



Routledge Contemporary South Africa

THE CONTESTED IDEA OF SOUTH AFRICA

Edited by
Sabelo J. Ndlovu-Gatsheni and Busani Ngcaweni



“This is a powerful compilation of perspectives that explores the complexities of South Africa. South Africa has a contested history, which exists in tandem with the deep fissures still present in society and a host of new dynamics to navigate. The *Contested Idea of South Africa* analyses these complexities through a critical lens and provides a valuable contribution to understanding the transformation to a post-colonial state and the struggles that inevitably arise from this. The contributions traverse the genealogy of South Africa, the various actors who have conceptualised the current notion of South Africa alongside concepts such as race, ethnicity, and gender, amongst others. This book is an important reflection on forging an identity within the confines of a contested state while positing tangible solutions.”

– *Professor Tshilidzi Marwala, Principal and Vice-Chancellor, University of Johannesburg*

“This book is a timely scholarly contribution that illuminates the formation of racial identities as imagined communities in South Africa and dissects the role of ideas, intellectuals, and social movements in shaping or disrupting the project of identity formation. These collected essays are set against the conceptual frames of decoloniality. The authors place the idea of a South African nation under critical scrutiny, especially in light of the continuing patterns of white privilege and black cultural and economic exclusion.”

– *Professor Mzukisi Qobo, Head: Wits School of Governance, University of the Witwatersrand*

“This book covers voluminous research with painstakingly presented factual, historical, imagistic and poetic ideation on the complex subject of the contestations on the idea of the identity of South Africa and being South African. It debates, questions and examines with patience the myriad topic of overlapping histories whose prism-centre is hinged on colonialism, dispossession, liberation, identity and self-definition.

In a four-part structure, the complex themes and the proponents of the ideas that have defined South Africa’s being, the book displays some of the delicate subjects like ongoing colonialism of the “white”stans which was predicated on the colonial framework of divide, conquer by killing and stealing and self-appropriate to create the Bantustan ideology; it brings to the fore issues of the Tutu-Rainbow Nation and the Mbeki African Renaissance—which all point to the complex multifaceted idea of what we call South Africa as it encapsulates race, culture, ethnicity, language, knowledge, class, gender and generation spatial identity; cultural expression as an identity marker.

This book faithfully reflects the subject of identity and idea of South Africa as a complex amalgam of multidimensional themes. The skill of bringing together such talent and depth of research is laudable. This is worth a read.”

– *Professor Zodwa Motsa, University of South Africa*



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The Contested Idea of South Africa

This book reflects on the complex and contested idea of South Africa, drawing on a wide range of disciplinary perspectives.

Ever since the delineation of South Africa as a country, the many diverse groups of people contained within its borders have struggled to translate a mere geographical description into the identity of a people. Today, the new struggles 'for South Africa' and 'to become South African' are inextricably intertwined with complex challenges of transformation, xenophobia, claims of reverse racism, social justice, economic justice, service delivery, and the resurgent decolonisation struggles reverberating inside the universities. This book covers the genealogy of the idea of South Africa, exploring how the country has been conceived of by a broad group of actors, including the British, Afrikaners, diverse African nationalist traditions, and new formations such as the Economic Freedom Fighters (EFF), Black First Land First (BLF), and student formations (Rhodes Must Fall and Fees Must Fall). Over the course of the book, a broad range of themes are covered, including identity formation, modernity, race, ethnicity, indigeneity, autochthony, land, gender, intellectual traditions, poetics of South Africanness, language, popular culture, truth and reconciliation, and national development planning.

Concluding with important reflections on how a colonial imaginary can be changed into a free and inclusive postcolonial nation-state, this book will be an important read for Africanist researchers from across the humanities and social sciences.

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**Edited by
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Foreword

This is an unusual Foreword. I want to make an argument about the overarching uses of law in the construction of the idea of South Africa, as part of foregrounding what is contained in this important book. While South Africa has not been a single idea, but as this book amply demonstrates, is a multiplicity of contested ideas, law itself has been the single idea connecting the colonial, apartheid and the present state. How did this happen? How did law – in its different guises – survive over a period of three centuries? How has it shaped South Africa? In turn, how did the political, economic and social evolutions and revolutions of South Africa shape the law? These questions are more important this year, 2021, for two reasons: the South African parliament is engaged in difficult debates about the amendment to the Constitution in order to amend section 25 which guarantees compensation for land expropriate under land reform. Second, and linked to the debates in parliament, political discourse in South Africa is progressively deteriorating as political parties try to gain favour from the voters based on the promise of restoring the rule of law, protecting property on the one hand and on the other promising to ‘dish out’ the land to the masses.

My starting point is the context of history, economics and politics. Marxist constructions of law – law as a mere pretence for the ruling political and economic elites – are no longer adequate explanations for the role of law in society. In his book *Whigs & Hunters: The Origin of the Black Act*, published in 1975, British historian EP Thompson showed the abuses of a “bad law drawn by bad legislators, and enlarged by interpretations of bad judges”.¹ Yet his thesis was that the Black Act of 1773 – a statute of the British Parliament which sanctioned by death the crimes of poaching and the cutting of trees – was intended to protect the interests of the land-owning elite class against the landless. He succeeded. But he resisted class triumphalism, refusing to conclude that law was simply a pale reflection of the desires of the ruling elites. In his final chapter, comprising 11 pages, Thompson astonished his Marxist colleagues when he defended the rule of law, describing it as “an unqualified public good”. But how? Thompson focused on how the formal law camouflaged as justice came to displace traditional norms of justice against the interests of the persons on whom it was imposed. Yet at the same time this “law” constrained

the powers of its sponsors, the ruling elites. Thus, paradoxically viewed, law has always resisted capture into a single norm. It is the recognition of the shifting uses of law, one in the hands of the oppressed and the other, in the hands of the oppressor classes, that has endeared the law to the colonizers and the colonized alike.

