based. The Comintern, it was argued, had reduced Marxism 'to cliches, [promoted] the excessive idolisation of leaders' and had encouraged 'the aping of the Comintern leaders in their use of invective, and the brutalisation of relations inside the party' (Hirson 1993a, 28). Troubled, these communists broke from the CPSA and, as Drew (1996, 24) said, began to group themselves loosely under the banner of Trotskyism. Over the period of the 1930s, they established a number of political and cultural initiatives around the country. None of them survived for more than a couple of years. They all, however, left deep imprints on the struggle for freedom in South Africa. The first of these, TW Thibedi's Communist League of Africa, formed in 1932 on the Witwatersrand and influenced by communication with Trotsky himself, focused its attention on growing an African working-class base. The second was the Lenin Club established in Cape Town in 1933.

The life of the Lenin Club was short-lived. In its original incarnation it came to an end in 1935. It was, however, profoundly generative for the socialist struggle in organisational and theoretical terms. It quickly presented itself in Cape Town as a serious site for talking about the importance of socialism and soon attracted wider interest particularly from the small academic community of Cape Town. As a site for the induction of instinctive social rebels into considered analytic thought, it was exceptional. One of the most important features about it, and which is little reflected upon in South African history, was its proximity to the experience of the pogroms that were playing out in the heartlands of the so-called civilised world and, simultaneously, the struggle against exploitation and discrimination in South Africa. This conjunction had, it is ventured here, critical significance for thinking about the complexities of social formation, particularly those of race and class. The Jewish question was not simply a theoretical issue of which Marxists everywhere had to have some grasp. It reached deep into people's personal experiences. It was what brought members of the Jewish community to South Africa. As socialists, they were compelled, however,

to explain it in theoretical terms. It was what essentially brought Claire Goodlatte, a former nun, around from being an anti-Semite, said Hirson (2001, 160), to being a deeply worldly human being conscious of her privilege and positionality.

But the Lenin Club also offered extraordinary opportunity for socialists to confront their own racialised experiences and to ask what it meant to confront each other, without conditions, as human beings. It was where one of South Africa's most progressive literary scholars, Dora Taylor, and Isaac Tabata, the theoretician, met and many other members built up long-lasting comradely relationships (see Rassool 2004).

Despite the fecundity which surrounded it, the Lenin Club struggled to sustain itself organisationally and, perhaps, even theoretically. These early Trotskyists were as susceptible to all the fragilities that characterised similar socialist and communist experiments elsewhere in the world. The Club suffered a serious division in 1934 over the question of the role of the peasantry. The majority broke away and established their own club, which they called the Spartacus Club, presumably after the Spartacus League established by Rosa Luxemburg, Karl Liebknecht and Clara Zetkin in Germany during the First World War. The Spartacus Club performed much the same role as the Lenin Club did which was to take the idea of socialism into the public domain through lectures, debates, and other public events. It did not last for very long, however. Its leading members merged with the Bolshevist Leninist League to form the Workers' Party of South Africa (WPSA) in 1935. The others formed the Communist League of South Africa, which would later call itself the Fourth International Organisation of South Africa (FIOSA) (Drew 1996, 25). The majority were intent on launching a new political party and so, as explained by Hirson (1993a, 30), '[they] started drafting a programme in August 1934, [and] called themselves the Workers Party of South Africa. ... Four topics became the subject matter of "theses": the political economy of the country, the expected world war, the nature of socialist organisation, and the need to work in trade unions.'

Interestingly, all the groupings began to engage with the International Secretariat of the Fourth International. Trotsky himself entered into serious correspondence with all factions. Much of the discussion was about building a new party – how it should be done and what its theoretical principles should be. The General Secretary of the WPSA, Goodlatte, wrote to the International Secretariat of the International

Communist League in July of 1936 saying, 'Our unity is based theoretically on the common acceptance of the principles contained in the theses written by Comrade [Yudel] Burlak' (Drew 1996, 166). Drew (1996, 166) describes Burlak as having 'played a major role in formulating the WPSA's draft theses' and says he 'continued to exert a powerful but behind-the-scenes intellectual pull over younger WPSA members through the 1950s.' He is also described by Hillel Ticktin (1991, 56) as 'the *de facto* theoretician of the major Trotskyist faction'. Little is known about him. He chose not to take public positions. He worked, Ticktin (1994, no page number) said in a letter to *Revolutionary History*, as a bookkeeper for a tobacco company and never 'qualified as an accountant because he regarded it as useless for a professional revolutionary.... Through [the young student activist] Ben Kies he had considerable influence on the Unity Movement.'

Alongside of Burlak, it is important to make clear, were initially a small group of disaffected CPSA activists, such as Max Gordon, Ralph Lee and Joe Pick, 'mainly... Jews', as Hirson (1993a, 30) described them. Some of the first pamphlets and correspondence of the Lenin Club (see Hirson 1993,52) were written in Yiddish. This 'small band of revolutionaries', Hirson explained, 'were drawn from the Communist Party, the Independent Labour Party (ILP), Communist auxiliary groups like the Gezerd, cultural and literary groups, or from new arrivals from Eastern Europe" (Hirson 1993a, 28). Two branches were established, one in Johannesburg, with Lee playing an anchor role; and another in Cape Town. They were both small. The Cape Town branch, Alie Fataar told Robin Kayser (2002,12), numbered no more than 20 people. Amongst the latter were influential intellectual activists such as Paul Koston, the owner of Modern Books in Cape Town. It was under Koston's name that the first issues of their journal *The Spark* were issued.

When the ILP and the Lenin Club merged, the Trotskyist grouping became socially more diverse. Giving character to that diversity were people such as Goodlatte, but much more critically, three of the most under-recognised activists in South Africa's political history, Goolam Gool, Isaac Tabata and Ben Kies. Other prominent figures to become members too were Jaineb (Jane) Gool, Saul Jayiya, Cadoc Kobus and Dora Taylor in 1938 (Rassool 2004, 397). As members of the WPSA they came to play important roles in giving definition and direction to the anti-Stalinist movement in the country. Particular responsibilities were assigned to each of them. That of Tabata's,

for example, was to work in the All-Africa Convention (AAC) (Rassool, 2004, 397). Taylor's role was to support Tabata. Kies's was to set up the New Era Fellowship.

As a group, strikingly, they were cautious about how much they should expose themselves. Conscious of the capacity of the South African authorities to clamp down on them and almost inordinately sensitive to the threat of Stalin's agents around the world, they deliberately chose the tack of clandestinity. 'The consequences of this were obvious', said Hirson (1993a, 32):

> The Communist League seemed to conduct its activities openly, and recruited with a minimum of enquiry into the background of its members. The Workers Party in Cape Town was highly, if not overly, selective, maintained a tight discipline and was secretive in many of its party activities. There were rules as to what documents could be read at branch meetings, and what was to be read only by Executive members.

They came to this position through some debate and taking prevailing conditions into consideration and had judged conditions on the ground to be too hostile. Taking a public presence as Trotsky advised, they believed, was not appropriate under conditions of political crisis: 'A certain part, and by the way a very important part, of the work cannot be carried out openly, that is before the eyes of the class enemies... Nobody, of course, is proposing to create an illegal apparatus for such functions as in the given conditions can be executed by legal organs' (Drew 1996, 151).

The WPSA chose, as a result, to explore the use of what Trotsky called 'legal organs' – structures, channels and media - through which they would organise. The members were not unaware of their size and reach. The first edition of *The Spark* carried an appeal to readers to help build journal 'because [t]he Workers Party of South Africa is small, – and poor financially. Without the support, real support, of the workers and our sympathisers, we cannot guarantee the regular monthly appearance of *The Spark*..... We cannot promise to send copies to all, but we will do our best' (*The Spark* Vol.1, No. 1, 1935, 2).

The question that absorbed the attention of the leaders of the WPSA was that of how to prepare South Africa for revolutionary struggle. Many would have been aware of

the implicit admonitions of the International Secretariat of the Communist League about being careful with regard to the founding of a revolutionary party. The remarks of Comrade Dubois (the pseudonym taken by Ruth Fischer) in a 1935 letter to the Communist League of South Africa and the WPSA were trenchant and, indeed, as Hirson (1993a, 33) said, controversial – he described the criticisms as 'crude and insensitive'. But the central message of this correspondence with Dubois was that serious theoretical work had to be done. This was to stay with the WPSA and led directly to the decision to concentrate on the education of the working class. This was the beginning of the New Era Fellowship (NEF). The next step for the WPSA, following an interchange of letters with Trotsky, was, as Trotsky put it in his *Remarks on the Draft Theses of the Workers' Party*, 'not ... with the programme itself but rather with the ways and means of carrying this programme to the consciousness of the native masses' (Drew 1996, 150). How to understand and work with consciousness became the central question for the young activist-intellectuals of the WPSA who went into organisations such as the NEF.

What the principles that the theoreticians in the WPSA, particularly Burlak, began to articulate are important to take note of. They put into perspective and provided signals of what was to come in terms of the social analysis and political agenda of left-wing anti-Stalinists such as the WPSA. These principles focused, as alluded to by Bond (2010, 1), on the social. A clear indication of Burlak's thinking was provided in the Lenin' Club's *Draft Theses: The Native Question* (Majority) (1934) (Drew 1996, 134-140). Important in this analysis was the idea of 'super-exploitation'. The Theses described it as 'intense exploitation'. In this the *Draft Theses* acknowledged the necessity for foregrounding the role and place of the African working-class. The success of South African capitalism depended on the subordination of this class. At the same time, it did not want to lose the possibility of winning back the support of white workers. It argued that 'South African capitalism was heading to a crisis which would force the bourgeoisie to break its historic pact with the white working class ... and that it was incumbent on socialists to organise poor whites rather than let them succumb to fascist ideology' (Drew 1996, 25). The Theses also railed at the CPSA for suggesting that:

> South Africa is a 'black man's country'. This antithesis, which entirely ignores the white population, is equally harmful, because it is bound to antagonise one section of the working-class against another.... To ignore

> the fact, that unlike India and China, the white population of South Africa does not consist of a temporary officialdom, but is an integral part of the population, means to be blind to reality. (Drew 1996, 137)

These questions would remain open-ended and even cause ambivalence right into the 1950s and would continue to pit the anti-Stalinists against each other. Hirson (1993a), argued that the WPSA had misunderstood the political economy of South Africa. Writing many years after the debate had first been opened up, he said:

> When the WPSA programme was first drafted in 1934 the great depression was lifting in South Africa and the new industrialism that followed ... had barely commenced. Many of the newly urbanised workers were fresh from the country and were not viewed as a potential base for socialism. Nor did the authors see any place in the coming struggle for the Coloured workers, despite their long history as artisans and workers in light industry. Long afterwards members of the WPSA – now leading members of the NEUM – looking exclusively to rural conditions and continued to speak of the workers as if they were only peasants temporarily in the towns or the mines.
>
> Even more erroneous was the continued description of the Africans in the Reserves as peasants even though they did not produce commodities for the market .... It was only Trotsky's criticism of the WPSA's programme that led to their re-examination of the role of workers in any future struggle, but this was a concession that was not reflected in their activities (Hirson 1995, 66).

In assessing the WPSA's grasp of the 'social' this criticism is powerful. It raises questions of their appreciation of the material and political conditions in which they found themselves. What is critical is the understanding they were building of the country's political economy and the class character of the social formation. It was not clearly evident in the Lenin Club's *Draft Theses*. But it came. It came in the closing years of the 1930s as young members such as Kies began taking leadership roles. There was a recognition (and this is the particular clarity they brought) that the Party had to explain how racism worked and the role of 'race' in the making of dominance. Practically, there was also a sense, especially among the white members

of the anti-Stalinist movement, as was to be seen in the example of older leaders such as Goodlatte, that they should be making way for their black colleagues. This issue continued to be a cause for debate within the liberation movement as a whole into the contemporary period.

Playing itself out in South Africa primarily, as actually was the case with the left-wing movement elsewhere in the world, was a struggle which would come to characterise much of the debate in the Communist movement – that of Stalinism versus Trotskyism. What was happening at the international level between Stalinists and Trotskyists had a strong and divisive influence on their South African followers and their various organisations during this period. Both the Stalinists and the Trotskyists splintered and regrouped. Contrary to the perception that was being created, and which remains, that the Trotskyists were fractious and inclined to doctrinally inspired factions, much the same was playing itself out, and still is, among the Moscow-aligned socialists. People took theoretical issue with each other and moved off on their own. The two groups came to treat each other with deep suspicion. The CPSA remained organisationally relatively intact. They blew hot and cold, however, says Drew (1996: 23), around the question of the place of black workers and white workers and where the vanguard of the working class was located. In the early 1940s, for example, the dominant grouping in the CPSA would 'make no mention of a Native or Black Republic', but they remained within the Stalin camp (Drew 1996, 30). The initial intentions of the anti-Stalinists were to oppose the 'Black Republic' Thesis, but as both Hirson (1993a, 29) and Drew (1996, 25) explain, their early positions were actually closer to the CPSA. They needed, however, to distinguish themselves from the Stalinism which they saw taking form around the world. They saw in it a distortion and deviation from Marxism and Leninism. Trotsky, in their view, best represented the ideas and values of Marxism.

Important in closing this discussion around the struggle for the soul of socialism is acknowledging that it was not only taking place between Stalinists and Trotskyists. The Trotskyists themselves were in fierce battle. The two camps in the Lenin Club, the WPSA and the FIOSA, took issue with each other over a range of theoretical questions. Their differences, explains Drew (1996, 25) 'boiled down to one of emphasis on the nature and degree of peasant consciousness amongst the rural population and the degree of black proletarian development.' The debate pivoted on the relationship between

consciousness and social structure. As could be expected, both camps foregrounded the question of class. They agreed that the struggle was in its essence about class privilege. Uniting them, too, was their commitment, in the beginning, to a two-stage theory of revolution. First there needed to be an anti-imperialist struggle; next was to be the socialist revolution. Dividing them was the issue of how to work with the different manifestations of consciousness evident within the oppressed. Following their engagements with Trotsky, both groups would shift with respect to the idea of two stages to the revolution (Drew 1996, 26). The WPSA, in particular, modified its position over the next decade towards a permanentist revolution approach based on a transitional programme. In this transitional programme, land was central.

Both groups, however, continued to argue for the inclusion of white workers in the struggle for the realisation of socialism. As Drew explains, neither side followed the Trotskyist International's recommendations that they should unite (Drew 1996, 27). While they collaborated in attempts to build united fronts, most notably in the experience of the National Liberation League and again with the Non-European United Front, they worked independently of each other, setting up parallel structures and forums. Significantly, it was the WPSA that would advance the debate around 'race' and the FIOSA group that would continue to work with the idea of 'race' in its then conventional sense, right up until the 1950s.

While unverified sources suggest that the WPSA ceased to exist in 1953, (which could be related to the Suppression of Communism Act of 1950 in the apartheid state), it was highly likely that it continued to operate behind the scenes. Rassool (2004, 372), referencing Jane Gool, said her recollection was that the organisation ceased to exist around about the time that the Group Areas Act was promulgated in 1950. The actual issue which caused the organisation to stop operating, Gool said, was a suggestion by people in the Party that it should divide into black and white sections which would meet on separate days. Whether this was the case or not, the organisation appeared to have closed down, at least formally. Its positions, though, continued to pervade the organisational strategy of the larger network associated with it. Through the Non-European Unity Movement (NEUM), in particular, it embarked on a strategy in the 1950s of establishing education and cultural fellowships in the major suburbs and townships of the Cape and in encouraging the brightest young people in the schools to become teachers.

THE SPARK

The first issue of *The Spark* appeared in March of 1935. It consisted of 14 pages. In presentation it was visually dense but simply laid out - all of it type-written and cyclostyled. Koston (1935, 1), whose name appeared on the first issue as the person responsible, indicated in a letter to Ralph Lee that he had decided to run off 500 copies, 'you suggested... 200... Now we are sold out of the first issue'. He advised that the next issue be increased to 750 copies and the one after that to 1500. Discussed between them too was the possibility of having the journal typeset and printed, but it was decided by Koston that it would be too expensive. On its banner page was a hand-drawn image of an electrical charge in which was contained the title, '*The Spark*'. In the top left-hand corner of the banner was the slogan 'Workers of the World Unite' and in the bottom right the hammer and sickle symbol.

In content the journal combined, said Sandwith (2014, 90), 'high-level theorising with detailed coverage of the activities of the AAC. Its style was hyperbolic, ironic and dismissive.' This style would come to characterise much of the public writing of the WPSA and its organisational off-spring – a tendency to the florid but insistently analytic. It crossed the boundaries of journalism, scholarship and propaganda. Its content was rigorously researched but unapologetically polemical. Trotsky himself presented to these followers of his at the foot of the African continent examples of what erudite activist writing could look like. This writing was, Deutscher (1972, 54) said,

> ... (in) the range of his ideas and work... exceptional. Political leader, sociologist, economist, war captain, military theorist... historian, biographer, literary critics, master of Russian prose, and one of the greatest orators of all times, Trotsky brings his searching and original mind and his extraordinary powers of expression to every field of his activity.

Laid down here was the model adopted by several of the young socialists who emerged during this period, most notably, Kies. The first issue (March 1935) carried Paul Koston (spelt Kosten in *The Spark*) as the author of all the 'political matter' in the journal. Subsequent editions, at least for the next year – and it is unclear why this is so – were without author attributions, except when the journal reprinted articles from related organisations or media. From the beginning of 1936, Goodlatte was indexed as the author of the journal's political material, but then, except for isolated

instances, contributions went unattributed. Unattributed as much of the writing was, its originators knew that they had to pay intensive attention to *what* they said and *how* they said it if it was to carry the name of the collective.

The first edition of *The Spark*, as might be expected, laid out the purpose of the journal. The inaugural editorial placed the journal firmly in the company of similar socialist and communist propaganda outlets found elsewhere in the world. It said that:

> '*THE SPARK*' will be an organ of revolutionary Marxism, an organ of the class struggle. The capitalist press prides itself upon its 'objectivity', upon its standing above the Class-Struggle. It refuses to admit the fundamental clash of interests between the capitalist owners and the workers. In its attempts to fool the workers it repeatedly drags in the old saying: 'What is sauce for the goose is sauce for the gander.' But the 'Spark' will expose all those lying fables. It is the organ of the oppressed and exploited, and its message is to them and to all their sincere friends. '*The Spark*' will not try to please everybody. It will do battle against Imperialism and capitalism and their conscious and unconscious supporters.

Goodlatte, who had strong journalistic experience as an assistant editor at *The Cape Times*, was, as Hirson (1989, 76) said, responsible for producing the journal: 'She did much of the typing, and also translated material from the French'. In his 1989 article in *Torchlight* on *The Spark*, Hirson quoted from letters Goodlatte had written to a former pupil, John George Chapman, in which she talks about the journal. An example was a 3rd December 1935 letter, in which she told Chapman that

> [w]e shall print as soon as get a reserve fund in hand, but printing will cost four times as much and we can't afford it just yet. Meanwhile we work like Trojans to get it all stencilled and run and fastened together – not to mention the articles themselves which mean a good bit of knowledge and hard work (Hirson 1989,76).

The effort that went into producing the journal was clearly great. A sense of this was provided in a letter written by Koston to Ralph Lee on 13 April, 1935 (Koston 1935, 1) complaining about his tardiness in working to deadlines:

> As a matter of fact I am still worried because your letter seems to show that you are sublimely unaware that a 'Spark' has to come out soon and that you have to send down some articles for it. If you are going to Durban, when will I get your 'March of Events' and your 'History of Working-Class Movement in South Africa' in S.A? And when will you manage to read and criticise our articles?

In content *The Spark* focused assiduously on international issues. By the time the NEF was established in 1937 it had put together and published over 200 articles on the global struggle against capitalism. It carried incisive description and analysis of what was happening in fascist Spain and the Stalinist Soviet Union and offered the latest commentary to be found on the liberation struggles in China, India and elsewhere in the world. In this the WPSA had taken to heart Trotsky's guidance about what its role in the conjuncture should be. He said,

> Under present conditions, the Left Opposition plays mainly a propagandistic role. Criticism of the Comintern's program and its political practice occupy the foremost place in our arsenal. Such has always been the lot of the left wing when there is an ebb in the revolutionary movement.... In addition the Opposition must be an organ for reliable and correct information for the workers about the workers' movement, and its genuine successes and failures.... Finally, the Opposition can and must be an organ for *correct political orientation* (his emphasis). This is the most important and at the same time most difficult function.... It is necessary on the basis of this work... to simultaneously advance *timely political slogans* [again his emphasis] .... The decisive role here falls on our press. The most natural form of publication for the Left Opposition at the present stage of its development *is a theoretical and political weekly* [again, Trotsky's emphasis] (Trotsky 1975,17-18).

In what follows I look at the emergent WPSA analysis of South Africa itself. How, I ask, does this emerging analysis build on Burlak's and the Lenin Club's *Draft Theses*? I first make comment on a column to which Koston had alluded in his correspondence with Lee about the History of the Working Class, and to the contributions of members of the WPSA on social questions. Of the latter there were about 15 pieces in the period

from 1935 to the end of 1937. How these pieces explain South Africa sociologically and economically is important to consider. They come to a realisation, I argue, that a central issue for advancing the workers' struggle is that of consciousness. They struggle, however, to develop a theoretical accounting which explains the substance and processes involved in the production, assimilation and reproduction of ruling class ideology. They begin to realise that this ruling class ideology is a critical problem but are not able to deconstruct it so that they might develop the tools for reconstructing it.

SOCIAL ANALYSIS IN THE SPARK

The very first editorial of *The Spark* provided a good indication of the challenges confronting the WPSA. Its essential purpose was to reckon with what it called 'the objective conditions' of capitalism in South Africa and the failure of Marxism 'in getting a firm foothold in the working class of the English-speaking countries' (*The Spark*, Vol. 1, No. 1, 1935, 1). The editors bemoaned the fact that

> the great bulk of workers in South Africa are either unaware of their historic role as the only progressive class in society, or they are indifferent, or they still entertain illusions concerning Democracy...history seems to pass on without leaving any trace of effect upon South Africa, upon the psychology of the people, upon their outlook (*The Spark*, , Vol. 1, No. 1, 1935, 1).

The Editorial, in an extraordinary twenty-line long sentence with multiple sub-clauses, catalogued a long compounding list of all the negative features of contemporary capitalism and asserted that 'in spite of all this, Marxism has so far not succeeded in getting a firm foothold in the working-class...' (*The Spark*, Vol. 1, No. 1, 1935, 1). 'Why is it? How can we account for it and explain it?', the members of the WPSA asked (*The Spark*, Vol. 1, No. 1, 1935, 1). The Editorial's explanation is important to note here. In this, I suggest, are signposts for the direction the WPSA takes. The Editorial made the point that 'here in South Africa Capitalism has succeeded, more completely perhaps than elsewhere, in dividing the working class, utilising in full the strong racial prejudices' (p.2). Capitalism had bribed the white worker with higher wages and higher standards of living than were available in Europe and so made the 'white workers... an aristocrat of labour, and by ceaseless propaganda carried on by the Church, the Press, the Schools, and "public opinion", has been kept separate, economically, culturally and

socially, from his black fellow-worker' (*The Spark*, Vol. 1, No. 1, 1935, 2). The black working-class, it suggested, was also a victim of capitalism's divide and rule tactics:

> The Native worker, usually a worker only of the first generation, coming from the Reserve or the Kraal, backward, downtrodden, uneducated, could not at once shake off his tribal way of life, his barbaric naivety, and his suspicion of the white man, whom he could not imagine in any other role than that of an oppressor. Marxism was too much for him as a start (*The Spark*, Vol. 1, No. 1, 1935, 2)

These 'objective conditions', the Editorial argued, could not persist, because 'faced with the choice between profits and racial sentiment, the Capitalists will always choose profits' (p.3). In confronting this, it suggested, 'the Class-struggle will educate both the Native and the white worker, and will break the barriers which now divide them....' (*The Spark*, Vol. 1, No. 1, 1935, 2)

The role of the WPSA, *The Spark* (Vol. 1, No. 3, 1935, 2) explained, was to play a leading role in advancing the education of the oppressed: 'For it is the mind of the Bantu millions that concerns us, and their old illusions of British liberalism... It is for us to see that this illusion is destroyed.' In focusing on 'consciousness' the WPSA had, I suggest, struck upon an important question about socialist struggle. But it did not yet have the analysis to explain what was going on in the making of consciousness. This was evident in the column, presumably written by Lee, on the 'History of the Working Class' and in the large number of articles on and relating to the so-called Native Question.

'The History of the Working Class' series ran from the second issue in April 1935 (*The Spark* Vol 1., No. 2, 1935) until the tenth issue in January 1936 (*The Spark* Vol. 2, No. 1, 1936). It reminded the reader repeatedly about the failure of the black and white working class to unite, but in its content focused on the history of white workers and their struggles with mining and industrial capital. Its discursive difficulties were evident in its linguistic markers. The term 'workers' was distinctly reserved for white workers only. When African workers were referred to they were labelled 'Native workers'. The contributions, moreover, depended on the economically determinist explanation

that 'white workers have been allocated the role of taskmasters and foremen over the Native workers' (Vol. 2, No. 1, 1935, 14).

The same inaugural issue carried a 2000-word long article on 'The Native Question'. Its chief purpose was to lay out a sociological description of the African population. In stating that The Native Question' was 'The Land Question', it explained that capitalism had depended on 'the labour of the Native population and the leaders of industry set to work with rapacious eagerness to make full use of this magnificent, this astonishingly cheap and manageable supply' (*The Spark* Vol. 1, No. 1, 1935, 8). To satisfy the demand for labour, the government had devised ways of forcing people off the land into industry resulting in Europeans holding 96 million morgen 'while less than 10 million is held by Natives':

> The unashamed land greed... amply account(s) for the presence of many Natives in mining and urban areas and on European-owned farms. Of the total of 5 (and a half) million Natives, over 1 and half million are a landless peasantry, living and working on land owned by white men.... Their condition is that of oppressed drudges, living in serfdom.... Considerably over half a million Native workers are in mining compounds or in urban locations. They are subject to elaborate regulations and restrictions.... (9)

The 'emancipation of the workers, white and black', the article continued, 'can only come through the overthrow of Capitalism and Imperialism. But what the rural Natives (and they are in the large majority) need first of all is *land*' [emphasis in the original] (10). For the industrial workers, it continued, 'The immediate pressing need is an adequate living wage' (*The Spark* Vol. 1, No. 1, 1935, 8).

In the ensuing three years, in the course of over thirty issues, *The Spark* repeatedly returned to the question of the African working-class and to explaining the social structure of South Africa. Two issues provided it with the opportunity to develop its positions on these questions: the so-called Hertzog or 'Native' Bills that were being debated in the white parliament – the arena of domination – and attempts to build a united front of oppressed people in the All-Africa Convention – the arena of struggle.

With respect to both of these questions the point of departure of the WPSA was that '[f]or the revolutionary Marxist the first and fundamental issue is the Class Struggle, and from this angle he views all the problems in present-day society. In this country, more perhaps than anywhere else, the National question is inseparable from the Class Struggle and Class issues' (*The Spark* Vol. 2, No. 1, 1936, 4). However, I argue, beyond asserting the argument that the struggle was a class-based one, it struggled to develop a clear and distinctive perspective on the South African National Question. Each time it ventured towards the topic, it sensed that it could say more but, interestingly, demurred. An important May Day Party Manifesto in 1936 asked '[h]ow is it that in this country the watchful bosses so easily succeed in dividing the workers, and in keeping them divided?' (*The Spark* Vol. 2, No. 5, 1936, 7). A frequently repeated explanation in the journal was that 'the black workers are too new, too inexperienced in industrial life, to know how to deal with the very difficult position in which they find themselves' (8). An article on the 'Friends of the Native' in an April 1936 issue of *The Spark* (Vol. 2, No. 4, 1936, 9) gave a sense of what the theoretical (and political) challenge was but retreated into the dominant party line: 'But the fact that in South Africa the ruling and owning classes are light-skinned, while the very majority of the working class are dark-skinned, is cleverly used by the rulers to obscure the truth that our struggle here is part of the struggle that is going on in nearly every country of the world.' On another occasion (*The Spark* Vol. 2, No. 7, 1936, 3), in an article entitled 'Thoughts before the Convention', addressed, presumably to the intended delegates of an AAC Convention, it spoke about how Selby Msimang explained 'race relations' in South Africa and commented that 'he does not see the driving force underlying these race relations. The relation is not, as he thinks, White versus Black in the abstract: but it is white Imperialism-Capitalism versus a colonial people for economic exploitation and profit' [emphasis in the original].

The term the WPSA drew on to capture the social experience of black people in general was 'segregation'. Black people, it said, were victims of a policy of *segregation*. An important opportunity to explore the issues arose in a debate between Ralph Lee and the rest of the Party (*The Spark* Vol. 2, No. 8, 1936, 13) on the Hertzog Bills. The Party took issue with the way in which Lee characterised the South African social landscape as one inhabited by 'two mutually hostile subject nations'. That Afrikaner people were 'subjects' correctly offended the members, but it itself attributed what it called 'the submissiveness... of the Bantu to the military power of Imperialism' (15).

In an article on 'The Skollies', a Cape term for a local gangster, the WPSA explained that the root causes of 'skolly behaviour' were frequently attributed by people in authority to the biologies of people but that they actually lay in the social conditions in which people found themselves:

> In countries where the down-trodden are clearly marked by a stronger pigmentation of the skin, it is easier to put the blame for their anti-social behaviour upon their 'bad blood' rather than poverty, lack of educational facilities, and ignorance. That the American negro because of his mixed stock is a potential law-breaker, is an arrogant belief that is today shared not only by the millions of ignoramuses, but even by some fools who occupy academic chairs (*The Spark* Vol. 3, No. 8, 1937, 14).

CONCLUSION

Bond's contention that the Marxist tradition of the 1930s did not produce a 'major analytical statement that advanced our knowledge of even development as an interrelated class, racial, gendered, ecological, geographical and geopolitical process' is largely correct. His observation was informed by Trotsky's major theoretical contribution about the 'combined and uneven' development of capitalism in countries such as Russia leading him to wonder why this insight was not taken up by the South African Trotskyists of the 1930s. It was not until the contribution of Martin Legassick from the 1970s and onwards that opportunities were taken to pursue this line of analysis.

In mitigation, it could be said, the first few steps of the Trotskyists in the 1930s were being explored in circumstances of intense social, political and even personal strain. The Trotskyists found themselves besieged at almost every level. They had to deal with the scrutiny of the bourgeoisie *and* with the possibility of Stalinist violence. They were, as a result, hyper-conscious of questions of security. More significantly, they had in the *Draft Theses* of the Lenin Club an understanding that the intense exploitation of the African working-class had to be explained. It was here that the first few years of the life of the WPSA, as revealed in *The Spark*, could be said to have *not* produced that explanation. The clearest explanation that the Party could deliver was that the South African bourgeoisie was intent on refining the mechanisms and tools of *segregation*. Segregation, in this explanation, distinguished South African capitalism. In taking

these postures the WPSA effectively remained in the clutches of the dominant racial thinking of the time In terms of this, African people were sociologically constructed in ways that were no different from the approaches taken in the ruling class and in the Stalinist community. Segregation was not analytically deconstructed. It was presented, simply, as an instrumental measure of social division.

It would take, I argue, the intervention of the young WPSA members at the end of the 1930s to turn this situation around. It is in 1939 that people such as Ben Kies began to talk not simply about segregation but of racism (see Soudien 2019). It is racism, he begins to explain, which is the central ideological mechanism which made capitalism as successful as it was in South Africa. In this he took the idea that was there in the *Draft Theses*, undeveloped, and, powerfully, almost uniquely in the world, began to articulate how a system of exploitation was able to oppress and exploit a people both so physically and ideologically. He showed how 'race' worked to legitimise exploitation and took the WPSA a long way from its simple segregation explanation of South African capitalism. He gave content to the idea of 'segregation', showing how it worked practically and discursively.

NOTES

1. I wish to state here that I have struggled with the unacknowledged racisms, sexisms and the many other othering inclinations implicit in the discourses of our intellectual ancestors. I, as researchers and scholars elsewhere in the hyper-racialised world in which we live, have struggled with what to do with terminology which was in their time, and still remains in some parts of the world today, normatively acceptable, inscribed in their language and vocabularies which offends in our current times. I use terms here as they are presented in the historical archive but say that everywhere else where I am in control of the narrative I use more politically acceptable terms.

REFERENCES

Bond, Patrick. 2010. "A Half-Century of Competing Political Economic Traditions in South Africa." Unpublished paper presented to the conference on Race, Class and the Developmental State, 16 November, 2010, Port Elizabeth.

Bundy, Colin. 1987. "Land and Liberation: Popular Rural Protest and the National Liberation Movements in South Africa, 1920-1960." In *The Politics of Race, Class and Nationalism in Twentieth Century South Africa*, edited by Shula Marks and Stanley Trapido, 254-285. Burnt Mills, Harlow: Longman.

Deutscher, Isaac. 1972. *Marxism in our Time*. London: Jonathan Cape.

_____ 2003. *The Prophet Outcast: Trotsky 1929-1940.* London: Verso.

Drew, Alison. 1996. *South Africa's Radical Tradition: A Documentary History* Vol. 1. Cape Town: University of Cape Town Press.

Hirson, Baruch. 1989. "Spark and the 'Red Nun'". *Searchlight South Africa* 1, no. 2. February: 65-78.

_____ 1993a. "Colour and Class: The Origins of South African Trotskyism." *Revolutionary History 4*, no. 4 (Spring): 25-56.

_____ 1993b. "The Trotskyists of South Africa." *Searchlight South Africa* 3, no. 2: 54-118.

_____ 1995. "A History of the Non-European Unity Movement." *Searchlight South Africa* 3, no. 4: 64-93.

_____ 2001. *The Cape Town Intellectuals: Ruth Schechter and Her Circle, 1907-1934.* Johannesburg: Witwatersrand University Press.

Kayser, Robin. 2002. "Land and Liberty!: The Non-European Unity Movement and the Land Question, 1933-196." Master of Arts diss. in Historical Studies, University of Cape Town.

Koston, Paul. 1935. Letter to Ralph Lee. Historicalpapers.wits.ac.za/inventories/inv_pdfo/AG2722/AG2722-F1-2-002-jpeg.pdf. Retrieved 20/11/2021.

Rassool, Ciraj. 2004. "The Individual, Auto/Biography and History in South Africa." Diss. Submitted for the degree of Doctor of Philosophy in History, University of Western Cape, May 2004. Cape Town.

Sandwith. Corinne. 2014. *World of Letters: Reading Communities and Cultural Debates in Early Apartheid South Africa.* Pietermaritzburg: University of KwaZulu-Natal Press.

Soudien, Crain. 2019. *The Cape Radicals: Intellectual and Political Thought of the New Era Fellowship, 1930s to the 1960s.* Johannesburg: Wits University Press.

Southall, Roger. 1978. "Marxist Theory in South Africa until 1940." MA Thesis, University of York.

Ticktin, Hillel. 1991. *The Politics of Race.* London: Pluto Press.