We should take Thompson seriously. Accounts of the rule of law which situate the law in grand political narratives do not have to subordinate law to politics. Yes, the rule of law is intertwined with the political and economic systems of government. But this is not a hierarchical relationship. The rule of law needs no preconditions to thrive, although it usually flourishes in democratic systems where political power is contested and the principle of equality before the law is observed. But not always. Even in autocratic systems, the principles of the rule of law can influence undemocratic and oppressive systems in ways that foster the respect of human rights and create conditions for freedom. It is in this latter respect that the rule of law is most potent: as a catalyst for change and an indicator of the possibility of change.

South Africa, the political entity, is a relatively new one, created by the Act of Union of 1909. Understanding, then, the uses of law in this period is helpful to understanding the idea of South Africa. The years 1910 to 1920 marked the institutionalization of the racial order, entailing the fundamental transformation of all aspects of society, reflective of the prejudices of the influential leaders of the era: Jan Smuts, Barry Hertzog, Louis Botha. While they had their disagreements about the future of South Africa, their opinion on the native question was settled: South Africa's political authority belonged to the white man, native people could be accommodated, but as the ruled.

A key institution that legitimated the racial political order was the institution of the law. Notions of the meaning of private property, definition of a "native" or "coloured" or even qualifications of women as lawyers were political questions, which turned into legal ones once they were before the courts. Some statutes did not contain explicit racial language, but judicial interpretation produced segregation that accorded with the implicit intentions. Race, citizenship and land were among the most important aspects in which colonial mindsets played out.

In 1875, a dispute arose on the diamond fields of Kimberley. And it was not a dispute about diamonds, but about land. At issue was who owned the land, under which the diamonds were found. Whoever owned the land, owned the diamonds. A number of potential claimants presented themselves: the Afrikaners of the two Boer Republics of the Transvaal and Orange Free State and the diamond diggers. The Griqua, represented by Arnot, based their claim on prior occupation. The argument was that the area has been occupied by Griquas – people of mixed racial origins between the San and Khoi and the Dutch – in the 18th century when they fled discrimination from the Cape. When the British proclaimed the area as British, territory rights of prior occupation were not extinguished. The British government set up the first Land Court, in 1875, known as the Land Court for the Griqualand West, to

decide the land claims. The Griqua lost their case based on the reasoning – reflective of colonial attitudes – that the Griqua were a nomadic people. The jurisdiction of their chiefs, he said, was over people, not a specific fixed land or area. The judge’s findings were much more significant than a mere refusal to approve the claim of the Griquas. The notion of private property held by way of title was virtually unknown among Africans. But this is not the same thing as saying that Africans did not recognize *any* form of ownership. The ownership was communal. By the simple act of distorting the *nature* of African ownership, Stockenstrom could deny ownership in its entirety.

This was the same principle applied in the 1926 case of *Sobhuzza II v Allister M Miller and others (Swaziland)* where the court ruled that local native people – the Swazis – had no right to their land which had been annexed by the British because “[t]he ownership of the land had passed to the Crown, and that the effect of this was to extinguish any rights of use and occupation that were in the natives”. These court judgments were vital in confirming the uses of law to consolidate the position of conquest in the construction of the idea of South Africa. While the land of the Africans was taken by means of war, it was law that gave the conquest legitimacy.

But law was not only important to defining property relations along the lines of conquest, it was also central to the making of the concept of *race* itself. Racism, as Saul Dubow argues in his book *Scientific Racism in Modern South Africa*, 1995, is part of the “historical structure” of South African society. Race externalizes the presumed innate biological differences between people and the assumptions about superiority. Upon the concept of race were built societal myths that venerated difference, exclusivity and superiority. Courts were also caught up not only in the acceptance of race, but also in its construction. Political questions such as who was an “Asiatic” or “Native” were turned into legal questions.

Take immigration, for instance. The policy position of the Union Government – manifesting racist paternalism – is apparent from section 3 of the Immigration Act 30 of 1906, which prohibited the entry into South Africa of anyone who was unable to “write out and sign in the characters of any European language”. Adam Hadji Gool Mahomed, President of the British Indian League, brought an application to challenge the deportation of five men of British Indian origin who had been deported under this Act. In *Mahomed NO v Union Government (Minister of Interior)* 1911 AD 1 Chief Justice Rose Innes, held that any entitlement of these men to be domiciled in South Africa was a right at common law which had been extinguished by legislation. Since the legislation expressly excluded them from a statutory right of immigration, their deportation was lawful. The practical consequences were plain. Many Indians looking to emigrate to South Africa were refused such entitlement. Importantly, however, the refusal of Indian immigrants was compatible with the express political wishes of keeping South Africa white.