Ticktin, Hillel. 1994. Letters: South African Trotskyism. *Revolutionary History, 5*, no. 2 (no page numbers.

Trotsky, Leon. 1975. *The Writings of Leon Trotsky* [1930]. New York: Pathfinder Press.

The 'new' Customary Land Tenure in Zambia: Implications for Women's Land Rights and Livelihoods

PHILLAN ZAMCHIYA AND CHILOMBO MUSA

ABSTRACT

This paper argues that the formalisation of customary land through a rural certification programme in Nyimba District, Zambia, has triggered the establishment of a new tenure regime that transcends the dualism between western legal forms of private property and idealised customary systems. Within this agrarian transition, the number of social conflicts over land boundaries have fallen, at least in the short term; women's perceptions of tenure security have improved, and women's participation in land administration at the local level has increased. In addition, a significant number of married women have registered residential land and farmland in their own names. However, the transition has also produced a number of negative impacts. Multiple land claims by women have been dismissed and men have continued to dominate power relations in the district. Certification has not necessarily led to greater access to credit, improved agricultural productivity, or a rise in investment. Informal land markets have become more expensive with certification producing a veneer of legitimacy for buying and selling customary land even though such transactions remain, strictly speaking, illegal. On the other hand, agrarian support has been skewed to the benefit of wealthier, better-connected, and dominant women with land-holding certificates and to the detriment of less-powerful women. Accordingly, many of the envisaged benefits of formalisation through an evolutionary approach to land tenure rights have not been realised. The argument developed in this paper

is based on original field data obtained through quantitative household surveys, in-depth interviews and focus group discussions.

INTRODUCTION

One of the most dramatic post-colonial developments in sub-Saharan Africa today is the drive towards formalisation of property rights in land, for people who live under customary tenure. Customary tenure often refers to a set of unwritten, traditional and socially acceptable rules about how to use and allocate land and natural resources (Hull et al. 2019). Estimates show that 78% of land in Africa is held under customary tenure and in sub-Saharan Africa these estimates rise to 90% (Chimhowu 2019, 897; Wily 2017). In some of the literature, customary tenure is depicted as being synonymous with communal landholding, meaning a collective ownership of land (Otsuka et al. 2000). In reality though, most customary African tenure systems display a distinctive set of features as land rights are both individually and collectively held. (Berry 1993; Cousins 1997; Okoth-Ogendo 2003; Nyamu-Musembi 2006; Peters 2004). People gain land rights through recognised membership of social units of community, kinship networks and family, either through allegiance to the group or birth. Customary land rights are socially embedded, overlapping, and nested, a transgenerational asset, multiple, negotiable, flexible and adaptable to change and are usually governed under the authority of traditional leadership, families or clans (ibid).

Some free-market economists, most western donors and some African feminist lawyers argue that land rights are insecure under the customary system as compared to statutory tenure which provides formal written legal rules and proof of land ownership in the form of title deeds, state leaseholds and land registration certificates recognised by a public authority (Beinart, Delius and Hay 2017; Deininger 2003; De Soto 2000). However, formalisation of property rights in this article includes surveying of boundaries, registration and documentation of customary land rights by non-state institutions even when not provided for in the law (Meinzen-Dick and Mwangi 2009). Other scholars see this as a 'third approach' signifying a departure from the mainstream private titling agenda (Green and Norberg 2018).

This paper argues that the so-called 'third approach' remains embedded in evolutionary models of land tenure rights whose central logic is a drive towards western forms of individualised private property ownership (Platteau 1996, Yngstrom

2002) but this time through gradual, cheap, subtle and less conflictual ways that do not immediately upset the underlying structures of power. Either way, proponents believe that individualisation of property rights ensures tenure security, improves the functioning of land sales and rental markets (Deininger and Feder, 2001), provides incentives for investment (Galiani and Schargrodsky 2010), improves agricultural productivity and efficiency (World Bank 2008, 139-141), ensures access to credit facilities (DeSoto 2000) and deepens democracy (Atuahene 2005).

Within this agrarian transition, women in particular are expected to benefit remarkably from formalisation, in a context where customary norms are argued to be 'backward' and not gender-neutral (Ayano 2018; Deininger et al. 2008; Mekonen et al. 2020). As Salcedo-La Viña (2020, 2) argues, 'land titles are often used as a proxy for women's land tenure security'. Proponents argue that tenure reforms have brought better protection of rights through formalisation compared to the situation before (Wily 2017). These theoretical propositions are now being forcefully supported by empirical data that tends to show significant benefits for women on the African continent. Rwanda is often referred to 'as a global land governance leader' after having issued 7 million certificates of title and establishing the Land Administration Information System (LAIS)' (Hughes 2022, 1). The Rwanda programme is said to have ensured that more women than men officially own a plot of land with an official title document and to have prompted better 'recording of inheritance rights without gender bias' with a positive impact on investments for women (Ali, Deininger and Goldstein 2014, 262). In Ethiopia, land certification is said to be 'wealth-neutral' and to have strengthened the security of land rights for women who are among the poorest. It is also presumed to have shifted the balance of power in ways that favour women (Deininger 2010; Mandhu and Mushinge 2022; Muchomba 2017). Advocates hail the joint land certification to spouses in Ethiopia and Tanzania, the recognition of women's rights to be represented on customary Land Boards in Tanzania, the division of land between both parties following divorce in Ethiopia, the rights of women to gain land in their own right in Tanzania and Uganda, and the rights of women to sell their land in Tanzania and Uganda (see Amanor 2012, 43; Mandhu and Mushinge 2022; Muchomba 2017). Formalisation is also argued to have reduced violence against women and vulnerable groups (Mekonen et al. 2020).

This evolutionary development approach ignores the broader political economy of agrarian change and the consequences for the socially excluded groups in their

differentiated way, especially women, the focus of this article. The benefits of private property rights in sub-Saharan Africa have been overestimated (Platteau 1996) and may even worsen the position of intended beneficiaries (Feder et al. 1988). Rural certification can reduce rural development to how many certificates have been issued to women and ignore the broader context of power and property relations which largely governs land access (Whitehead and Tsikata 2003). Documentation of land rights has also helped to enhance the territorial interests of the state and traditional authorities to govern, control people and consolidate authoritarian power (Boone 2007; Chinigò 2015; Scott 1998).

On the other hand, the processes can make customary tenure more legible and available on the markets (which are not gender neutral) dominated by wealthier, more educated and more powerful women and men with social and political networks at the expense of the poor households (Chitonge et al. 2017). In other cases, individualisation has led to the exclusion of distinct multiple and layered land claims to common resources which are difficult to record and register (Cousins 2021, 191) by 'women, youths, and seasonal users, among others' (Meinzen-Dick and Mwangi 2009, 36). Formalisation has also proven not to be a silver bullet to unlock lending to the poor by commercial banks as evidenced in many parts of Africa, like Nyeri and Kakamega districts in Kenya (Place and Migot-Adholla 1998), and more recently in Manyara, Mbeya and Dodoma regions in Tanzania where people were given Certificates of Customary Rights of Occupancy (Stein et al 2016). Technically fixing land governance without agrarian support is not likely going to lead to increased productivity, investments, economic development and poverty reduction. In fact, there is a danger to institutionalise gendered inequalities (Ayano 2018). In other cases, formalisation has caused conflict through introducing simplified and alien categories such as the 'owner' which tend to contradict local custom and pre-existing system of family rights (Ayano 2018; Claasens and Ngubane 2008,15). In fact, most land registration programmes fail to appreciate the nature and content of women's rights in family-based systems and exacerbate the insecurity of single women (Claasens and Ngubane 2008; Whitehead and Tsikata 2003). The associated land registers are a recurrent cost and difficult to maintain to an extent that they lose track over time and fail to reflect the contemporary accurate record of changing local land relations (Cousins 2021). The individualisation approach underplays the reality that community ownership of land allows for its redistribution among community members and is, thus, a social safety net and a hedge against landlessness.

Simplified approaches to formalising women's land rights tend to assume that women are a homogeneous group and ignore the socially differentiated ways in which they experience land tenure. Tenure relations are shaped by marital status, economic position, education, age, and social and political power, among other factors (Chigbu et al 2019). For example, economic power allows women to negotiate access to land, purchase land even on the open market and enforce their rights (Chitonge et al 2017). Women with higher levels of formal education have more information about land rights and are in a better position to contest external and internal threats to their tenure (Paradza 2011). Biological age is a factor since older women have more bargaining and decision-making power over land which is acquired over time after fulfilling constructed social reproduction roles such as having children (Cheater 1986). Social and political power gives women more power to gain access to land and more control over the resource (Paradza 2011).Ignoring some of the differentiated gender experiences is likely to obscure analysis of the impact of formalisation and exacerbate the vulnerabilities of those affected, rather than help them.

Given the contested nature of formalisation outcomes, this article seeks to enrich the debate by presenting the findings of a field-based study undertaken in Kaliwe and Vuzimumba villages under the jurisdiction of Chief Ndake in Nyimba district, Eastern province in Zambia. The area is fertile for the study because it has been the site of a rural certification programme through the issuance of Customary Landholding Certificate (CLHC) since 2015 and the envisaged benefits or risks are now evident. The CLHC is called the third way because it is not mentioned in Zambia's Land policy and the 1995 Lands Act and is different from the four leaseholds issued by the state which can be registered as 'private property' in the deeds registry (The four leases are a ten-year land record card, a 14-year lease for unsurveyed land, a 30-year occupancy licence, and a 99-year renewable lease (Chitonge 2022,50)). On the other hand, the CLHC is different from the traditional land rights system which ideally does not require to be written or documented in order to be legitimate and recognised. The drive to register customary land rights through CLHCs was supported by Civil Society Organisations (CSOs), particularly the Zambia Land Alliance (ZLA), and western donors with a view to strengthen tenure security through individualisation, especially for women. The certificate shows the name of the person, often a head of household, occupying the parcel of land, the size of the land, and the name of the next of kin.

This paper argues that as a result of the intervention, customary tenure has transcended western legal forms of private property and idealised undocumented customary systems. Within this agrarian transition, social conflicts over land boundaries have reduced, at least in the short term; women's perceptions of tenure security have improved; more married women have registered land in their own names; and women's participation in land administration at the local level has increased. However, the research also identified a number of significant risks offsetting these benefits. The findings are that the new regime has produced new processes of social exclusion through the denial of many of the land claims made by women, skewed power relations in favour of men and failed to establish a link between certification and access to credit, increased agricultural productivity and greater investment. Formalisation has encouraged the rise of expensive informal land markets, as the process of registering customary land had boosted the perception that it may readily be bought and sold.

It has also concentrated land among a few elites and biased agrarian support to wealthier, better-connected and dominant women who had acquired land-holding certificates, to the detriment of poorer and less powerful individuals.

This article is organised into five broad but interrelated sections. First, it seeks to provide the national context through a focused debate on Zambia's dual land tenure system and how this allows for the formalisation of customary land. Second, it describes how the field data for this research project was collected and analysed using both qualitative and quantitative methods. Third, it introduces a case study in Nyimba District, unpacking how residents are able to acquire customary land-holding certificates. Fourth, it presents the empirical findings of the study in Nyimba, as discussed above. Fifth, the paper broadens its analysis to show how our empirical findings compare to six broader debates about tenure reform and women's land rights in Africa and what this might suggest for policy. In the section that follows, we explore the context.

CUSTOMARY LAND TENURE FORMALISATION IN ZAMBIA

Colonial constructions partially shape the present systems of land tenure in Zambia where British colonialists introduced the western concept of registration of individual property rights. This came into effect through the promulgation of the 1928 Crown Land and Reserve Order, which introduced dual categories of the land tenure system

known as crown land and reserve land (Bates 1976). Crown Land was administered under statutory law and designated for the occupation of white settlers only with private title or leaseholds. On the other hand, native reserves were administered under customary law. It is important to note that in pre-colonial Zambia, land was governed by traditional leaders through the customary tenure system. However, traditional leaders were not regarded as owners of the land because land belonged to the community whose concern was social relationships rather than property rights (Bates 1976; Mamdani 1996). The colonial administration conflated the traditional leaders' cultural roles with 'ownership' and authority over land in Africa (Chanock 1991). Traditional leaders were thus empowered to govern land on behalf of the colonial authority in a system called indirect rule or 'decentralised despotism' (Mamdani 1996). Within this transition, colonialists mischaracterised the nature of women's land rights (Yingstrom 2002). The prevailing revised version of customary law in many parts of Africa is a product of colonial misinterpretations of the African system (Peters 2004).

Zambia, like many other African countries, inherited a distorted and anti-democratic version of customary law upon independence in 1964. The only noticeable immediate effect was the renaming of Crown Land to State Land. Kenneth Kaunda's socialist government only introduced significant reforms in the 1975 Land (Conversion of Titles) Act. The Act replaced freeholds with 99-year leaseholds and banned private ownership of land. With the 1990s' wave of structural adjustment programmes which were meant to promote free market principles, Frederick Chiluba's government introduced the Lands Act No. 29 of 1995 which repealed the Land (Conversion of Titles) Act of 1975 and other land laws. The Lands Act No. 29 of 1995 upheld the dual land tenure system of customary land under the administration of traditional leaders and state land administered through leasehold titles, but all land is vested in the President who holds it in perpetuity, for and on behalf of, the people of Zambia (sec.3(1), Lands Act, 1995). State land is administered by the Commissioner of Lands who is situated at the Ministry of Lands. The Lands Commission is established by the Constitution of Zambia, No. 2 of 2016 to administer, manage, and alienate land on behalf of the President.

The administration of customary land, formerly reserve land until the 1995 Lands Act, by traditional leaders has remained largely unchanged from colonial times. Chiefs have legal power to administer customary land with a strong say over what happens

on the land (Sec. 8(2) and 3, Lands Act, 1995). There is no standardised customary land management system as the beliefs, norms, culture, and values of a particular community determine the administrative procedures taken by that community. The 2021 land policy clearly states that 'Chiefs' would administer traditional land and the Constitution of Zambia also recognises customary tenure. However, Chiefs do not only derive their power from law and colonialism. They also derive their authority over land from social, cultural and historical ties to it, as well as weaknesses of African states (Chitonge 2022). However, the relationship between the state and the Chiefs has been contentious in many parts of Africa, and Zambia is not an exception. Zambia failed to have a land policy between 1964 and 2021 because of the contested role of traditional leaders over land administration. As in many parts of Africa, the contestations have mainly centred on the state's attempts to democratise the institution of traditional leadership and to reduce the administrative powers of the Chiefs over land. See Ntsebeza (2006) for South Africa, Alexander (2018) for Zimbabwe and Chitonge (2022) for Zambia. Their relationships have been complex with the state sometimes making concessions and at other times threatening to discipline them. However, the influence of traditional leaders over the electorate has had a significant impact on how politicians have dumped reforms to democratise the institution (Comaroff and Comaroff 2018).

Even though traditional leaders exercise power and authority over land, an important dimension in Zambia is that, 'customary land is seen as a fungible bundle of property rights that can easily be converted, transferred, and transformed from user rights in land into private property' in line with a modernist framing that venerates western notions of private property (Amanor 2012, 734). This is evident because Section 8 of the 1995 Lands Act, Chapter 184 of the Laws of Zambia, provides for the conversion of acquired customary land to state land through leasehold titles not exceeding 99 years. The legal process for conversion is that the Chief with jurisdiction over the concerned customary land must give written consent for its conversion to the district council. Second, the district council must submit to the Commissioner of Lands a resolution recommending whether or not to convert the customary tenure into leasehold title. The Commissioner of Lands then makes a final decision on conversion. However, there is a need to consult with any person or body whose interest might be affected by a land conversion (Sec. 3(4), Lands Act, 1995). The conversion allows for a certificate of title to be issued after the conversion and all statutory fees will then

apply. Upon expiration of the lease, the land does not revert to customary land and is thus forever lost from the custody of traditional authority.

The formalisation of customary land allows 'the dominant political coalitions at the local level to redefine customary tenure in line with their narrow group interests and appropriate the land of the poor and marginalised' (Amanor 2012, 734). As a result, the proportion of customary land in Zambia has diminished over the years but the extent of the conversions has not been officially documented. Although government documents estimated state land at 10% and customary land at 90% (Ministry of Lands and Natural Resources, 2017) this is contested by empirical studies. Sitko and Chamberlin (2016, 49) argue that land which remains under customary tenure has declined to approximately 51-54% from 94% at independence. The decline is also consistent with Chitonge's (2022, 50) findings which show that customary land now covers about 40% of Zambian land. Nevertheless, land under customary tenure is still significant and remains home to the majority of Zambians. Empirical evidence suggests that the conversion of customary land to leasehold tenure is creating opportunities for urban and local elites (including economically and socially powerful women), some traditional leaders, and foreign investors, but it is creating problems for the majority of the people (Chitonge et al 2017, 83). In a study of land conversions in the Mungule area, 10 women from Lusaka 'acquired and converted customary land, while no single local woman in the area is reported to have successfully converted customary land into leasehold tenure' (Chitonge et al. 2017, 97). Most of these 'hold land for speculative rather than productive purposes' (Sitko, Chamberlin and Hichaambwa 2014, 791). Consequently, 'land title holders are not statistically significantly different from non-title holders in terms of agricultural productivity, despite greater access to investment capital from wage earnings and higher levels of education (Sitko, Chamberlin and Hichaambwa 2014, 791). In high potential agricultural areas, this is accelerating the growth of medium-scale farmers signifying high land inequality leading to 'substantial underutilization of agricultural land' (Sitko and Jayne 2015, 869). The conversions have also catalysed the massive physical and economic dispossession of locals by large-scale land-based investments.

However, very little effort has been made to understand the context of customary land holding certificates in Zambia except for some grey material (see Bessa and Malasha 2020; USAID, n.d.) and a few academic studies (Green and Norberg 2018; Jain et al.

2016; Umar and Nyanga 2022). CLHCs have promoted individualisation of tenure by registering only the name of the head of the household in question, who in many cases is a man, even in matrilineal societies. Just as the administration of customary land has not been standardised across Zambia due to the diversity of cultural systems across the country, so the process for issuing CLHCs has also not been standardised. In some chiefdoms, international organisations such as the United States Agency for International Development (USAID), support the CLHC issuance process using technologies such as Mobile Approaches to Secure Tenure (MAST), a model that uses mobile devices to map, record, and document land and resource rights (USAID, n.d.). Using this model, USAID produces CLHCs that contains information such as the names and photographs of occupants, the uses to which the land is being put, and the basis of the land claim (USAID, n.d.). The USAID Integrated Land and Resource Governance (ILRG) programme has reported that more than 50,000 rights have been documented in this way in partnership with organisations such as the Petauke District Land Alliance and the Chipata District Land Alliance (Bessa and Malasha 2020,2). In other chiefdoms, the documentation process has been less technologically intensive as explained later.

Green and Norberg (2018) conducted a qualitative study of the CLHC programme in the Petauke district in eastern Zambia. To them, this trajectory is a 'third approach' signifying a departure from the mainstream private titling agenda. They argue that one of the reasons for introducing the CLHC was to arrest commodification. However, they found that certificates were reinforcing commodification and increasing land access inequalities because traditional leaders were abusing the process to 'impose institutionally induced scarcity, thereby failing to provide already vulnerable groups with more secure rights to land' (Green and Norberg 2018, 613). Whist their findings provide great insights about the limits of rural certification, it is their assumptions about the motives behind the programme that can be problematic. As indicated earlier, the 'third approach' remains embedded in western oriented evolutionary models of land tenure rights. The long-term envisaged benefits remain the same as those of private titling. In another study in Mongu district of the Western Province, Jain et al (2016, 87) found that 66.7% of customary landholders with certificates think they are protected from losing their land. However, they argue that this does not entirely improve tenure security because of the long overdue 'absence of legal recognition' (Jain et al. 2016, 88). We posit that rights associated with law do not automatically

alter power relations especially between women and men. In some cases, holding a legal certificate can fail to transform gendered power relations and enhance women's control of their bundles of land rights. In some cases, customary land rights are socially legitimate through custom and might protect the poor and vulnerable. Other scholars have looked specifically at the gender impact of customary land rights documentation. Based on qualitative data from Chipata and Petauke districts, Bessa and Malasha (2020, 6) argue that 'land documentation can create resentment and increase conflict not only between spouses, but also within families and communities, often leading to GBV [Gender Based Violence]'. This contrasts with mainstream theories that tend to argue that formalisation will reduce social conflict in all contexts.

A more positive picture of rural certification emerges from Umar and Nyanga's (2022) study in Rufunsa, Chipata and Chisamba districts through social learning labs. Their results indicate that 'customary land certification reduced customary land markets and land conflicts, enhanced land tenure security and transparency in customary land administration... in the study sites' (Umar and Nyanga 2022, 1). They further submit that 'access to financial credit was indirectly increased, as certification provided customary landowners with proof of residence, a requirement for bank loans' (ibid). However, their methodology is partly flawed. First, all their key informants namely chiefs, village head persons, development actors and 'land governance experts' were part of the actors who initiated, funded and implemented the programme and were most likely to paint a positive picture about it. Second, the social learning labs were composed of villagers, chiefs and their representatives which could have made it difficult for villagers to raise negative issues about the programme. Third, Umar and Nyanga (2022) do not justify how and why participants were invited to the social learning labs. As Umar and Nyanga (2022, 27) acknowledge,

> the social learning approach may be used to legitimize interventions or to gain support for proposed interventions by simply manipulating who gets invited to participate in the social learning labs.E.g. pro-customary land certification organizations may invite more stakeholders they know to be in support and fewer from the anti-formalization group.

A different methodology, such as the one we adopt below, would be able to provide a more holistic picture.

MATERIALS AND METHODS

The data for this research was collected using quantitative and qualitative methods in three phases between 2020 and 2022 from Kaliwe and Vuzimumba villages in the Nyimba District. The researchers reached 93 respondents in the first phase of the research in 2020. First, the researchers conducted seven semi-structured interviews with key informants who represented a wide range of the community and were involved in the certification programme to understand the context, process and perceived outcomes. These were distributed as follows: five from the local Land Allocation Committee (LAC) constituted by the local Chief comprising residents and village heads who helped to issue the certificates; Chief Ndake who presided over the certification programme, and a representative from the ZLA who was responsible for mobilising women to acquire certificates for their land. One might view these as biased sources because they initiated and implemented the programme. The researchers therefore used the village register to randomly identify the respondents rather than to be referred to the interviewees by key informants. This increased the chances to hear from proponents and those opposed to the programme.

In the first phase, the researchers had two focus group discussions comprising twelve women each and one community meeting attended by 37 women and 11 men, and eight in-depth interviews with women. This was followed by seven semi-structured interviews with key-informants from government departments and local commercial banks in order to verify some of the information, for example, access to credit in order to increase the validity of observations and the conclusions drawn in the research. Sometimes key informants offered distinctively different views to those of the community members, but a careful analysis of both sides and triangulation of some of the variations in experiences and perceptions revealed the realities on the ground and the related political rhetoric. The researchers used a thematic approach to identify and analyse repeated patterns related to the formalisation of customary land and its implications for women's tenure security, and an illustrative method to relate the data to theory (see Neuman 2003, 47).

The researchers then undertook the second phase of the research in October 2021, involving the administration of 100 questionnaires to households in Nyimba. The research team analysed the survey data using descriptive SPSS (statistical package for social sciences) software. The final phase, concluded in December 2022, involved

24 in-depth interviews with purposively sampled women across a broad range of categories such as marital, education and socio-economic status for specific insights and explanations of the statistical data. It also involved a stakeholders' meeting to validate the findings. This article only uses the real names of interviewees in instances where they gave full consent. The approach enriched us with new perspectives as discussed next.

PROCESS OF ACQUIRING THE CLHC IN NYIMBA

In order to acquire a CLHC in Nyimba District a number of steps had to be taken:

1. The individual land rights holder acquires a CLHC application form from the Chief or his designates at a cost of K50/USD 2.75.
2. A village head and the LAC overseeing the process inspect the land in question to verify that there are no ownership disputes. If there are, local elders try to resolve them. If such resolution fails, the process does not proceed.
3. The village head and the LAC consult neighbours to verify the boundaries of the land in question. The neighbours' approval is required for the process to proceed.
4. Para-surveyors, where available, help with the estimation of land sizes.
5. Once ownership and extent of the land have been verified, the Chief issues his approval.
6. The applicant then pays the fees for the CLHC, which differ according to the size of the land question (see Table 1 below).
7. The CLHC is recorded on a computer, which is held at the Chief's palace.

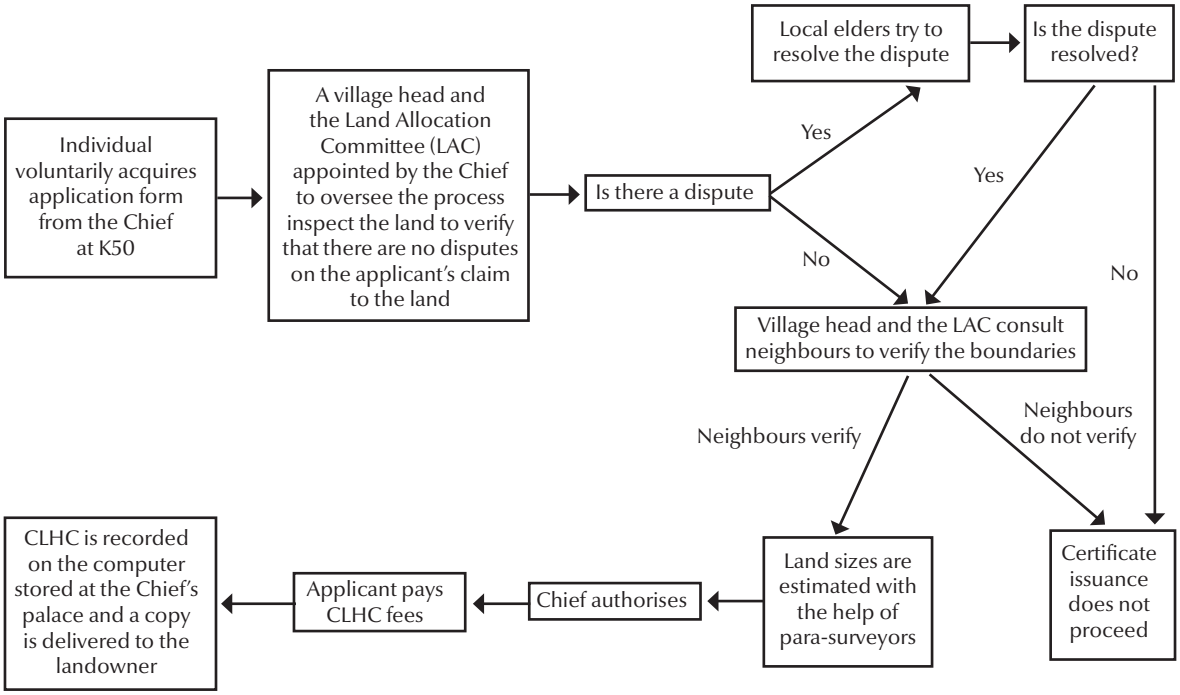
Table 1: Cost of acquiring a customary land-holding certificate

Hectares	**Zambian Kwacha**	**USD***
Less than 1	100	5.51
1–5	150	8.26
6–10	200	11.01
11–15	250	13.77
16–20	300	16.52

* Based on an exchange rate of 1:18.15

The process of acquiring a certificate is detailed in Figure 1 opposite.

Figure 1: Process of acquiring a CLHC in Nyimba



The CLHC fails to provide for rights of access to common-property resources such as firewood, wood for charcoal production, medicinal plants, grass for thatching, water, and grazing land. As Cousins (2021) argues, most African customary tenure systems include governance provisions for residential, arable, and common-property resources, although the latter are often ignored in land tenure reform programmes. We now look at whether the new system produced more democratic gender-equal land governance.

THE EMERGING HYBRID SYSTEM OF LAND GOVERNANCE

The system for administering CLHCs in Nyimba District was leading to the erosion of traditional and patriarchal norms of governance dominated by the Chief and appointed village heads. In the place of these traditional leaders, a new hybrid group of land administrators, comprising both traditional leaders and LAC members, started to emerge. The new regime was loathed by most village heads who saw it as a direct threat to their power and authority over land. However, the Chief preferred the new hybrid model. He believed that the LAC broadened decision-making over land, was more participatory, and reduced opportunities for corruption by village heads,

while providing more space for women to participate. During a visit to the Chief's palace, the researchers found women actively participating in the LAC and making themselves heard over the voices of the men. It was also found that traditional courts were increasingly using CLHCs in adjudicating land disputes. Atuahene (2005) argues that greater participation from women in land administration at the local level might raise prospects for a deepening democracy. Nevertheless, while the new hybrid land tenure regime allows women to participate in land administration committees, the reality is that the Chief still wields significant sovereign power to authorise or deny the issuance of certificates. The Chief also appointed LAC members and, to an extent, they served at his pleasure.

Meanwhile, the computerised documentation of CLHCs entailed the establishment of a new system of land administration, which was quite costly in terms of human resources and maintenance – and, in the case of the Nyimba District, difficult to entrench. When researchers visited the Chief's palace, the technocrat who had been appointed to manage the computerised land rights register for the new system was not at work due to lack of funds. The para-surveyors who had been employed to assess and check land boundaries were also no longer at work, and the para-legals who had helped to draft the CLHCs had left. The Chief complained of the high and recurring costs of updating and maintaining the computerised registry in the absence of financial support from the ZLA, donors, and the government. In seeking to address this problem, the Chief proposed that the cost of acquiring the certificates could be raised, which would have the effect of further marginalising poor people from the system. Most land registry systems bear recurrent costs leading to outdated registers in most countries which adopt formalisation (Cousins 2021). In assessing the impacts of the CLHC registration regime it was important to ascertain who had benefitted and who had lost, and whether and how it had produced gender equality in the distribution of land.

SOCIALLY DIFFERENTIATED BENEFITS

In this regard, it was found that in the Nyimba District a significant number of women were now able to register customary land in their own names, which represented a new social phenomenon. In part, this change stemmed from how the campaign to issue CLHCs had been deliberately aimed at ensuring that women in the Nyimba

District could register land in their names. ZLA local coordinator, Elias Simbeye, noted that women accounted for 1,700 of the 3,500 people who had acquired certificates in 2019 and 2020. The survey conducted for this study in Kaliwe and Vuzimumba found that 60% (n=100) of households had acquired certificates. A significant 53% (n=60) of households with certificates were in the woman's name. In this matrix, 71.7% (n=32) of the women owning a certificate were monogamously married and the largest number of beneficiaries, 6.7% were in a polygamous marriage, 3.3% were divorced, and 18.3% were widowed.

Most of the married women who had acquired the certificate said they wanted to avoid eviction in the case of the death of a husband. As one of the women, Margret Mwanza, explained:

> The problem is: if my husband dies, I lose my farm. The relatives of the husband will chase me away with the children. This is common practice in the area. That is why I decided to get the certificate.

In addition, a number of the married women listed their sisters and children, in particular their daughters, as next of kin on CLHCs so that land could bequeathed to them. The married women considered girls to be more responsible than boys as the latter were thought to be more likely to exclude the rest of their immediate family from the land once they get married. The new social dynamics created by the expression of women preferences for the transfer of land caused resentment among men, many of whom preferred that their sons be registered as next of kin. The issue of resentment resonates with the findings of Bessa and Malasha (2020).

Civic education of gender equality, which had been provided in the area by CSOs like ZLA seemed to have empowered married women who were prepared to register land in their own names without fear of a patriarchal backlash, which could take the form of gender-based violence (GBV). Meanwhile, Chief Ndake appeared committed to the promotion of women's rights. For example, a full-time secretariat had been established at the palace to address and respond to incidents of GBV. In this regard, the assertion made by Alexander (2018) that chiefs have never constituted a homogeneous group is relevant.

Although many married women seemed to have derived clear benefits from the introduction of CLHCs, not all married women benefitted from the registration process, the implementation of which was still partly shaped by the degree of patriarchy in any given family. So, for example, the obligation to list only one person as the landholder on the certificate negatively affected many married women in patriarchal households. The husband on his own would be registered as the landholder, while sons, brothers, and uncles would be listed as the next of kin, exacerbating the vulnerability of the wives in the case of divorce or the husband's death. In this regard, marrying and staying married represented an important route to tenure security among the women surveyed.

Furthermore, it should be noted that the registration of land by married women in their own names did not necessarily lead to them assuming control over the land in question. In many cases, husbands, as the assumed head of households, still exercised control over the land. In this respect, the research found that only 20% (n=32) of the married women who held certificates in their own names considered themselves to be the primary landholders. The other women (80%, n=32) indicated that their husbands or other family members were the primary landholders. In other words, ownership, as this was expressed through the name on the certificate, was not necessarily reflected in the actual power relations on the ground, governing who controlled the land, and it did not necessarily lead to a transformation of these relations. As Ivanda Ndhlovu explained:

> Just because I have a land certificate, it does not mean that I have power over my husband. I am submissive. The "law" says that he is head of the household. From the start, I was told by my parents that the husband is the head of the household. He still makes decisions on what we do on the land. My duty as a wife is to follow.

One of the starkest findings was the extent to which there was differentiation in the registration of customary land among women along the lines of age, marital status, and educational background. Single women without children were the least likely to be able to acquire a certificate as a result of continued discriminatory cultural norms and practices within the formalisation process. Single women, who are expected to

leave the family land once they are married, tend to be considered 'transient' in rural cultures in places like Nyimba. Against this background, single women seeking to apply for a certificate were first required to obtain consent from their family. Rebecca, a single woman, explained:

> The family gives me land to farm. However, when I wanted to go and acquire the certificate, the family elders said, "No." They said: "The land belongs to the family. You are not the only beneficiary. If you die, who is going to own the land?" I complained to my uncle, but he was in agreement that the land belongs to the family.

Perhaps unsurprisingly in this context, relatively few young women held CLHCs as only 13% (n=32) of the beneficiaries were aged between 18 and 35 years. As Claasens and Ngubane (2008:115) argue, the problem stems from the failure of tenure reforms in Africa to engage with unmarried women's rights in family-based systems.

The kind of challenges faced by single women in this regard also limit the rights to land that may be granted to widowed and divorced women as demonstrated above. This is because when a husband dies, she is expected to return to the family land from which she came, where, once again, she must negotiate access to land. Similarly, if she divorces, she is expected to leave her husband's land and return to the family land from which she came. For this reason, most divorced and widowed women do not own the land for which they can acquire certificates.

Educational background and poverty represented other significant factors in relation to access to CLHCs in Nyimba. A total of 78.3% (n=60) of certificate holders had at least primary education whilst 21.7% had never been to school. Meanwhile, poor, vulnerable individuals with relatively little formal education knew little about the registration process and, in many cases could not, in any case, afford the fees being charged. In this regard, in a country where 83% of the population in rural areas live below the poverty line, with extreme poverty highest among female-headed households, the CLHC programme is beyond the reach of many women. We further examine the impact on social conflict.