The issue of who was an “Asiatic” came up in *R v Padsha* 1923 AD 281 where the court had to deal with a provision which allowed the Minister to

declare as “unsuited” persons or a class of persons from immigrating to South Africa on economic grounds or on the basis that the standards or habits of that person(s) was undesirable to the Union. The court held that the term ‘Asiatic person,’ was used “not in its primary or etymological sense”, but in its “popular sense”. This meant that “in conversation, when Asiatic immigrants are spoken of, the ordinary man would have in mind coloured persons, such as Indians, Chinese, Malays, etc., not white persons such as Jews, Syrians, etc.”. Legal positivism would have mandated an interpretation as decreed by the law-giver. Yet, here the court considered what it referred to as “the real” intention of the Minister – that he intended to use “Asiatic” in the popular sense, without asking itself for the meaning of “popular”. By doing so the court was able to use the law to use prevailing racist norms to guide the meaning of the law.

Disenfranchisement of coloured voters was the final act of racial discrimination, and it was also endorsed by the courts, in the construction of the idea of South Africa. When the Cape colony was granted representative government in 1853 by the United Kingdom, the right to franchise was extended to all, regardless of race, but subject to property, education and financial qualifications. Later governments intended to completely obliterate franchise rights of native voters. The end of the Anglo-Boer War in 1901 created a climate for the Dutch and the English to negotiate a framework for the making of a white South Africa. The political settlement – reflected in the Treaty of Vereeniging – was straightforward. Whites would share the political, religious and economic power in a spirit of mutual cooperation. Blacks would be confined in the native reserves – their presence in the cities would be allowed as labourers tightly controlled by pass laws. The rights of franchise would be further curtailed. The Union Constitution of 1910 increased the vulnerability of native franchise. While natives remained on the voters’ roll, section 35 of the Union Constitution ensured that the continued status of native votes would be subject to the wishes of the white legislators. Over time the threats to native franchise became real.

In *Rex v Ndobe*,² a challenge was launched against legislation directed at taking away the vote from the small number of land-owning black men³ who still had the right in the former British colonies when the Union of South Africa was established. Mr Ndobe was a black property owner which qualified him to vote in the Cape. The court refused to recognize his claim. The implications of the judgment were profound. Africans were removed from the common voters roll and placed on a separate voters’ roll where they could only vote for three white men to represent them in Parliament.

By this act, the construction of race, the marginalization of Africans from citizenship and the deprivation of land were complete: what started as war ended as law. Courts were not mere bystanders, they were central actors in the making of South Africa in the imagination of Europe. If it is so that law was central to the making of South Africa in terms which not only venerated difference, but created racial superiority, how should we perceive the law today?

Judge Ismail Mahomed once described South Africa's Constitution as a repudiation of "that part of the past which is disgracefully racist, authoritarian, insular, and repressive". It is arguable whether a colonizing and totalizing colonial legal system retains any "defensible" parts. Nevertheless, the larger point remains: by adopting the Constitution, South Africa began the path towards the negation of its colonial and apartheid past. The Constitution is the primary means through which we can contend with our past, and imagine a new future. But that too is not possible if we are trapped in the legal paradigm of the society we seek to transform.

Returning then, to our central thesis since law is central to the idea of the making of South Africa, we cannot think about a new future without purging from the law the relics of conquest. We must reimagine the pasts and futures of the law. We can do so by recognizing complicity of the law in colonial conquest *and* simultaneously viewing the potentiality of the law as an instrument for liberation. These need not be irreconcilable premises: they can be points of intersection, sometimes collision and often points of overlaps. No clear lines can be drawn between the past, the present and the future. William Faulkner is right when he suggests in the novel *Requiem for a Nun*, 1951, that "the past is not dead. In fact, it is not even past". The project of decolonising the law shines a spotlight on the inarticulate premises of the law, which perpetuate cultural superiority. And this is not an abstract point either. We see this in our conceptions of the forms of "the law of property" which entrenches the distinction between public and private land ownership, but never speaks of family or communal forms of land ownership. Yet these forms of land holding are not only pervasive among Africans, they have been practised for generations with no legal recognition. Communal forms of tenure are a subject far removed from the law of property course outlines at university, and are tucked away in anthropology or, if they make it to law school, they are part of the customary law syllabus. Bringing them to the centre of legal discourses is crucial to *changing* the idea of South Africa.

Law is inseparable from legal education, which must be understood in a larger project of the ways in which Europe shaped an idealized South Africa. European education imposed on African children during the colonial era served as an experiment in the externalization of the "civilizing" mission. Apart from education, law and religion were the other instruments in the imposition of the European culture. Their defining feature was the cultural debasement of Africans. It was about instilling in black children the belief that there is only one way of being in the world: the European way of life. European myths and metaphors would constitute the silent and perhaps salient point of reference of legal, cultural and educational knowledge. This, as Professor Ben Magubane has noted was designed to render the European way of life "common sense". Eurocentrism in law is precisely that. We take many concepts for granted. We ignore their European origins and the ways of their interpretation and uses. We do not interrogate whether these concepts are consistent with the new societal norms under construction. Yet, the

constitutional project opens a new and – perhaps blank – canvas for new thinking. By recognizing that the canvas is blank, we can start the imagination of what should be written into it.

In these senses then, law shaped the idea of South Africa: in defining “race”, relation to property and pervasively defining communal relations. It also promises to play the same role for the future.

This is then the magnificence of this book. It anchors new understandings of our treacherous and multiple pasts. It also helps us to build new ideas of today’s South Africa. The challenge to the editors and the Publisher is to commission a series of books under this title, more so now as South Africa approaches 30 years of democracy in 2024. Many questions arise from this edition that need further scrutiny and follow-up.

Advocate Tembeka Ngcukaitobi
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Notes

- 1 At 267.
- 2 1930 AD 484.
- 3 White women were granted the vote in 1930.

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Part 1

**Major debates on the
contested idea of South
Africa**



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1 Introduction

Why is the idea of South Africa contested?

Sabelo J. Ndlovu-Gatsheni and Busani Ngcaweni

Introduction

The idea of South Africa concerns related questions of the precolonial heritage, the rise as well as construction and reconstructions of South African modernity. At the centre of the contestations and complex politics of nation-formation, nation-building and state-making are equally complex and overlapping histories which are the precolonial, colonial, anti-colonial and post-Apartheid interludes. The complexity is compounded by struggles for liberation, daunting questions of citizenship, identity, land, gender, the constitution and ideology, as well as the materialization of freedoms, individual rights, entitlements and social justice issues. As we witnessed in the July 2021 riots accompanied by devastating looting and the killing of more than 300 people in the provinces of Gauteng and KwaZulu-Natal, persistence poverty and inequality has a major influence in the manifestation and consequences of contestations around the idea of being and becoming South Africa. As some chapters in this book argue, those who exit in the margins of society feel excluded not only from national wealth but the very idea of belonging. Hence the lingering question: whose South Africa is this; it belongs to the rich (because the rich have unparalleled privileges including using money to evade the law); and sometimes others say, it belongs to the criminals (when citizens complain about 'too much' rights being given to criminals) and even foreign nations (when there is a feeling that foreign nationals are being protected). Above political rhetoric, the jargon that has permeated South Africa's political discourse, such as reference to White Monopoly Capital as pursued by the Radical Economic Transformation movement, are largely about the contestation of the concentration of wealth among the minority (both black and white) whilst the overwhelming majority of the citizens are poor, unemployed or subsist in precarious conditions as the middle class with high levels of debt.

Since 2015, the #RhodesMustFall (RMF) and #FeesMustFall movements have added the equally complex issue of cognitive justice and epistemic freedom, with universities being the key sites of struggle – continuing on contested ideological manifestations and contests of the 1970s (black consciousness), the 1960s (the South African Republic and the adoption of the armed struggle),

1950s (adoption of the Freedom Charter and breakaway of the Pan Africanist Congress from the African National Congress), 1940s (legalization of apartheid and formation of the ANC Youth League), 1930s (the Africans Claim), 1920s (formation of the Communist Party of South Africa and extension of racial segregation laws), 1910s (formation of the Union of South Africa, formation of the ANC and passing of the 1913 land act), among others.

The idea of South Africa preoccupied such minds as that of early white liberals like Olive Cronwright Schreiner as far back as 1923 when she posited that:

the people of South Africa resemble the constituents of a plum-pudding when in the process of being mixed; the plums; the peel; the currents; the flour; the eggs; and the water are mingled together. Here plums may dominate, there the peel; one part may be slightly thinner than another, but it is useless to try and resort them; they have permeated each other's substance; it would be dividing a complex but homogenous substance into parts which would repeat its complexity.

(Schreiner, 1923: 60–61)

She went further to pose pertinent questions:

What then shall be said of the South African problem as a whole? Is it impossible for South African peoples to attain to any form of unity, organization and national life? Must we forever remain a vast, inchoate, invertebrate mass of humans, divided horizontally into layers of race, mutually antagonistic, and vertically severed by lines of political state division, which cut up our races without simplifying our problems, and which add to the bitterness of race conflict irritation of political divisions? Is national life and organization unattainable by us?

(Schreiner, 1923: 61)

This was one of the earliest attempts at understanding the challenges of making of a people called South Africans. In 1941, G. H. Calpin published a book entitled *There are No South Africans* and posited that 'The worst of South Africa is that you never come across a South African' (Calpin, 1941: 9). At the base of the making of South Africa has been the challenge of how to translate a figurative expression describing the southern tip of the African continent into an identity of a people.

If one flashes analysis back to the precolonial times, the complexity is accentuated because the forebears of the present black South Africans were also actively involved in the processes of enlargement of scale of their polities, nation-making and state-building initiatives. Such nation-builders as Shaka of the Zulu, Moshweshwe of the Sotho, Mzilikazi of the Ndebele and many others contributed to the identity of modern South Africans (Etherington, 2001).

So, at play were not only the imperial and colonial initiatives predicated on frontiers of conquest by the Dutch and the English which culminated on such identitarian projects as Anglicization and Afrikanerization. Colonial conquests and colonial administrations always provoked resistance and contestations from the black indigenous people. The epic Xhosa (Eastern Frontier) wars of resistance lasted over a hundred years whereas the Zulu resistance delivered the defeat of the British at the Battle of Isandlanwa in 1879 and remerged in 1906 with the Bhambatha Rebellion against the tax imposition by colonial administrators of Natal. These were not the only forms of resistance and contestation against imperialism, colonialism and apartheid – between the natives and the settlers.