CONFLICT OVER BOUNDARIES IN THE SHORT AND LONG TERM

Respondents in the study noted a marked reduction in social conflict over land boundaries following the introduction of CLHCs, at least in the short term. This is consistent with other studies on the impact of formalisation on social conflict by Mekonen et al (2020). A total of 85% (n=100) of respondents in our study said that conflicts over land had decreased', 10% said conflicts had increased, 3.3% had no opinion, and 1.7% said there was no change. Previously, it was reported, the Chief's palace had been overwhelmed with boundary dispute claims. It was noted that 70% of the cases had been reported by women. Against this background, Mary Banda described how she had acquired a CLHC as a way of addressing conflicts:

> When it was the farming season, there was an increase in conflicts over the field boundaries. People made new claims to the boundaries almost every rainy season. So, I decided to get a certificate to insulate myself from persistent conflicts over field boundaries.

However, notwithstanding the apparent reduction of conflict in the short term, the researchers identified a number of outstanding factors that were already giving rise to conflict and were bound to worsen in the future. About 18% (n=60) of certificate holders had already experienced land conflicts. The land conflicts were due to: land inheritance among relatives (9.1%, n=11); conflicts with new settlers (9.1%); land boundary conflicts (18.2%); land sales related conflict 9.1%; land access and use conflicts (45.5%); and other factors such as family and headman related conflicts (9%).

In some cases, land documentation did not prevent contestation between the present registered owners, and others with prior ancestral claims to the land who may have left the area for some years in search of greener pastures before coming back home and demanding the return of the land that they had previously used.

The new registration system was also seen as failing to address and, in some cases, even exacerbating, contestation relating to the inheritance of land. Once again, Ndhlovu said:

> In the absence of parents, children are fighting over who registers the certificate. If one child wants to get a certificate, the children fight. They say: 'You want to get our land. The land belongs to the family.'

A number of respondents expressed the belief that since the land belonged to current and future family members, it could not be registered in a particular individual's name. Most customary tenure systems have previously generally been flexible enough to allow newcomers to settle (see Berry 2003, Cousins 2007). However, with the rigid boundaries established under the new registration system, it has become increasingly difficult for new settlers. So, while conflicts had reduced in Nyimba, the future remained uncertain.

THE RISE OF INFORMAL CUSTOMARY LAND MARKETS

Vernacular land markets are historically commonplace in most of rural Africa (Chimhowu and Woodhouse 2005). However, the research in Nyimba found that the formalisation processes had accelerated the commodification of customary land. Green and Norberg (2018) observed a similar trend in their study of traditional land-holding certificates in Zambia. In Nyimba, the introduction of CLHCs was found to have led to an increasing number of customary-land sales, especially near local urban areas and the Great East Road, which runs through the district. Some elites – mainly men – had acquired CLHCs in order to sell the land at a profit. Land prices in the area were rising, making land unaffordable for the poor. Chief Ndake explained the new phenomenon:

> In 2017, there was a rush to acquire the customary land certificate in villages that surround the central business district. We were shocked. Was it fear of the local council? But once they got the certificate, they went and looked for a customer. So, they were selling these pieces of land for residential purposes. The prices ranged from K5,000 to K15,000.

The Chief complained that villagers were collaborating with village heads and striking clandestine deals to sell and buy land. Some respondents admitted that they had sold land, even though it was illegal. One respondent said: 'There's a lot of people

looking for land. We do not just give them for free. We know that is not allowed but we sell the land.' It was further found that there was a gendered dimension to the market in land. For example, one woman respondent said: 'As women, we cannot sell the land; we care about the family and the children.'

Those buying and renting land generally fell into a number of distinct groups:

- Young men with kinship rights in the area, looking for a field of their own to start a family amid rising demand for land and limited access to land through traditional social relations.
- Migrants flocking to settle in Nyimba as a result of urbanisation.
- Returnees.
- Workers formally employed in new sectors of the urban economy who used their salaries to buy or rent land.

The issuance of CLHCs lent a veneer of officialdom to customary-land transactions that otherwise could be regarded as clearly illegal. They also offered the possibility of remedy in the event of dispute. In this regard, there were several social mechanisms already in place to mitigate the losses that may befall those who buy and sell customary land. Chief Ndake explained: 'On humanitarian grounds, we cannot repossess the land, [rather] we give a penalty to the buyer and seller.' The researchers found that common knowledge of this approach to customary-land sales was likely, albeit inadvertently, to be encouraging such sales.

THE LINK BETWEEN CERTIFICATION, CREDIT, PRODUCTIVITY AND INVESTMENTS

The research in Nyimba found no evidence of CLHCs being used to apply for loans from commercial banks. Zambian law is silent on the use of customary land as collateral. However, all the managers of the commercial banks in Nyimba who were surveyed for this research indicated that their institutions only recognised state-issued title deeds as proof of land ownership. The study found that only 1.7% (n=60) of the certificate holders had taken out a loan using the certificate as collateral. On the other end, 2.5 % (n=40) of non- certificate holders had acquired loans showing no difference. In both cases, the loan was issued by micro-financial institutions. However, given that these were low-income households living below the poverty line, their CLHCs would be unlikely to provide sufficient surety for obtaining loans

from commercial banks. This mirrors trends in many parts of Africa like Kenya (Place and Migot-Adholla 1998) and more recently Tanzania (Stein et al 2016). It points to an inadequate financial system that is not modelled on existing structures but mirrors the credit facilities provided in the formal sector. In the absence of context-specific credit systems, the provision of documentation through the CLHC process was clearly failing to offer increased access to credit, even though this was one of the key objectives in establishing the scheme.

The certification programme also appeared to have failed to promote greater investment in land among the CLHC holders. Indeed, it seemed that such investment in land – as had taken place – was mainly driven by a sense of continued insecurity among the certificate holders rather than any assurance of security derived from the CLHCs. After obtaining the certificates, the CLHC holders embarked on a range of improvement investments: 78.7% (n=60) in their houses; 10.6% in trees; 3.6% in fencing; and 7.1% in other items, including new farming equipment. In the majority of cases (60.7%) the improvements were made to secure the land. In 7.1% of cases the aim was to clearly mark boundaries, and in a further 7.1% of cases, the goal was to generate income. Only in 0.1% of cases were improvements made in response to a greater sense of security derived from having acquired a CLHC. In fact, 25% of respondents had already made plans to invest in their landholdings well before the opportunity to acquire a certificate arose. In this regard, the data shows that the acquisition of a certificate was not, on its own, sufficient to make people feel secure enough to invest. Rather, it seems that local residents were continuing to invest as a way of legitimating their stay and ensuring security of tenure. In this context, the views of Sjaastad and Bromley's (1996, 10) resonate:

> One way to establish claims to land ... is to invest in land. To the extent that the investment represents a visible commitment to the long-term productivity of the land, continued use of the land is implied, and the common assertion that tenure security is necessary to promote investment may in many cases be reversed; investment is necessary to obtain security. Investments in ... buildings, or other fixed structures may provide a litigant in a land dispute with an unassailable case. Thus, although insecurity of tenure is a disincentive to invest, it is paradoxically often also an incentive, because investment will itself increase security.

In a similar vein, the research found no evidence directly linking agricultural productivity to the acquisition of CLHCs. A few households claimed that their production had increased because they could now cultivate in what were once contested areas. Otherwise, the dominant story was that the certification programme could not be linked to increased production. As a CLHC holder, explained:

> The certificate will only help me to reduce conflicts over boundaries. It cannot help me to have [a] bumper harvest. But state-subsidised fertiliser will help me to have a bumper harvest. If government can also help us with markets because some traders short-change us.

In other words, the solution is not located in the number of certificates but in the amount and extent of public investment in agricultural production.

Meanwhile, it was observed that the introduction of CLHCs had led to an unintended rise in inequality at the local level. In some cases, preferential farming support was provided to those who had acquired a certificate, helping them to produce more but also leading to increased inequity in local agricultural production. The provision of such preferential support was confirmed by the ZLA district coordinator:

> We train those farmers with customary certificates to utilise their land. We work with donors to help them enhance food security and adopt smart agriculture practices. We target and prioritise those with certificates and encourage them to invest.

In a similar vein, the government Department of Water in the district said that proof of ownership, which could be provided by presenting a CLHC, was required for applications to drill boreholes on their farms. Some agricultural officers tasked with distributing inputs under the state's Farm Input Subsidy Programme also asked for CLHCs as proof of land ownership in order to allocate inputs. Such actions and responses may lead to processes of exclusion being increasingly institutionalised, deepening social differentiation and local discontent (see Peters, 2004). These findings contrast mainstream assertions that formalisation leads to greater access to credit from banks, increased agricultural productivity, and a rise in investment in the rural agrarian economy (see, for example, de Soto, 2000).

PERCEPTIONS OF LAND TENURE SECURITY

Perceptions of security of tenure have improved for those who acquired the certificate compared to those without the CLHC. In particular, some married women with certificates said they felt more secure in their land rights in the case of the death of a husband now that they held a CLHC. The perception was that certification was promoting the idea of inheritance by the spouse in line with 'modern' laws. Even divorced women felt they could go to court and win land rights if they held a CLHC in their name. The role of CLHCs in promoting women's land rights was recently tested in a case before a Zambian magistrate's court in which it was found that a married woman who had acquired a CLHC in her name should continue owning the land despite a subsequent dispute with her husband.

Meanwhile, however, about 25% (n=60) of the certificate holders reported feelings of tenure insecurity. Of this group, 20% feared losing land to the government, 53.3% feared losing land to private businesses, 6.7% to disputes with the family, a further 6.7% to traditional leaders and 13.3% named a range of other potential threats to their security of tenure. In this context, common-property resources, which are an important aspect of customary tenure systems, were considered to be the most insecure. Out of those who reported feelings of tenure insecurity, 29% (n=15) thought that they would lose access to forests, 29% thought they would lose access to rivers, 21% thought that they would lose land for graves, and 21% thought they could lose access to grazing land.

Notwithstanding the potential benefits brought by the certification programme in terms of tenure security, the expressed fears of losing land were not that far-fetched in the context of:

- The spread of urbanised space, which is leading to a rising demand for land for housing and placing pressure on local authorities to acquire customary land and convert it to state land to be used for housing. The council secretary for Nyimba District said that if 'one does not have a certificate, we consider the land vacant when we do developmental projects'.
- The conversion of customary land to game ranches to attract tourists for game-viewing and trophy-hunting.
- The threat of dispossession by private miners. Approximately 50 mining prospectors had obtained licences for mineral exploration since 2012.

- The continued marginalisation of women in the ownership of customary land and possible eviction in the event of family disputes, divorce, or the death of a spouse.

THE PARADOX: LAND REMAINS A COLLECTIVE GOOD

Despite the individualisation of customary land through registration in Nyimba, land continued to be seen, paradoxically, as belonging to a family or the community. The majority of people in the area still gained access to land through social and kinship ties and shared land. Even women with CLHCs said that they still shared land with their sisters, grandmothers, uncles, brothers, nieces, nephews, and cousins from extended families. They also shared areas providing common natural resources where they collectively accessed firewood, medicinal plants, wood for charcoal, grass for thatching their houses, water, and grazing land for their livestock. These collective, multiple, and overlapping socially recognised rights of access, use, and ownership meant that there was no outright individualisation of land rights, as is the case under western forms of property rights. This demonstrated the resilience of African social tenure systems as demonstrated by Oketh-Ogendo (2003).

Within this context, in which the documented and undocumented systems co-existed, the majority (75%) of women land rights holders, with or without CLHCs, preferred to live under customary tenure compared to statutory tenure (20% of respondents) or another form of secure tenure (5% of respondents). This contradicts the position held by a number of African feminist lawyers who advocate for individual titling as a solution to the insecurity of women's land rights on the continent (see for example, Whitehead and Tsikata 2003). The reasons for supporting the customary system in Nyimba included that it was cheaper to use customary land, since one did not have to pay rates for it; and that the common resources supported a diverse range of land-based livelihoods. However, the social relations under the customary land tenure system prevailing in Nyimba should not be romanticised, given the extent to which they continue to be shaped by gendered power relations and patriarchy. This demonstrates the need to democratically reform customary tenure from below rather than through the imposition of formalisation from above as strongly argued in South Africa by Claassens (2008), Cousins (2007) and Kingwill et al. (2017).

CONCLUSION

This article argued that the formalisation of customary land through a rural certification programme in the Nyimba District, Zambia, has triggered the establishment of a new tenure regime that transcends the dualism between western legal forms of private property and idealised customary systems. Within this agrarian transition, some positive benefits have been realised, albeit with a number of important caveats. These include:

- A reduction in social conflicts over land boundaries, as Mekonen et al. (2020) have observed elsewhere – although this may only be in the short term in Nyimba because of the increasing number of new, multiple, and competing claims to land by returnees, new settlers, and family members.
- Improved perceptions of tenure security among certificate holders – although such security may prove fragile in the face of displacement from urbanisation, mining, and game ranch investments. In this regard, the land held under CLHCs can still be converted to state land through the free-market oriented Land Act of 1995.
- Greater participation from women in land administration at the local level, raising prospects for deepening democracy, as Atuahene (2005) argues. Nevertheless, while the new hybrid land tenure regime allows women to participate in land administration committees, the reality is that local chiefs still wield significant sovereign power.
- Registration of land by married women in their own names, which may be deemed emancipatory (see Ali et al. 2014) – although power and property relations at the local level remain quite untransformed with men generally considered the socially legitimate land rights holders.

At the same time, the present study revealed a number of major social costs resulting from the efforts to formalise land tenure through CLHCs. These include:

- The production of new processes of social exclusion through the denial of many of the land claims especially to common resources made by women.
- The failure to establish a link between certification and access to credit, increased agricultural productivity, and greater investment.
- The rise of expensive informal land markets as the process of registering customary land boosted the perception that it may readily be bought and sold.
- The concentration of land among a few elites.

- Skewed agrarian support to wealthier, better-connected, and dominant women who have acquired land-holding certificates to the detriment of poorer, less-powerful and less-well-connected individuals.

We now show how our empirical findings relate to at least six broader debates about tenure reform and women's land rights in Africa and what this might remotely suggest for policy.

First, the study has shown that rural land certification programmes are not a significant factor in determining rural agricultural investments, access to credit from commercial banks, and agricultural productivity and efficiency as long observed in many parts of Africa like Kenya (Bruce et al 1994; Place and Migot-Adholla 1998) and more recently Tanzania (Stein et al 2016). This casts aspersions on the need for land registration and titling programmes to improve rural agricultural development as free market economists argue (see De Soto 2000). As respondents from Nyimba articulated, it is better to use the available resources to provide public support to local farmers through: investments in upstream (inputs), midstream (production) and downstream (processing); provision of public goods; facilitating access to markets through state parastatals; provision of extension services and tailor-made financial incentives.

Second, the fact that the 'third way' in Zambia is backfiring on single women shows how most tenure reforms are failing in Africa as a result of imposing an alien system of exclusive individual rights on a 'pre-existing system of family rights' (Claasens and Ngubane 2008, 165). As Claasens and Ngubane (2008, 115) rightly suggest, the problem emanates from the failure of policy interventions to engage with unmarried women's rights in family-based systems with overlapping land rights. Registering customary land in the name of a married woman or her spouse as in Nyimba, is leading to the continued social exclusion of single women. This phenomenon is observed elsewhere in Africa (Whitehead Tsikata 2003), and the approach has a long historic trajectory that can be traced to the mischaracterisation of women's land rights (Chanock 1991).

Third, the evolutionary theory of land rights understates the broader context of power and property relations in Africa, which are far from gender-neutral, and the extent to which these shape land relations. Even in cases where women in their individual capacity have registered titles in their names, empirical evidence shows that new

property and power relations do not just emerge because of land registration schemes as men and traditional leaders continue to dominate. The evolutionary approach tends to highlight the perspectives of powerful women who are able to secure their tenure in collusion with dominant political forces, while it neglects the stories of the losers even among women (Amanor 2010). Yet power relations and processes of social differentiation lie at the heart of many agrarian transitions (Peters 2004). An important intervention, therefore, is to address power relations in customary institutions if one is to alter property relations and address gender inequalities (Nyamu-Musembi 2006).

Fourth, the individualisation of property rights in land can lead to conflict among family and community members in the future. These conflicts are overlooked within the evolutionary approach to land tenure rights and the individualised tenure policies they influence, since they presuppose a salubrious evolution to an unproblematic western notion of private property. Even if the land is going to be formalised, inhabitants still face dispossession mainly from private companies and the state. The land registration system tends to ignore the distinctive characteristics of customary land tenure systems, namely that boundaries are flexible and negotiable hence it is a site for potential conflict (Peters 2004). Policy interventions that advocate for rigidity and ignore these realities are bound to, at best, have short-term benefits such as temporary reduction of conflict as observed in Nyimba, and, at worst full-blown conflict.

Fifth, despite attempts at formalisation through individualising property rights in land, African social tenure systems have largely continued to be resilient and to underpin land relations and their gendered nature. Despite the rise of informal land markets, land has largely remained governed by social customs and structures. This resilience is a common trend observed elsewhere in failed tenure reform programmes in Africa like the breakdown of group ranches in Kenya, the disintegration of the *ëndundaí* system of registration in Malawi, and the crisis bedevilling the communal property associations in South Africa (Oketh-Ogendo 2003). Consequently, policy makers need to recognise that traditional African social relations, values and institutions still provide a framework for land administration in Africa (Berry 2003).

Finally, the above is not a romanticised argument for a blind 'return to the customary' practices (Whitehead and Tsikata 2003) as it does not address the patriarchal

power relations which were evidenced in our study. A policy option is to establish accountable and democratic land administration systems in Africa which build on existing appropriate African customary practices in order to improve gender equity and justice; and to protect women from marginalisation by the state and authoritarian governance by traditional leaders which is embedded in the distorted version of customary law (Claassens 2008; Cousins 2007; Kingwill et al. 2017). Women in Nyimba are already challenging the local land administration structures. This approach requires increasing the bargaining power of women through supporting their rural struggles hinged on challenging patriarchy and traditional leaders to reform the customary.