The Afrikaners and the English also fought over resources, especially minerals as well as over power right up to the time of the Act of Union of 1910. Known as the two Anglo-Boer Wars over the control of the colonies of Natal, the Cape, Transvaal and Orange Free State, the democratic government after 1994 named these the South Africa Wars. This was in part meant to recognize that they were not just engaged in a white (Afrikaner) on white (English) war but over the control of the state power and resources across the colonies. In fact, the natives did participate and suffered a great deal from these wars although only later formally recognised as such in history books. In fact they were major losers of these wars as racial discrimination and land dispossession intensified as the new Union was indeed a white Union. Bongani Nqgulunga in chapter three of this book debates this further.

Arguably, the *Wealth of Nations* and the *Communist Manifesto* might have foretold these conflicts for they both mentioned the significance of the colonization of the land in the southern tip of Africa (or the Cape) in the evolution of colonialism and capitalism (Ngcaweni, 2014).

The coming together of the Afrikaners and the British in 1910 to construct modern South Africa as a ‘whitestan’, which excluded black African people from power provoked unity among black African people. The modern anti-colonial and anti-apartheid nationalist struggles became embodied by the formation of the African Native National Congress (ANNC, later renamed the African National Congress) in 1912. This was followed by the establishment of other congresses such as the Indian Congress and Coloured Congress. The most important document that emerged from the congress movements was the Freedom Charter of 1955 which emphasized an inclusive non-racial post-apartheid nation (see Ndlovu-Gatsheni, 2013).

While the Freedom Charter attempted to define the imagined postcolonial/post-apartheid South Africa as a non-racial formation, it provoked radical nationalists like Robert Mangaliso Sobukwe who had already imbibed the Africanist and pan-Africanist ideas of decolonisation being about liberation of conquered black African people and establishment of black African-ruled republics to break from the African National Congress (ANC) to form the Pan-Africanist Congress (PAC) of Azania. Earlier in 1934, Moses Konate of the Community Party of South Africa wrote what came to be known as the Cradock Letter in which he called for the ‘Africanisation of the Communist

Party', in part recognizing the significance of the natives playing a leading role in the leadership of the liberation movement, driven by their direct experience of oppression and their proximity to local communities.

In short, the period of the anti-colonial struggles exhibited its own complex ideological contestations as well as divergent imaginaries of freedom and liberation. One can distil culturalist-ethnic nationalism, Black Consciousness nationalism, pan-Africanist nationalism, leftist-Marxist-class-oriented nationalisms and liberal-bourgeois-oriented nationalisms. These ideological divergences reflected the complexity of the idea of South Africa as well as the difficulties of its resolutions. How to turn what to some appeared as a mere geographical expression (South Africa) into a stable name of a people who are freed from racism, colonialism, sexism and patriarchy had never been easy. The colonialists and apartheid ideologues had chosen the most simplistic and problematic solution of 'separate development' predicated on fragmentation of people into races and tribes (Bantustans). This was a tragic imagination which provoked all sorts of conflicts. Also, the Freedom Charter prescription of 'South Africa belongs to all who live in it' without resolution of economic justice issues has plunged the country into new layers of contestations and conflicts over land for instance, which has remained in the hands of those who benefitted from apartheid colonialism.

Thus, the end of administrative apartheid provoked further imaginations of the nation with Desmond Tutu coining the idea of a 'rainbow nation' and Thabo Mbeki pushing the idea of 'African Renaissance' and its emphasis on an emergent and inclusive African identity born out of complex historical experiences. It is, therefore, not surprising that scholars like Ivor Chipkin would produce such books as *Do South Africans Exist* in 2007 which returned to the pertinent question of the construction of South Africa identity linked to the the equally complex issue of democracy (Chipkin, 2007).

The present book is also returning to the fundamental question of how South Africa has been conceived and imagined while at the same time engaging rigorously with various imaginations of the nation across time and space within the context of what Saul Dubow (2006; 2007) terms 'the struggle for South Africa' and 'a struggle to become South African'. In the intra-party discourse of the ruling party, the contest between ideological tendencies is often referred to as 'the battle for the soul of the ANC' (see Gumede, 2007) while in fact the horizon of this struggle is hegemony over the political and economic institutions of the country.

Today, the new struggles 'for South Africa' and 'to become South African' are inextricably intertwined with complex challenges of transformation, xenophobia, claims of reverse racism, social justice, economic justice, service delivery and the resurgent decolonisation struggles reverberating inside the universities. The RMF Movements underscores the shift from the idea of South Africa that cascaded from colonial/imperial/apartheid thinking to the new 'South African idea' as defined by the descendants of those who were victims of enslavement, colonialism and apartheid.

More recently, these contestation have taken another dynamic particularly as fractures in the ruling African National Congress continue to negatively impact on society. They impact in various ways including:

- Factionalism – this spills over to society to a way of creating violent conflict in communities and institutions. In provinces like KwaZulu-Natal, murder of political opponents is not uncommon. Some observers associate this with a long history of violence in the province and the country in general to the extent that the idea of getting ahead means, sometimes, eliminating opponents.
- Poor governance and corruption – this impacts on the ability of the party to govern and deliver services thus making poverty endemic. As stated above, the recent space of violent protests and looting is widely characterised as a revolt against poverty, inequality and unemployment. In this connection, we argue, the poor might as well be feeling justified to loot local shops as they see the rich loot state resources without consequences.
- Hollowing out of state institutions – this weakens the ability of organs of state to deliver goods and services. A case in point is the ability of police and prosecution authorities to deal with crime and corruption. The matter gets worse in state owned enterprises which continue to pose a major risk to the sovereign because of state guarantees and debt which appear as contingent liabilities in the national budget.
- Mismanagement of the economy – to the extent that growth remains stunted, economic recovery plans are not yielding results, state owned enterprises are bankrupt and collapsing and the currency is unstable with adverse consequences on the balance of payments and the price of fuel.