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REFERENCES

Alexander, Jocelyn. 2018. "The politics of states and chiefs in Zimbabwe." In *The politics of custom: Chiefship, capital, and the state in contemporary Africa.* 134-161. University of Chicago Press.

Ali, Daniel Ayalew, Klaus Deininger, and Markus Goldstein. 2014. "Environmental and Gender Impacts of Land Tenure Regularization in Africa: Pilot evidence from Rwanda." *Journal of Development Economics* 110 (September): 262-275.

Amanor, K.S. 2010. "Family Values, Land Sales and Agricultural Commodification in South-Eastern Ghana." *Africa*, 80(1):104-125.

Amanor, Kojo. 2012. *Land Governance in Africa: How Historical Context has Shaped Key Contemporary Issues Relating to Policy on Land. Framing the Debate Series,* no.1. Rome: International Land Coalition.

Amanor, K.S., 2022. Land Administration, Chiefs, and Governance in Ghana. In *African Land Reform Under Economic Liberalisation: States, Chiefs, and Rural Communities,* 21-39. Tokyo: African Studies Center, Tokyo University of Foreign Studies.

Atuahene, Bernadette. 2006. "Land Titling: A Mode of Privatization with the Potential to Deepen Democracy." *Saint Louis Law Journal* 50, no.3: 761-781.

Ayano, Mekonnen Firew. 2018. "Rural Land Registration in Ethiopia: Myths and Realities." *Law & Society Review* 52 (4): 1060-1097.

Beinart, William, Peter Delius, and Michelle Hay. 2017. *Rights to Land: A Guide to Tenure Upgrading and Restitution in South Africa.* Johannesburg: Jacana Media.

Berry, S.S. 1993. *No Condition is Permanent: The Social Dynamics of Agrarian Change in sub-Saharan Africa.* Wisconsin: University of Wisconsin Press.

Bessa, Thais, and Malasha, Patricia. 2020. *Gender-based Violence and Land Documentation and Administration in Zambia: Emerging Lessons from Implementation.* Washington, DC: USAID Integrated Land and Resource Governance Task Order under the Strengthening Tenure and Resource Rights II (STARR II) IDIQ.

Boone, Catherine. "Property and Constitutional Order: Land Tenure Reform and the Future of the African state." *African Affairs* 106 (425): 557-586.

Chanock, M. 1991. Paradigms, Policies and Property: A Review of the Customary Law of Land Tenure. In *Law in Colonial Africa* edited by K. Mann, R. Roberts, Portsmouth: Heinemann Educational Books.

Cheater, Angela P. 1986. "The Role and Position of Women in Pre-colonial and Colonial Zimbabwe." *Zambezia* 13 (2): 65-79.

Chigbu, Uchendu Eugene, Gaynor Paradza, and Walter Dachaga. 2019. "Differentiations in Women's Land Tenure Experiences: Implications for Women's Land Access and Tenure Security in sub-Saharan Africa." *Land* 8 (2): 22.

Chimhowu, Admos. 2019. "The 'New' African Customary Land Tenure: Characteristics, Features and Policy Implications of a New Paradigm." *Land Use Policy* 81: 897-903.

Chimhowu, Admos, and Phil Woodhouse. 2005. "Vernacular Land Markets and the Changing Face of Customary Land Tenure in Africa." *Forum for Development Studies.* 32 (2): 385-414.

Chinigò, Davide. 2015. "The Politics of Land Registration in Ethiopia: Territorialising State Power in the Rural Milieu." *Review of African Political Economy* 42 (144): 174-189.

Chitonge, Horman. 2022. "'We Owned the Land Before the State Was Established': The State, Traditional Authorities, and Land Policy in Africa." In *African Land Reform under Economic Liberalisation,* edited by Shinichi Takeuchi, 41-64. Singapore: Springer.

Chitonge, Horman, Orleans Mfune, Bridget B. Umar, Gear M. Kajoba, Diana Banda, and Lungisile Ntsebeza. 2017. "Silent Privatisation of Customary Land in Zambia: Opportunities for a Few, Challenges for Many." *Social Dynamics* 43, (1): 82-102.

Claassens, A. 2008. Power, Accountability and Apartheid Borders: The Impact of Recent Laws on Struggles over Land Rights. In Land, Power & Custom: Controversies Generated by South Africa's Communal Land Rights Act, edited by A. Claassens, B. Cousins, 262–292. Cape Town: UCT Press.

Claassens, A. and Ngubane, S., 2008. Women, Land and Power: the Impact of the Communal Land Rights Act. In *Land, Power and Custom: Controversies Generated by South Africa's Communal Land Rights Act*, edited by A. Claassens, B. Cousins, 154-183. Cape Town: UCT Press.

Comaroff, J.L. and Comaroff, J. 2018. Chiefs, Capital, and the State in Contemporary Africa: An Introduction. In *The Politics of Custom: chiefship, capital, and the state in contemporary Africa,* edited by John L. Comaroff and Jean Comaroff, 1-48. Chicago: University of Chicago Press.

Cousins, B., 2007. "More than Socially Embedded: The Distinctive Character of 'Communal T Tenure' Regimes in South Africa and its Implications for Land Policy." *Journal of Agrarian Change*, 7(3), 281-315.

Cousins, Ben. 2021. Review of Rights to Land: A Guide to Tenure Upgrading and Restitution in South Africa, edited by William Beinart, Peter Delius and Michelle Hay. *South African Historical Journal* 73, no.1: 187-219.

Deininger, Klaus W. 2003. *Land Policies for Growth and Poverty Reduction*. Washington: World Bank.

Deininger, Klaus. 2010. "Towards Sustainable Systems of Land Administration: Recent Evidence and Challenges for Africa." *African Journal of Agricultural and Resource Economics* 5 no.1: 205-226.

Deininger, Klaus, and Gershon Feder. 2001. "Land Institutions and Land Markets." In *Handbook of Agricultural Economics* Vol 1 Part 1, edited by Bruce Gardener and Gordon Rausser, 287-331.

De Soto, Hernando. 2000. The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else. London: Bantam Press.

Feder, Gershon, Tongroj Onchan, and Yongyuth Chalamwong. 1988. "Land Policies and Farm Performance in Thailand's Forest Reserve Areas." *Economic Development and Cultural Change* 36 (3): 483-501.

Galiani, Sebastian, and Ernesto Schargrodsky. 2010. "Property Rights for the Poor: Effects of Land Titling." *Journal of Public Economics* 94 (9-10): 700-729.

Green, Erik, and Milja Norberg. 2018. "Traditional Landholding Certificates in Zambia: Preventing or Reinforcing Commodification and Inequality?." *Journal of Southern African Studies* 44 (4): 613-628.

Holden, Stein T., Klaus Deininger, and Hosaena Ghebru. 2011. "Tenure Insecurity, Gender, Low-cost Land Certification and Land Rental Market Participation in Ethiopia." *The Journal of Development Studies* 47 (1): 31-47.

Hughes, Ailey Kaiser. 2022. "Harnessing Technology to Advance Citizen-Centric Land Administration in Rwanda." *African Journal on Land Policy and Geospatial Sciences* 5 (2).

Hull, Simon, Kehinde Babalola, and Jennifer Whittal. 2019. "Theories of Land Reform and their Impact on Land Reform Success in Southern Africa." *Land* 8 (11): 172.

Kingwill, R. D. Hornby, L. Royston, B. Cousins. 2017. Conclusion—Beyond "the Edifice". In *Untitled: Securing Land Tenure in Urban and Rural South Africa*, edited by D. Hornby, R. Kingwill, L. Royston, B. Cousins, 388–430. Pietermaritzburg: University of KwaZulu-Natal Press.

Mandhu, Fatima, and Anthony Mushinge. 2022. "Theories Guiding Land Reforms Aimed at Promoting Tenure Security: A Comparative Analysis of Zambia and Ethiopia." In *Land Tenure Challenges in Africa: Confronting the Land Governance Deficit* edited by Horman Chitonge and Ross Harvey, 161-180. New York: Springer International.

Meinzen-Dick, Ruth, and Esther Mwangi. 2009. "Cutting the Web of Interests: Pitfalls of Formalizing Property Rights." *Land Use Policy* 26 (1): 36-43.

Mekonen Workwoha, Maria Gladys Savolainen, Felicity Buckle and Matthew Woodhouse. 2020. "Strategy for Preventing and Mitigating Land Certification Related Violence against Women and Vulnerable Groups." Paper prepared for presentation at the 2020 World Bank Conference On Land and Poverty. Washington DC, World Bank. March 16-20.

Ministry of Lands and Natural Resources, Republic of Zambia. 2017. Draft National Land Policy. Lusaka: Ministry of Lands and Natural Resources.

Muchomba, Felix M. "Women's Land Tenure Security and Household Human Capital: Evidence from Ethiopia's Land Certification." *World Development* 98 (October): 310-324.

Nyamu-Musembi, C. 2006. Ruling out Gender Equality? The post-Cold War Rule of Law Agenda in Sub-Saharan Africa. *Third World Quarterly*, 27(7): 1193-1207.

Okoth-Ogendo, H.W. 2003. The Tragic African Commons: A Century of Expropriation, Suppression and Subversion. *University of Nairobi Law Journal* 1 (1): 107-117.

Otsuka, Keijiro, S. Suyanto, Tetsushi Sonobe, and Thomas P. Tomich. 2000. "Evolution of Land Tenure Institutions and Development of Agroforestry: Evidence from Customary Land Areas of Sumatra." *Agricultural Economics* 25 (1): 85-101.

Paradza, Gaynor. 2011. "Differentiation of Women's Land Tenure Security in Southern Africa." PLAAS and International Land Coalition Working Paper. March.

Peters, Pauline E. 2004. "Inequality and Social Conflict over Land in Africa." *Journal of Agrarian Change* 4 (3): 269-314.

Place, F. and Migot-Adholla, S.E. 1998. The Economic Effects of Land Registration on Smallholder Farms in Kenya: Evidence from Nyeri and Kakamega districts. *Land Economics*, 74. no, 3: 360-373.

Platteau, J.P. 1996. The Evolutionary Theory of Land Rights as Applied to sub-Saharan Africa: A Critical Assessment. *Development and Change* 27(4): 29-86. Republic of Zambia. 2021. National Lands Policy. Lusaka: Republic of Zambia.

Salcedo-La Viña, Celine. 2020. "Beyond Title: How to Secure Land Tenure for Women." Available, https://www.wri.org/insights/beyond-title-how-secure-land-tenure-women, Accessed 25 March 2023.

Scott, James. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition have Failed.* Yale: Yale University Press.

Sjaastad, E., and D. Bromley. 1996. *Indigenous Land Rights in Africa: Appropriation Security and Investment Demand.* Madison. University of Wisconsin.

Sitko, Nicholas J., and Jordan Chamberlin. 2016. "The Geography of Zambia's Customary Land: Assessing the Prospects for Smallholder Development." *Land Use Policy* 55 (September): 49-60.

Sitko, Nicholas J., and Thomas S. Jayne. 2014. "Structural Transformation or Elite Land Capture? The Growth of "Emergent" Farmers in Zambia." *Food Policy* 48 (October): 194-202.

Sitko, Nicholas, and Jordan Chamberlin. 2015. "The Anatomy of Medium-scale Farm Growth in Zambia: What are the Implications for the Future of Smallholder Agriculture?." *Land* 4 (3): 869-887.

Stein, H., F.P. Maganga, R. Odgaard, K. Askew, and S. Cunningham. 2016. The Formal Divide: Customary Rights and the Allocation of Credit to Agriculture in Tanzania. *The Journal of Development Studies,* 52(9): 1306-1319.

Umar, Bridget Bwalya, and Progress H. Nyanga. 2022. "Customary Land Certification, Governance and Natural Resource Use in Zambia: A Social Learning Approach." *The European Journal of Development Research* (July): 10y Michele Graziadei and Lionel Smith. Cheltenham, UK. Edward Elgar Publishing.

World Bank. 2008. World Development Report 2008: Agriculture for Development. Washington: The World Bank.

Yngstrom, Ingrid. "Women, Wives and Land Rights in Africa: Situating Gender beyond the Household in the Debate over Land Policy and Changing Tenure Systems." 2002. *Oxford Development Studies* 30 (1): 21-40.

REVIEW

Vanya Gastrow. 2022. Citizen and Pariah: Somali Traders and the Regulation of Difference in South Africa. Johannesburg: Wits University Press

MAMOKETE MODIBA

On the 16 January 2023, the Johannesburg CBD was rendered volatile following the death of a Tanzanian foreign migrant allegedly at the hands of the police[1]. This was after the latter received a drug-related tip-off and raided the premises of the Tanzanian foreign migrant. The death led to a protest by foreign migrants who blocked streets in the CBD, burned tyres and stoned police vehicles. Just a few days later in the Ekurhuleni metro (not far from Johannesburg), police arrested several 'undocumented' foreign migrants following an operation to root out illegal and drug-dealing foreign migrants[2]. Police targeted 'foreigners without proper documents', entering foreign-owned shops and conducting stops and searches on the streets. This police operation was ignited by taxi operators in the Springs CBD to get rid of drug dealers and addicts.

Following news of the above-mentioned public incidents, videos with anti-foreigner sentiments surfaced on social media with a call for foreign migrants to return to their home countries. These incidents show the level of hostility towards foreign migrants and their state of precariousness, especially those of low socio-economic standing, which has become normalised over time in the South African context.

In *Citizen and Pariah*, Vanya Gastrow 'investigates violent crimes affecting Somali shopkeepers, their ability to access informal and formal justice mechanisms, and efforts to regulate their economic activities' (xiii). The book achieves this by narrating and analysing the experiences of foreign migrants in the South African spaza shop[3] market in townships. While its particular focus is unpacking the experiences of Somali shopkeepers operating in the spaza shop market in the Cape Town townships of Khayelitsha, Philippi and Kraaifontein, it also reflects on the general participation of foreign migrants in the informal economy in various parts of the country. This nuanced investigation shows that issues associated with the participation of foreign migrants in the spaza shop market are not isolated to Cape Town or the Western Cape Province but apply countrywide. In fact, the experiences narrated in this book have been documented to varying degrees elsewhere (see for example, Piper and Charman 2012; Crush, Chikanda and Skinner 2015; Demeestère forthcoming) and echo what is happening in the country at large, particularly in big cities that attract foreign migrants such as Cape Town and Johannesburg.

The book contributes to an understanding of how perceptions of foreign migrants influence the adoption of bureaucratic practices at the local level and feed into national policy geared towards the systematic exclusion of this group. The text describes in detail how discontent against foreign migrants by township residents, South African spaza shopkeepers, and the state has been channelled through collective violence since 2006 and has intensified in recent years. Anti-migrant shopkeeper violence has over the years led to the bureaucratisation of norms and standards to achieve the systematic exclusion of foreign migrants in the spaza shop market.

Following the preface, the book is organised into three parts; *Part I: Arrival and Reception with eight chapters, Part II: Regulation and Containment* entails eleven chapters and *Part III: The Politics of Pariahdom* contains two chapters. The experiences of foreign migrants are documented in a series of short chapters, each telling a segment of the story that contributes to an understanding of violent crimes experienced by foreign shopkeepers, ways in which they access informal and formal justice systems and how they navigate formal and informal regulatory dilemmas in townships. The experiences of Somali shopkeepers are shared alongside those of residents, civil society organisations and various state actors to give a nuanced perspective.
At the start of the book, Gastrow shares the recollection of a meeting held at the

Khayelitsha Resource Centre in the year 2012 to address the 'foreign spaza shop problem' in the township economy. Two key points stand out from the summary of the proceedings :1) besides the officials running the meeting, attendees consisted of seventy-five South Africans and only ten Somali shopkeepers representatives, showing an underrepresentation of the foreign migrants. Somali participation was limited as the platform was repressive; if they attempted to raise their voices, they were quickly silenced, threatened and intimidated by the citizens, the latter being South African retailers' representatives and state officials; 2) the interactions between the meeting attendees starkly illustrate the distinction between the *Citizen and the Pariah*.

Using Max Weber's concept of 'pariah people', Gastrow describes how Somali spaza shopkeepers are political and social outcasts in a continuous state of precariousness in this country. They are part of the community by virtue of running their businesses in communal localities but are segregated as they 'have established neighbourhood enclaves where they live in tight-knit communities that are largely cut off from mainstream South African society' (9). Even those who venture into townships or rural towns to set up their businesses, do not interact and socialise with the communities they serve. While most have asylum-seeker or refugee status with rights enshrined in the South African Constitution to live and work in the country, these rights do not guarantee protection. The meeting and the interactions show a microcosm of the dynamics that a pariah has to navigate to operate in the spaza shop market.

Citizens' perceptions and representation of the role and place of foreign migrants in the South African economy is a major theme in the book. Gastrow argues that foreign migrants are generally considered 'unwelcome guests' (27) who burden the already weak economy and crowd out disadvantaged South Africans. Crush et al (2015, 3) make a similar point, namely that in the post-apartheid era 'migrant entrepreneurs have been consistently portrayed by the government and media as unwanted parasites.' These generally negative perceptions influence how foreign migrants are received and engaged with on a daily basis, particularly in areas where they operate businesses. Gastrow argues that townships have become reception areas for Somalis and offer social networks that cushion newcomers and facilitate their access to the economy. Somalis participate in the township economy to fill a gap created by the expansion of retail chains into townships, which significantly stifles South African-

owned spaza shops. They have inserted themselves into an ailing spaza shop market with innovative entrepreneurship models such as working in partnerships so that they can sell reasonably priced goods to consumers and offer other services not offered by South African spaza shops. These include longer operating hours, selling loose items or hampers, and offering credit to customers. In this way Somalis have been resuscitating the spaza shop market, contributing to the revitalisation of the value chain (ie wholesalers, suppliers, employees and landlords) and the township economy at large. Instead of citizens acknowledging this economic contribution, they view Somali shopkeepers as a threat that has to be expelled and criminalise their business practices (Skinner 2018). Their spaza shop business approach has generated animosity not only from South African shopkeepers, but also from township residents and state actors.