The key unique features of the proposed book are decolonial/postcolonial theoretical framework predicated on identity as the key unit of analysis. Identity matters here as it sits at the centre of politics, history and society.

The concept of identity encapsulates issues of race, ethnicity, citizenship, culture, language, knowledge, class, gender and generation. The perennial questions of the making of national identity, forging common citizenship and belonging in a country with a kaleidoscope of backgrounds remain a key challenge not only in South Africa but on the African continent in general and even beyond. The timeliness of this book cascades from the reality of how and why after two decades of liberal democratic rule, South Africa is still faced with similar challenges and is unable to accomplish the liberation promises.

The book is written at a time of resurgent and insurgent decolonisation of the 21st century with South Africa emerging as a site of its contests symbolized not only by the Rhodes Must Fall Movements but also by such other formations as Black First, Land First (BFLF), the Economic Freedom Fighters (EFF) and more recently the Radical Economic Transformation (RET) which has made it its mission to fight against the concentration of wealth and control of the economic at the hands of White Monopoly Capital. The very emergence

of these formations indicates the continuing challenge of the idea of South Africa. Thus, in this book one finds the decolonial/postcolonial theoretical framework being utilized to explicate the complex contemporary and historical issues haunting the very idea of South Africa. These black-centred perspectives seek to subvert previous and resilient 'white narratives' of the nation. At the core of the 'black narratives' is a combination of Fanonian decolonisation, Steve Bantu Biko's Black Consciousness thought, Afro-Marxism, black feminism and pan-Africanism. What is also distinctive about this book is the transdisciplinary vantage points represented by the diverse academic and intellectual backgrounds of the contributors. The disciplinary orientations of the contributors range from history, anthropology, political science, agrarian studies, policy studies, and literary studies to gender studies.

Organizationally, the book is underpinned by four overarching and overlapping themes which hang together the contributions. The first part is constituted by chapters which address the major debates on the idea of South Africa beginning with the evolution of South African modernity and the translation of a geographical expression into an identity of a people. This first chapter by Sabelo Ndlovu-Gatsheni and Busani Ngcaweni directly grapples with why the idea of South Africa is contested. This issue is further fleshed out in Chapter 2 by Sabelo Ndlovu-Gatsheni right up to the present conundrum of a liberal democracy characterized by a bulk of property-less black African people. Whether such a democracy is sustainable, becomes a major question. Chapters 3 and 4 by Bongani Ngqulunga and Tlhabane Dan Mataung engage the complex issues of race, citizenship, indigeneity and autochthony as they reverberate within the shifting and contested idea of South Africa. The last chapter in this first part of the book is by the late Kenneth Tafira, and provides a broad mapping of the key phases of the unfolding of South Africa modernity as a discursive terrain within which the very idea of South Africa emerged.

The second part of this book is about intellectual imaginings of the idea of South Africa. The first chapter here is by the late Ntongela Masilela and is focused on H. I. E. Dhlomo's intellectual framing and imaginations of the idea of South Africa. It is followed by Bongani Nyoka's chapter on Archie Mafeje and Bernard Magubane's ideas of revolution in South Africa. The idea of revolution always animated the idea of South Africa particularly during the anti-colonial and anti-apartheid struggles. The third chapter in this section by Tendayi Sithole discusses how Achille Mbembe, a leading African postcolonial theorist understood and articulated the idea of South Africa into that of Afropolitanism. The last chapter under Part 2 is by the poet Anthol Williams and sheds light on the poetics of the idea of South Africa as exhibited in prose and poetry.

The third part of the book is framed by the big ideas of spatial justice and land reform. The first chapter is by Mfaniseni Sihlongonyane on pertinent issues of urbanism and belonging to the city, an important aspect of spatial justice within a context of South Africa where the city was monopolized as a white city. The next three chapters in this section by Muxe Nkondo, Grasian

Mkodzongi and Clemence Rusenga, and Fundi Skweyiya are about three aspects of land reform in South Africa, namely social justice as expressed in land expropriation without compensation, agrarian injustices, and rural land tenure debates. The question of land is a central leitmotif of the idea of South Africa and failure to resolve it will continue to be a source of political contestation and, in fact, the realization of economic and social justice is contingent on it.

The last part of the book is on social cohesion and its discontents. The first chapter by Akhona Nkenkana introduces the complex unresolved problem of coloniality of gender in the idea of South Africa. The next chapter by Sifiso Ndlovu discusses how ethnic identities are interfaced with the central nationalist notion of a rainbow nation. The focus is on the Ndebele of Mpumalanga province of South Africa, well-known for their distinctive artworks. The third chapter by Kgabo Morifi and Malaika Mahlatsi deploys the concept of living in a zone of exclusion to highlight how race continues to haunt and shape substantive citizenship in South Africa. The last chapter of this book by Busani Ngcaweni and Aver Salooje tackles the issue of how the National Development Plan (NDP) has advanced the idea of South Africa through the means of social cohesion.