Gastrow uses Fanon (1963) and Mamdani (2001) to explain the extent to which attitudes towards foreign migrants are influenced by the socio-political environment. While an argument is convincingly made in the book, the author misses an opportunity to show how the historical background of townships and the socio-economic and political dynamics at play offer a breeding ground for continuous discontent and collective violence against foreign migrants. The apartheid government engineered townships as a tool for racial segregation, located at a significant distance from cities with limited socio-economic opportunities (Beall, Crankshaw and Parnell 2006). In the post-apartheid era, these areas remain underdeveloped, densely populated, inadequately serviced, characterised by unemployment and poverty and a proliferating informal economy. The COVID-19 pandemic exacerbated many of the existing issues, further disadvantaging these areas and their residents. Understanding the background partly explains the generally negative perceptions that citizens have regarding foreign migrants and the violent ways in which they address the perceived threat to their socio-economic emancipation. In a context of high unemployment, poverty and inequality, hostility is sparked towards people considered to be outsiders and threats, who are then persecuted and criminalised. Foreign migrants tend to be scapegoats in areas that remain disadvantaged.

A key dimension that Gastrow explores is the fact that state actors are fuelling the animosity and scapegoating towards foreign shopkeepers to further a state agenda, namely to steer attention away from the state and its inability to deliver services and

maintain control over its territory. State incapacity to deliver services has resulted in backlogs in townships, and shifting the blame to the pariah turns attention away from the problems that needs to be addressed. In some ways, state officials divert public attention to the 'foreigner problem' as the cause of the socio-economic issues in the country that requires state intervention. Viewing the Somali shopkeepers in townships as the problem that contributes to society's ills leads to strategies on how to get rid of them using both informal and formal means.

Dominant ways of dealing with the pariah is through inciting collective (xenophobic) violence and adopting stringent regulations and practices to curtail their participation in the spaza shop market. Gastrow details events during 2006 in Khayelitsha where residents demanded that Somali shopkeepers close their shops. This was repeated again in 2008 when anti-foreign mobilisations orchestrated by local businesses intensified, manifesting in lootings and the destruction of shops. Instead of state officials condemning this as criminal, they portrayed foreign migrants as the problem. Officials argued that local shopkeepers were responding to the invasion and unfair competition brought about by foreign migrants in the spaza market. In this way, they condoned and legitimated the actions of the local shopkeepers and residents. In some instances, police were accused of orchestrating some of these attacks and participating in the looting and destruction of foreign-owned shops. When some level of calm was restored, the return of foreign shopkeepers to the township was facilitated through 'an agreement on future business arrangements' (79) created by local shopkeepers and leaders, spearheaded by the Zanokhanyo Retailers Association (ZRA) towards the end of 2008. The agreement, informally conceived, allowed existing Somali shopkeepers to continue trading but prohibited the opening of new foreign-owned shops. Prospective foreign spaza shopkeepers had to first obtain authorisation from the ZRA leadership. In order to secure their livelihoods and continue trading in a volatile environment under threats of murder, existing Somali shopkeepers signed the agreement to the detriment of newcomers. Signing the agreement did not only mean that newcomers were prohibited from opening shops, it also prevented existing foreign shopkeepers from opening more shops and expanding their businesses. While the book does not detail the extent to which this informal agreement affected the spaza shop market, the value chain and the township economy at large, it certainly had – and continues to have – an impact. By 2012, the Khayelitsha informal agreement had set a precedent for the entire city

of Cape Town as similar agreements to curtail foreign owned shops were adopted in most townships. Piper and Charman (2012) and Demeestère (2017; and forthcoming) show how similar agreements were signed by foreign spaza shop owners in Delft and Gugulethu townships. These agreements have culminated in a 'localised administration apparatus' (Demeestère 2017) which is (informally) recognised and endorsed by state actors as a mechanism to control and manage spaza shops in townships. State actors have adopted similar mechanisms to systematically exclude foreign migrants from participating in the spaza shop market. Gastrow gives various examples to show how the police adopted practices that are largely informed by local informal regulations to restrict foreign owned spaza shops. While there is no legislation in Cape Town that requires spaza shops to be in possession of a business licence or permit, police still issue fines to shopkeepers for 'regulatory non-compliance' (87). In other cases, police use fictitious legislation to curtail the operation of foreign nationals. These stricter regulations, meant to regulate the entire spaza shop market, are selectively applied to foreign shopkeepers in what Gastrow terms the 'regulation of difference.' The permeation into the state of local practices and regulations through the exercise of public authority from below is not a unique phenomenon. Rubin (2018) shows how such practices are incorporated into official processes. State actors who encourage informal local practices, often act as collaborators in victimising foreign shopkeepers.

Gastrow shows how localised informal regulations shape bureaucratic norms and standards at the national level. In short, what transpired in Cape Town townships largely influenced the national policy agenda and shaped the development of regulations to systematically exclude foreign shopkeepers from the spaza shop market. Over the years, the state has attempted to formalise these regulations. In 2013, the Department of Trade and Industry introduced the Licensing of Business Bill. While the Bill emphasised the regulation of the informal economy and the need for businesses to obtain a licence to operate, a large part of it focused on curtailing foreign owned businesses. In 2014 the National Informal Business Upliftment Strategy, which contains anti-migrant sentiments, was adopted by the Department of Small Business Development. It calls for regulatory restrictions to control the influx of foreign migrants in the country, particularly those operating in the informal economy thus reinforcing the curtailment of their businesses. In 2016, the Department of Home Affairs issued a Green Paper on International Migration and a White Paper in 2017 indicating that asylum seekers should await the confirmation of their status before

being entitled to work. All these regulations and others not mentioned here have led to the 'bureaucratisation of xenophobia' (Demeestère forthcoming), thereby creating a hostile environment for foreign shopkeepers, a state of precariousness, and ultimately systematic exclusion. These myriad pieces of legislation are in clear contradiction to the supreme law of the country, which affords asylum seekers and refugees the right to make a living. This law, however, does not guarantee the rights of foreign nationals because locally engineered regulations and practices reign supreme, and localised administrative systems, often times endorsed by state actors, are the de facto regulations.

In the final chapters of the book, Gastrow presents what it means to be a pariah and describes the ways in which Somali retailers can best navigate the informal and formal regulatory systems. She reiterates that Somali retailers, the pariahs, continue to be on the margins of society, unable to access and exercise certain rights in South Africa. The pariah continues to be in a constant state of precariousness, reinforced by the parallel system of formal and informal regulations and practices. As a coping mechanism, the pariah adopts 'weapons of the weak' (Scott 1985). When faced with violent attacks, the pariah temporarily closes shop, does not confront intimidation, signs exclusionary agreements and relocates elsewhere. Gastrow argues that the pariah must exercise 'Somali consciousness', much like Steve Biko's 'black consciousness', and rebel against the socially prescribed roles prescribed and, by extension, rebel against those who repress their rights. Gastrow seems to be worried that Somalis are too passive, but this claim is misplaced in my view since Somali spaza shopkeepers exercise a certain level of agency, albeit not in transformational or revolutionary ways. The author argues that they should go through legal avenues or engage with powerful elites to change their situation. Yet, Somalis exercise agency under repressive conditions (Bayat 1997) by adopting strategies such as recruiting unemployed youth in the community to be their eyes and ears, negotiating with perpetrators of crime and acquiring unlicensed firearms to protect themselves against threat. The pariahs have to live with the consequences of their actions and, therefore, should act in ways that will not endanger their lives.

NOTES

1. See for example Eyewitness News (2023) for a more detailed description of this event.
2. See for example News 24 (2023) for an insight on 'undocumented' foreign migrants.
3. An informal shop in a South African township, usually run from a private home.

REFERENCES

Bayat, Asef, 1997. "Un-civil Society: the politics of informal people." *Third World Quarterly* 8(1) : 53-72.

Beall Jo, Crankshaw Owen and Parnell Sue. 2006. "A Matter of Timing: Migration and Housing Access in Metropolitan Johannesburg." In *African Urban Economies*, edited by Deborah Bryceson and Deborah Potts, 233-253. New York: Palgrave Macmillan.

Crush Jonathan, Chikanda Abel and Skinner Caroline. 2015. "Migrant entrepreneurship and informality in South African Cities." In *Mean Streets: Migration, xenophobia and informality in South Africa*, edited by Jonathan Crush, Abel Chikanda and Caroline Skinner, 1-24. South Africa: Southern African Migration Programme..

Demeestère, Rodolphe. Forthcoming. "From the streets to the Ministry, and back to the streets: Crafting a xenophobic bureaucratic order after May 2008 pogroms." In *How municipal officials transform cities: A view from post-apartheid South Africa*, edited by Claire Benit-Gbaffou. United Kingdom: UCL Press..

Demeestère, Rodolphe. 2017. "Document production and the quest for street-level political legitimacy: Contested regulation of the spaza shop sector in a Capetonian township." Paper presented at Materialities of Documentation: Negotiating statehood, rights and services in contemporary urban South Africa research workshop, Johannesburg, 13 November 2017.

Eyewitness News. 2023. "Johannesburg CBD volatile after protest and death of foreign national." Available at https://www.ewn.co.za (accessed 23 January, 2023).

News 24. 2023. "Metro police arrest 21 undocumented people in Springs, Crystal Park." Available at https://www.news24.com (accessed 27 January, 2023).

Piper, Laurence and Charman, Andrew. 2012. "Xenophobia, Criminality and Violent Entrepreneurship: Violence against Somali Shopkeepers in Deft, Cape Town, South Africa." *South African Review of Sociology* 43(3): 91-105.

Rubin, Margot. 2018. "At the borderlands of Informal Practices of the State: Negotiability, Porosity and Exceptionality." *The Journal of Development Studies* 54(12): 2227-2242.

Scott, James. 1985. *Weapons of the Weak: Everyday Forms of Peasant Resistance.* New Haven: Yale University Press,.

Skinner, Caroline. 2018. "Informal-sector policy and legislation in South Africa: Repression omission and ambiguity." In *The South African Informal Sector: Creating jobs, Reducing Poverty*, edited by Frederick CvN Fourie, 412-438. Pretoria: HSRC Press.

REVIEW
Roger Southall. 2022. Whites and Democracy in South Africa. Melton, Woodbridge, UK: James Currey.

DANIELLA RAFAELY

Roger Southall's book sets out to tackle the question: What has been the role of white people in South African democracy? To do this, he uses data from eight focus groups held with different socioeconomic groups around the country, in which the idea of the 'South African nation' is discussed, contested, and interpreted. This data is organised into thematics that encompass the broad range of responses and experiences of white South Africans to the country's new democracy.

What has been the role of white people in South African democracy? The question that is posed, although vulnerable to critique, is an important one. First, it legitimises a discussion that may often be felt to be unnecessary, unwanted, or undeserved, by white as well as black South Africans. Second, it reframes the contentious and troubled topic of race relations within the political context of South Africa's transition to democratic rule, providing a useful theoretical lens from which to unpack this difficult concept. Third, it provides an entry point into a complex and comprehensive discussion of historical, social, economic, racial, and of course political aspects of life in post-apartheid South Africa. Finally, it opens up a space for examining whiteness as a heterogeneous and multifaceted subjectivity that contains its own flaws and inconsistencies. In doing so, the author builds on a growing literature that seeks to disrupt the concept of whiteness in a postcolonial context (see, for example, Omi and Winant, 1994). These conceptual frameworks have been contextualised to South

Africa's particular post-apartheid setting, most notably by Melissa Steyn (2001), who achieves this in a seminal text by examining how political and economic changes impact on white South African identity and selfhood. Southall's book is an important contribution to discussions on white identity in South Africa's third decade of democracy. His analysis builds on a long and distinguished history of state-related research and publication.

Studying whites is a choice that is in itself vulnerable to critique. The investment in white thoughts and feelings may be viewed as unwarranted in a postcolonial context where previously marginalised groups are still deeply under-researched. This critique, however, points to a zero-sum mentality often central to South African political discourse. Southall's pursuit of this topic exemplifies an approach that moves away from the polarising and extreme positions that characterise much of the race talk in our country.

Importantly, the broad findings are embedded in a consideration of race relations more generally in post-apartheid South Africa. Southall's broad familiarity with South Africa's political and economic history allows him to tackle this painful, contradictory, and contentious topic with nuance and complexity. This is reflected in his balanced and empirically grounded discussions of difficult topics such as white complicity, reparation, transformation and, importantly, non-racialism.

Non-racialism is a conceptual thread that runs through the text, variously defined as suggesting that 'race should no longer matter', that 'racial considerations which are not corrective of past racism should have no legal or political bearing', that the 'salience of race should disappear', or that South African state and society should be 'demographically representative'. The ANC's alignment with non-racialism as a political outcome, driven by South Arica's democratic and progressive constitution, has positioned it as a reformist rather than radical political party. Nevertheless, non-racialism does at least contain the possibilities for the de-racialisation of capitalism and a move toward democratic socialism. By contrast, Africanism is described as an opposition to whiteness that saw the formation of a more radical political party – the Pan-Africanist Congress – which had broken away from the more conservative ANC. Southall emphasises the heterogeneity of Africanist discourse and locates it in various schools of thought – including African Marxism, African nationalism, Pan-

Africanism, and Black Consciousness – which nevertheless share a commitment to African majority rule. Rainbowism, finally, is described as a diluted expression of non-racialism in which social categories are relevant but not hierarchically ordered, and South Africans of all races and creeds live together harmoniously.

By mobilising these three ideological approaches to 'the national question', the book foregrounds a central dilemma underpinning the very formation of a democratic South African nation. On the one hand, the constitution's pursuit of non-racialism implies a country in which race is not a salient characteristic. On the other, the constitution's requirements for equality demand that black citizens be provided with active opportunities systematically denied them under apartheid.

Is non-racialism possible in circumstances that demand racially organised reparation? If democracy relies, as the book suggests, on racial equality, can we – should we – aspire to a non-racial society? Without explicit attention to racially driven equity and reparation, the country seems destined to reproduce itself along existing lines of racial and economic inequality. Paradoxically, it seems that only by undertaking these racially organised measures can we achieve the constitutional ideal of non-racialism. Southall notes the contentiousness of non-racialism within the liberal tradition, where it is sometimes understood to enable the legitimisation of the continuation of structures of oppression that favour whites. Nevertheless, it emerges discursively in the text as the most likely way forward for South Africa, while Africanism and rainbowism are seemingly discarded as legitimate alternatives. In fact, the author builds on Achille Mbembe's (2015) analysis of utopia as a non-racial ideal. Southall notes:

> The ideal of non-racialism embedded in the constitution is right. It is important to stress that there is nothing wrong about that. Utopia, by definition, is unobtainable, yet its importance lies in prescribing a society's normative aspirations and its call for perpetual striving towards their realization, even though the journey can and never will be completed because of human fallibility (239).

These complex arguments are counterposed against the data presented in the book, in which 'regular' South Africans discuss their feelings and thoughts about apartheid, the Truth and Reconciliation Commission, the end of white minority rule, the current

political climate and the future of South Africa, among other topics. The broad findings suggest that white South Africans have adapted in various ways to black majority rule: emigration, choosing to 'embrace the freedoms' offered by the new democracy, struggling with feelings of complicity and guilt, experiencing vindication and victimisation by the current political crises, relying on the concept of democracy to enact racist practices that 'protect minority rights', and many other attitudes, opinions and behaviours that reflect the immutability of race, the stark facts of South Africa's brutal history, the legitimisation of the continuing benefits of colonialism and the desire to live a meaningful life in a challenging social context.

Whilst the author is to be commended for his extensive and transparent data collection process, many of the methodological choices are left largely unexplicated, and he does not engage with some of the potential limitations of these choices. For example, the use of focus groups has been critiqued as a data collection method: it neglects the interactional social implications of group discussions in which individuals may be prioritising consensus and social cohesion rather than freely sharing inner states; and it fails to construe the outcomes of these discussions as reflections and reproductions of broader societal discourses. In addition, the inclusion of diverse age and socioeconomic groups implies an attempt at a cohort 'representative' of broader South African voices. This is at odds with the qualitative and experiential design of the study. In a sense, the validity of the data, or the conclusions that have been based on it, are perhaps precarious in the absence of a close interrogation of these methodological choices.

Despite this, the data is engaging and offers a glimpse into the sense-making procedures of white South Africans living in the shadow of apartheid and continuing to reap its benefits. Southall uses a study of post-World War Two Germany as a comparative perspective for examining how people manage feelings of guilt, blame and shame in the aftermath of crimes against humanity, in which they have either participated personally, or not. Interestingly, his participants frequently draw on (favourable) comparisons between apartheid and the Holocaust to legitimise South Africa's colonial rule. This is done as a way of managing their culpability and complicity in a system that they did not create but from which they benefited. This discussion will surely resonate with many people who have been the beneficiaries of structures that favoured them, as well as those who have been discriminated against by these

structures. Southall describes many whites as 'reluctant democrats' but, in contrast to much of the polarisation surrounding current debates on the state of South Africa's democracy, he provides a balanced and cautiously hopeful set of conclusions framed by discussions on democracy and the need for a viable opposition, expropriation without compensation, and affirmative action and transformationism. The book provides much-needed nuance to a topic that is commonly (and legitimately) subjected to blame, victimisation, overwhelming guilt and shame, apathy and disinterest, resentment, fear, and anxiety. It provides an important addition to the discourse surrounding whiteness in South Africa, allowing space for paradox, contradiction, pain, and hope.

As noted, Southall's book is an important contribution on white identity in South Africa's third decade of democracy. However, although he brings vast theoretical and historical knowledge to the subject matter, the book fails to grapple with some important assumptions about race as a central organising principle in contemporary South African society or to subject these assumptions to the same critical interrogation to which other concepts are treated. Thus, the very question of 'whiteness' is left unexamined in a broader argument that seems to reify and thereby entrench racial categories. Arguably, Southall's analysis relies on the use of these constructs and this book makes an important contribution. However, the opportunity is missed to engage more critically with these social categories, to question their methodological validity and to perhaps interrogate the findings that they yield.

Ultimately, Southall takes his reader on a journey spanning early colonialism to segregation and apartheid, and then beyond that to the democratic transition and into present day South African experience. It carefully contextualises many of the important moments in our country's history – from the formation of the union, to the writing of the constitution and the first democratic elections, to the exposure of state capture, the civil unrest in KwaZulu-Natal in 2021 and the effects of Covid-19 on the economy. All these moments are explored through a political lens that consistently poses questions about our current democracy, how we have come to it, and where it is headed. Although Southall notes that it was an 'uncomfortable book to write', the book avoids the self-indulgence and soul-searching that might be expected in a text that grapples with such personally salient subject matter. The tone, rather, is factual but in many places painful to read. As he notes, 'The difficulties of unravelling an unwanted history should not be underestimated' (232).

NOTES

1 See, for example: Southall, R. (2016). *The new black middle class in South Africa.* Suffolk, UK: Boydell & Brewer

_____ (2013). *Liberation Movements in Power: Party and State in Southern Africa*. Suffolk, UK: Boydell & Brewer.

_____ (2003). Democracy in Southern Africa: Moving Beyond a Difficult Legacy. *Review of African Political Economy*, 30, 255-272.

_____ (Ed.). (2001). *Opposition and Democracy in South Africa.* London: Routledge.

_____ (1999). *South Africa in Africa: Foreign policy making during the apartheid era* (No. 20). Institute for Global Dialogue.

REFERENCES

Mbembe, Achille. 2015. "Apartheid futures and the limits of racial reconciliation." *Public Positions*, 1, 1-16.

Omi, M. and Winant, H. 1994. *Racial Formation in the United States: From the 1960s to the 1990s.* New York: Routledge.

Steyn, Melissa. 2001. *Whiteness just isn't what it used to be: White identity in a changing South Africa.* Albany, NY: SUNY Press.

REVIEW

Saleem Badat. 2023. Tennis, Apartheid and Social Justice: The First Non-Racial International Tennis Tour, 1971. Pietermaritzburg: UKZN Press

GOOLAM VAHED

The non-racial South African Council on Sport (SACOS) celebrated its 50th anniversary on 17 March 2023. Many sports clubs and communities commemorated this memorable event, using it to reflect on the organisation and the state of sport in post-apartheid South Africa. Sport had been played along racial lines throughout South Africa's history. SACOS was formed to bring non-racial sports bodies together, and one of its key objectives was to coordinate the challenge against white domination of sport in the country and to ostracise white sporting organisations internationally.

While SACOS became identified with the evocative slogan 'no normal sport in an abnormal society', plus its support for the international sports boycott, less is known about the organisation of sport at a local level.

Despite few resources, most communities created local sports organisations and with it, community spirit. I was born in what is now known as the Casbah (the part of central Durban where Indians were segregated). There were no sporting facilities in the city, and we played mainly soccer and cricket on the city's streets. School sport

was limited as schools usually had one grassless field, which hundreds of students shared, with multiple games played simultaneously.

Yet sport thrived. Some of the finest Black cricketers and footballers learnt to play the game on the streets. Virtually every street formed a team that participated in the local soccer and cricket leagues. At the same time, school sports thrived under the banner of SACOS, being kept alive by a band of dedicated teachers who did so for no reward. School children competed vigorously to get into school, inter-district, provincial, and SA Schools Select teams. Athletics, soccer and cricket were the games in which most learners participated. Volleyball and swimming were popular in some neighbourhoods. Tennis was confined to the elites; the 'Westville crowd' in local parlance.

I attended the same school (Orient High School) as Hoosen Bobat, a member of the team discussed in Badat's book. The school had a tennis court, but when I attended in the mid-1970s, the court was derelict and used mainly for five-a-side soccer games. A few affluent families with tennis courts at home produced local tennis players. Not far away, hundreds of white kids regularly played tennis at the Westridge Park Stadium. Most of us became interested in the sport when we began watching Wimbledon on television and were captivated by the 'fire and ice' rivalry between Bjorn Borg and John McEnroe. Who can forget that fourth-set tie-break in 1980? I was very much a McEnroe man and stopped watching the game when his powers declined.

It is in this context that I read *Tennis, Apartheid, and Social Justice*, which focuses on a largely forgotten aspect of non-racial tennis: a four-month-long 1971 tour of Europe by a non-racial team of South Africans under the auspices of the Southern African Lawn Tennis Union (SnALTU). Yet, the story resonates more broadly with the experiences of many Black people growing up in the 1960s and 1970s. Tennis, historically, was played separately along racial lines. The Coloured and Indian tennis bodies joined to form the non-racial Southern Africa Lawn Tennis Union (SnALTU), whose membership was open to all. The African body, The South African National Lawn Tennis Union (SANLTU), did not join SnALTU but worked with the white South African Lawn Tennis Union (SALTU) until 1979, when it merged with SnALTU to form the Tennis Association of South Africa (TASA).

The book originated from Badat's conversations with his friend Hoosen Bobat. Badat comes from a family of distinguished tennis players. He was also a tennis player, being the Natal junior tennis singles and double champion in 1972 and 1973, representing the Natal schools' provincial team in 1973, and an executive member of the Southern Natal Tennis Union in the 1970s. Given his understanding, involvement in the game, and academic training, Badat is well-placed to present this story.

Badat began researching and writing the book in 2021 to mark the 50th anniversary of the tour and completed it in 2023 to coincide with the 50th anniversary of the establishment of SACOS. He echoes the concern voiced by SACOS activists commemorating the 50th anniversary of Black sports history. He writes:

> To achieve social justice in sport and other domains in South Africa requires determined cultivation of prophetic memory. This entails remembrance of our brutal and traumatic past and the sacrifices that were made to achieve democracy. It necessitates critique of the dulling amnesia that effectively obscures or diminishes the injustices of the past and threatens to undermine the achievement of our constitutional ideals. (xii)

Badat cites as example the website of the KZN Tennis Association whose history of tennis focuses on White players. There is no recognition that Blacks played tennis from the 1880s and were prevented from progressing by the racist policies of Whites. A recent example of this amnesia followed the death of cricket administrator Joe Pamensky in March 2023. Cricket South Africa published the following tribute:

> Working alongside Dr Ali Bacher, Pamensky kept the game of cricket alive during the dark days of Apartheid and pushed to integrate the game within black communities. He also oversaw the move to multi-racial cricket and, in doing so was involved in the rebel tours of the 1980s and, eventually, South Africa's readmission to the world game a few years later.

This, despite the fact that Pamensky stated publicly in the 1980s that blacks lacked the ability and aptitude to play cricket. At the same time, Bacher's rebel tours flew in the face of SACOS' attempt to isolate South African sport to pressure the apartheid regime into changing its policies. Badat makes a vital contribution in restoring

the memory of those who suffered injustices because they stood firm on the principle and practice of non-racialism. Badat argues that there is too much focus in publications on South Africa's political elites and too little on ordinary people. He adopts a social history approach to capture the stories of those previously marginalised in society through extensive research, including oral history, and placing the story in a broader context.

There is general acceptance of sports history's social significance and intellectual value, and Badat's work contributes to an analysis of the socio-economic and political conditions. He analyses the social and political constraints under which non-racial sport was played and the tour itself, and provides short biographies of the players. South Africa was a racist and repressive society based on segregation, White supremacy and privilege and Black political and economic subjugation. Black sportspersons were denied proper facilities and coaching and the right to represent South Africa in sports. Notwithstanding these impediments, segregation and Apartheid failed to kill the spirit of Black sportsmen and women who played various sports from the nineteenth century and had long and proud histories. Some excelled internationally, such as cricketer Basil D' Oliveira who represented England, and Albert Johanneson who played professional soccer for Leeds United. While soccer and boxing, and in some Black communities cricket and rugby, took root amongst the masses, tennis was associated with elites, mainly White elites, because of the high cost of playing the game which included the need for a court, equipment and clothing.

The 1971 touring team, the first official tour organised by SnALTU, was called The Dhiraj Squad after Jasmat Dhiraj, a school teacher from Pretoria and non-racial tennis champion of the time. The other members of the six-person team were Jasmat's brother Hira, Durban's Hoosen Bobat, Alwyn Soloman, Oscar Woodman, and Cavan Bergman from Cape Town. The organisers hoped that the tour would expose the players to different surfaces and playing styles and thus help to improve the standard of non-racial tennis in the country as the players could pass on what they learnt to a new generation .

Badat describes the tournaments in which the players participated, their performances, their challenges, and how the tour impacted them personally, sporting-wise and politically. The discussion is fascinating as we learn about the players' playing styles

and strengths, training routines, the heroes on whom they modelled their games, the facilities where they played, and their lives post the tour. Badat deftly weaves the socio-economic and political conditions into the discussion.

Badat argues that while this was ostensibly a non-racial team, all six players were either Coloured or Indian. He is correct in proposing that including promising African players would have been symbolically important for the non-racial project. However, Africans played tennis in a separate association and were aligned with White tennis. Badat writes that Black administrators 'for a variety of motives – power, money, overseas travel, fame – accommodated racial segregation, collaborated with the apartheid state, and were complicit in perpetuating black exclusion and subordination in sport.' (14). He is also critical of the fact that the touring team did not include female players. In his view, this reflects the exclusionary patriarchal attitudes that persisted.

Badat highlights the collaboration between international tennis associations and the racist Whites-only South African association. The same applied to rugby, soccer and cricket. Hoosen Bobat was invited to play in the Junior Wimbledon Championships, but the political machinations of the head of the White tennis union in South Africa, Alf Chalmers, prevented him from doing so. Badat is scathing of Chalmers, who, he states, went 'to great lengths to denigrate the non-racial tennis fraternity.' He is equally critical of The International Lawn Tennis Federation (ILTF) and its secretary Basil Reay: 'racism in tennis in South Africa was abetted strongly by the international tennis governing body for a long time' (121).

Badat writes that Bobat would have been the first Black South African to compete in the Junior Wimbledon tournament were it not for Chalmers and Reay. Fellow South African, Cape Town's David Samaai, was the first Black to play at (Senior) Wimbledon, in 1949, 1951, 1954, and 1960. In 2019, the year in which Samaai died, a tournament in the Western Cape was renamed the David Samaai Junior Open.

The Black members of the touring team lost most of their matches against White South Africans. The players suggested that this was partly due to their having to overcome the inferiority complexes that they embraced due to Apartheid and colonialism, which constantly celebrated the achievements of Whites and denigrated Black men

and women. Following the tour, Oscar Woodman emigrated to Canada, Jasmat and Hira Dhiraj settled in the UK, Alwyn Solomons and Cavan Bergman remained in Cape Town, and Hoosen Bobat returned to Durban. Disillusioned by what happened, he lost interest in tennis. The inability of these players to develop and contribute to the growth of non-racial tennis points to a broader picture: 'they became casualties of the institutionalised system of racial discrimination, their promise not fully fulfilled, their dreams and aspirations frustrated. It is a salutary reminder that Apartheid was a killing field of the talents and ambitions of countless black South Africans' (121).

Badat takes the story well beyond the tour. He argues that there has been no fitting recognition, restitution, or reparations for non-racial tennis players who suffered under Apartheid in their quest for justice and freedom in our land. The Apartheid legacy continues to profoundly affect tennis three decades into democratic rule. There is less tennis played today in Black schools and communities than before 1994. Badat insisted at the launch of the book at Ike's on 17 March 2023 that the leadership of Tennis South Africa, who he referred to as the 'gin and tonic class, the business class flyers, the five-star hotel stayers' have been 'too busy looking after themselves instead of sports at grassroots levels' and should be held accountable for the failure to achieve 'equity, redress, social justice, and social transformation'.

Badat laments that those in power, Black and White, do not want to 'deal with our past, establish the truth which has so long been denied us and lay the basis for genuine reconciliation.... Amnesia is encouraged ... in the interest of reconciliation' (13). A Truth and Reconciliation (TRC) 'on organised sport would have laid bare the nature and range of apartheid crimes in the sports arena, its systemic underpinnings and manifestations, and the organisations and individuals that perpetrated the crimes.' Businesses who supported apartheid sport and journalists 'have much to answer for regarding the silences, elisions, and exclusions that were characteristic of the apartheid era.' (13). Without such reckoning, the official repository of the memory of apartheid 'has the danger of obscuring practices such as racism in sport and the gross denial of opportunities to black South Africans to realise their talents in sport' (122). By ignoring the past, officials are trying to build the sport on shaky ground.

The Tennis Association's website, for example, credits the Tennis Sugar Circuit, created with the financial backing of the South African sugar industry, for producing some of

South Africa's finest (White) tennis players. Badat reminds us that the sugar industry was built on the bodies of Indian indentured labour and, later, Black labour. While enriching itself on Black bodies, the sugar industry failed to support Black sport. In fact, the sugar industry ignored pleas from community activists over the years to finance the building of a memorial to commemorate indentured labour. The sugar companies on the north coast of Natal have been selling off their land for millions for upmarket housing.

Badat's story is very much about the present. He makes an earnest plea, one reiterated during SACOS' 50th anniversary commemorations, that in speaking about the past, the aim is not to be nostalgic but to find a way to rebuild communities and sports; to hear the voices of past activists whose vision held that it is possible to build another world. Sport in the post-apartheid period, starting at school level, is elitist. He urges that we need to rekindle and protect the ideas of non-racialism and advance the grassroots transformation of sports. The transformation record of sports organisations in the post-Apartheid period has been underwhelming. It is incumbent on a new generation of activists to take the sports agenda away from the 'gin and tonic club' and put it on a course of equity, social justice and racial transformation.

While Badat highlights the mostly positive role of SACOS in non-racial sport, the organisation's legacy in South African sports has come under discussion. SACOS had a moral commitment to non-racialism, and was committed to the exclusion of White sports from international sporting bodies. The question is, at what cost? SACOS prohibited contact with international sports men and women (even Black ones) and introduced its (in)famous 'double-standards resolution' in 1977 that anyone collaborating with any arm of the apartheid state could not participate in non-racial sport. What were the consequences at the grassroots level regarding the development of skill levels which would have ensured that sports men and women were prepared to compete at the highest levels when White minority rule ended? Did SACOS fail to read the political moment in the late 1980s and early 1990s by rejecting international sport until there was progress towards unity? Could / should SACOS have opted for another strategy that may have allowed it to have a greater say in the direction of sport in the post-Apartheid period?

Conversely, could the ANC have gone on a different path regarding sports unity? The ANC's creation, the National Sports Council (NSC), has been accused of sidelining SACOS. Did the creation of the NSC and the haste with which international sport was resumed, retard the development of sports in the country?

What about the role of the post-apartheid ANC government? Badat rightly notes that 'South Africa has embraced global capitalist sport' (122). He blames sports officials and argues that the failure of the government to provide facilities in working-class communities is partly responsible for the state of post-apartheid sport, and it must be held accountable.

Late one evening in March 2023, Saleem Badat launched his book at Ike's on Florida Road. Alongside him was one of the central figures in the book, Hoosen Bobat. Badat's speech urged that we reflect on SACOS' slogan, 'no normal sport in an abnormal society,' which remains relevant today in a highly divided society. Tennis was never played on a level playing field. Opportunities were shaped by race, class, and gender. Decontextualised ideas of merit in contemporary South Africa are retrogressive and unhelpful, given the structural inequalities in the country. The criterion of merit was unhelpful in 1971 and remains so in the present because it is abstracted from the conditions under which people live.

In present-day South Africa, what does Badat's plea mean in practical terms? While we wait for equal sports opportunities to take root, should quotas be implemented to increase the number of Black players in sports teams? Some Black players chosen for national teams rebel against the label 'quota' and argue that they are there, or want to be there, on merit. In a country increasingly reflecting class rather than race apartheid, what do racial quotas achieve? What will quotas mean in individual sports like tennis if players are selected on terms other than merit? And given the commodified and hyper-commercialised nature of sports, which allows sportsmen and women to succeed independently of national teams, can the government introduce policies aimed at racial redress?

The example of cricket is illustrative. Black administrators in South Africa have been rendered helpless because the game is dominated by private T20 leagues

(so-named because each innings comprises twenty overs). South Africa hosted its inaugural SA20 tournament in January 2023. The franchises (teams) were owned by India-based business people who paid a fee to local cricket associations to use their facilities. Without this funding, cricket would not survive in South Africa. There were no racial quotas in the tournament, and the (Black) captain of the South African cricket team, Themba Bavuma, was initially not chosen by any of the six franchises. The government could not intervene or protest that the franchises selected mostly White South African cricketers. Without quotas or the provision of proper facilities and opportunities, as Badat rightly points out, Black sportsmen and women will continue to have differential second-class opportunities to participate in sport.

As the evening enveloped Ikes, my eyes wandered from some famous tennis players in attendance, most in the twilight of their lives, to the Casbah in the distance. While historians often decry the word, I must admit nostalgia for the 1960s and 1970s that Badat enlivens so vividly as he remembers those who sacrificed so much to build a sports culture that demanded excellence and social justice within and beyond boundaries.

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