Conclusion

At the time of writing this book the contemporary struggles ‘for South Africa’ and ‘to become South African’ were increasingly being haunted by inextricably intertwined issues of transformation and decolonisation of higher education institutions, recurring incidents of xenophobia, deepening inequalities provoking struggles for social justice, economic justice and service delivery. South Africa had emerged as the major site of insurgent and resurgent decolonisation struggles reverberating in the streets of South Africa and all the way to the gates of higher education institutions. The RMF Movements (in both its anti-racism and anti-sexism manifestations) underscored the shift from the idea of South Africa that cascaded from colonial/imperial/apartheid thinking to the new ‘South African idea’ as defined by the descendants of those who were victims of enslavement, colonialism and apartheid. There are even public assertions that former president Nelson Mandela gave peace, property rights and citizenship to the former oppressor whilst limiting the democratic dividend to the formerly oppressed to free political expression.

As painful as these debates may seem, it is imperative that these issues are engaged scholarly and in public discourse as we search for enduring solutions. Overall, this book tries to tackle questions spanning ranging indigeneity, the colonial construction of the idea of South Africa, how the democratic dispensation has shaped the idea of South Africa, the cleavages of inequality and social exclusion, racially biased ownership of wealth and the land, the idea of South Africa as imagined poets and literary practitioners, and most importantly,

the national question debates. Whilst it does go deeper in debating the Radical Economic Transformation movement and its struggles against what it calls White Monopoly Capital, the nature and form of contestation is common across the movements although they may differ in rhetoric and approaches.

This is certainly not a conclusive account, but a contribution to ongoing attempts to build a coherent understanding of factors that shape the idea of South Africa which continues to be contested as political economy factors influence perceptions and conditions of being and becoming.

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2 The idea of South Africa

Opening Pandora's box

Sabelo J. Ndlovu-Gatsheni

Introduction

On 7 July 2021, following the arrest of the former South African President Jacob Zuma, the country plunged into an unprecedented wave of protests characterized by looting and burning of shops including mega-malls. Analysts and the government could not easily find correct terminology to name the protests. The first response of the current South African President Cyril Ramaphosa was to depict it as an outcome of what he termed 'ethnic mobilization' perhaps because it started in the province of KwaZulu-Natal where former President Zuma hails from. This depiction was quickly exposed to be dangerous for social cohesion of South Africa and inadequate as the protests spread to Gauteng Province. After visiting KwaZulu-Natal and following criticism, President Ramaphosa backtracked on his initial 'ethnic mobilization' thesis:

Later, we then analysed the situation with all our leaders and came to the conclusion that no, this is not about ethnic mobilization, much as at the beginning it seemed to appear like that [...]. Right now, we are dealing with a situation that goes beyond ethnic mobilization, but I have also said that criticism against even me for having suggested ethnic mobilization I see it in a positive light because it means as South Africans we are disavowing any notion of ethnicity.

(Ramaphosa, quoted in Citizen 2021)

The 'ethnic mobilization' thesis insinuated that the protests and looting were nothing but ethnic motivated pro-Zuma incidents. It would seem that the arrest of former President Zuma was a trigger but the looting exposed the material bases of the protests by a people experiencing the heavy burden of lockdowns which debilitated livelihoods and exacerbated poverty.

The second response was a securocratic and very political one in which President Ramaphosa spoke of 'insurrection' against the state. Again, there were disagreements within leaders in the state with the minister of defence Nosiviwe Msipa-Ngqakula initially dismissing the idea of an 'insurrection,'

only to toe the line when insinuations of her insubordination to the Commander-in-Chief of Armed Forces (President Ramaphosa) were raised. Such security scholars as Jakkie Cilliers, Head of African Futures and Innovation at the Institute of Security Studies (ISS) in Pretoria quickly embraced the ‘securocratic’ perspective of an insurrection, positing that:

The attempted insurrection of the past week affirms the extent to which South Africa suffers from debilitating political, social and economic pathologies. With high unemployment, inequality, poverty, xenophobia, and racism, the country will face internal security problems for years to come.

(Cilliers 2021: 1)

The problem of the securocratic perspective is not only its alarmist claims but also its reductionist approach to the problems facing South Africa to the extent of blaming the security sector and suggesting the solution of reorganizing, strengthening and repurposing the national security sector ‘Starting in the Cabinet would be an important step’ (Cilliers 2021: 2). Yes, South Africa needs strong security but it was not weak security that caused the protests and looting.

The third perspective is that the protests and looting were ‘the results of decades of economic hardship and institutional failure’ and that what is needed is for government to ‘abandon its austerity agenda’ (Sibeko 2021: 1). That South Africa is the most unequal society has been repeated many times but what modes of responses from the majority of the poor will emerge beyond sporadic service delivery protests has been normalized. The covid-19 pandemic and lockdowns have hit hard on a country that was already experiencing a recession (Sibeko 2021: 2). Austerity measures introduced by National Treasury in its bid to address economic downturns has impacted government expenditure on public services. The poor are highly exposed to poverty and hunger.

The fourth and last perspective highlights the ripple effects of political party factionalism within the ruling African National Congress (ANC) on society, nation and government (Bax 2021). The best approach is to connect these perspectives as they are not exclusive of each other and as they reflect a long-standing problematic idea of South Africa. The idea South Africa is itself multifaceted and complex, and resists easy definition just like the recent crisis that hit the country in July 2021.

This chapter deals with the problematic idea of South Africa and locates it in a complex historical terrain of struggles whereby a mere geographical expression had to be translated into an identity of a people and a name of a country. Since the time of colonial encounters, a major challenge facing nationalists (English, Afrikaner and African) has been how to translate a geographical expression into an identity of a people. At the centre of the idea of South Africa are complex ethnicities, races, classes and genders. A long-standing ‘paradigm of

difference' constitutes a deep fault line enabling the 'de-nationalization' of black indigenous people into 'right-less subjects' and 'nationalization' of foreign white settlers into 'citizens' enjoying civil, political and economic rights. The nationalist-liberal ideology of inclusivity (rainbowism) cascading from the Freedom Charter of 1955 was meant to solve this complex problem that became known as apartheid. To gain a deeper understanding of the contestations and struggles over the idea of South Africa, one has to delve into the complex genealogies, trajectories and horizons while at the same time highlighting the broader discursive-historical-ideological frameworks within which it crystallized. The contestations are continuing to reverberate at the centre of the post-apartheid South African Republic, taking the form of struggles for economic freedom and service delivery.

Shula Marks and Stanley Trapido noted that by the 1870s South Africa was a mere geographical expression:

In the 1870s at the beginning of the mineral revolution, South Africa was a geographical expression. Pre-capitalist and capitalist modes of production existed side by side, as did state forms of varying size with their own ruling groups and systems of exploitation. There were two British colonies, two ostensibly politically independent republics and numerous still autonomous African polities. All these were multi-ethnic and multilingual, although not all languages and ethnicities were equal. Colonists of British and European descent lived side by side in the colonies with large numbers of indigenous peoples, and in Natal with indentured labourers from the Indian subcontinent; African kingdoms were equally heterogeneous entities, composed of peoples of different origins.

(Marks and Trapido 1987: 3)

The question which arises is how did a mere geographical expression become a name of a country and a people? How did the 'translation' take place? Who was involved? What forms did the 'translation' take? What struggles and contestations were provoked? What solutions were developed? What is the current state of the idea of South Africa? Is it still a terrain of struggles and contestations after 1994? These are the key questions at the centre of this chapter and the response to them takes the form of a historiographical and conceptual definition of the idea of South Africa that considers epochal shifts, struggles and contestations.

Debating the idea of South Africa

The idea of South Africa speaks to the fundamental questions of what Valentin Y. Mudimbe termed 'a paradigm of difference.' The idea of South Africa can therefore be rendered as a big question mark which entails trying to understand the triumphs and tragedies dominating and shaping the contested, complex and shifting meanings of *being South African* across time and

space. It is a point that was also articulated by the historian Saul Dubow when he argued that ‘we should remember that the struggle for South Africa has long been, and continues to be, a struggle to become South African’ (Dubow 2007: 72).

As a geo-social construct, the idea of South Africa can be traced to the unfolding modern world system. One can trace its genealogy back to 1488 when Bartholomew Diaz circumnavigated the Cape. If we trace this back, the idea of South Africa emerges concurrently with the idea of the Americas, which is traceable to the arrival of Christopher Columbus in the so-called ‘New World’ in 1492. Figuratively speaking, 1492 is identified as a date when Euro-North-American-centric modernity began. Understood from this vantage point, the idea of South Africa becomes a question of genealogy of South African modernity—that is, a tale of its insertion into the modern world capitalist system and the inscription of what Timothy Keegan understood as ‘the origins of the racial order’ (Keegan 1996; Tafira 2014).

But the idea of South Africa is more than a mere question of South African modernity. It exists as a perennial identitarian question that speaks to how the past, the present and the future are entangled paradoxically. Thus, reverberating at the centre of the idea of South Africa is a complex past that has been identified as an obstacle that has to be transcended and a burden that has to be offloaded, but without South Africans falling into amnesia. As such, the idea of South Africa is inherently a multifaceted phenomenon. It is a major historical question of the ‘invention’ of South Africa, to borrow a concept from Mudimbe’s award-winning book *The Invention of Africa: Gnosis, Philosophy and the Order of Knowledge* (1988).

It is a question which, politically speaking, encapsulates various searches for particular configurations of power and particular ideological frameworks that are sensitive to the realities of a society characterized by a kaleidoscope of ethnic, racial, class and gender cleavages. What is emphasized here is that while at the centre of the idea of South Africa have been various initiatives seeking to inscribe particular forms of domination, these have from the beginning locked horns with counter-initiatives aimed at crafting new social and political systems that would respond more effectively and with greater legitimacy and durability to the needs and exigencies of the majority of South African people. This is why the idea of South Africa speaks to the limits of the imperial/colonial/apartheid civilizational project on the one hand and the struggle for liberation and freedom on the other.

At the centre of the idea of South Africa emerged and subsisted various forms of identities. These ranged from historical and culture-based identities commonly referred to as ethnic identities that were reinvented and reified under apartheid colonialism; market-based identities commonly known as classes born out of processes of dispossession, primitive accumulation, peasantization, proletarianization, embourgeoisement and compradorialization; gendered identities born out of various patriarchal forms of socialization that