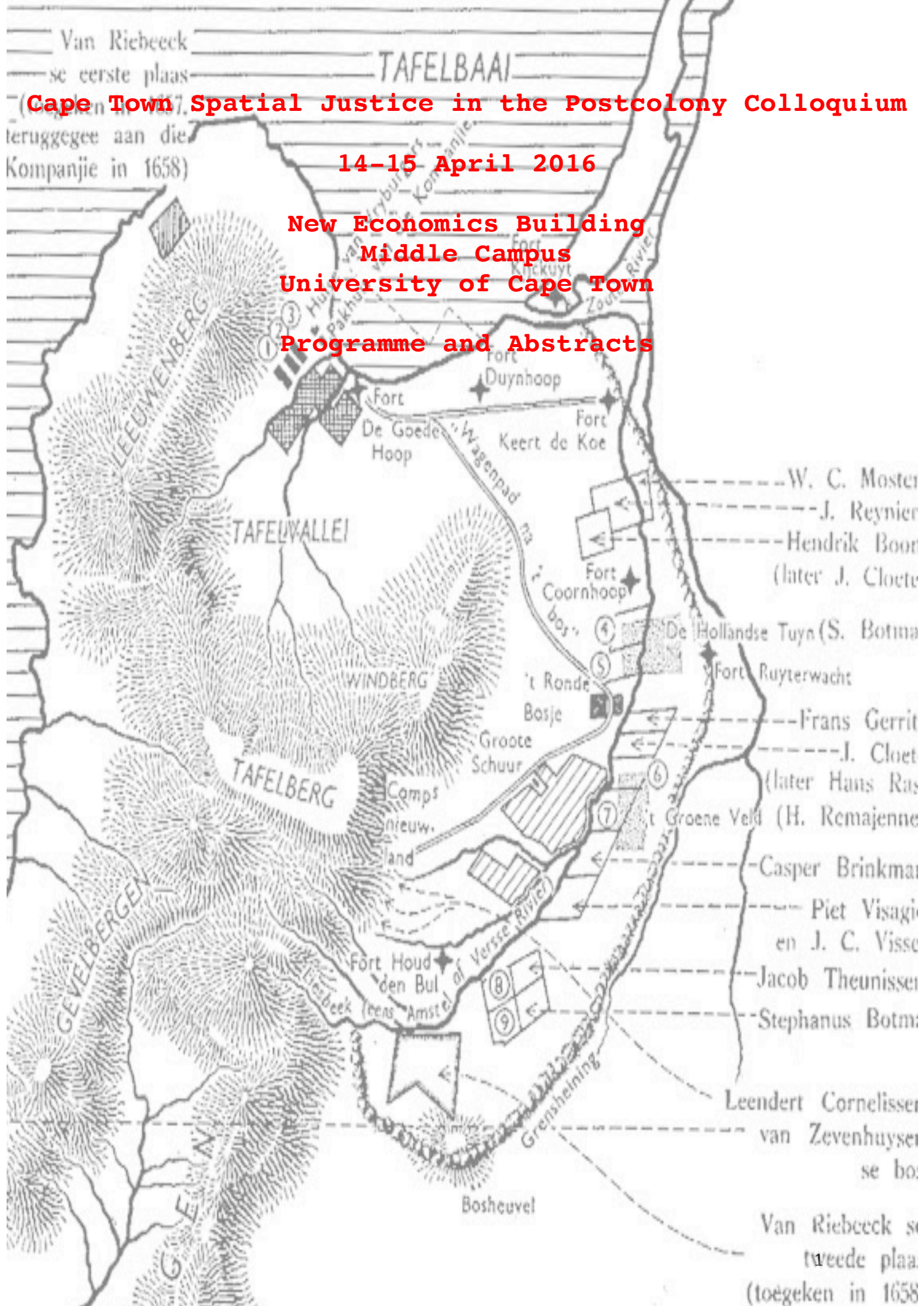




Van Riebeeck  
se eerste plaas  
(toegeken in 1658)  
teruggegeven aan die  
Kompanjie in 1658)

TAFELBAAI

14-15 April 2016

New Economics Building  
Middle Campus  
University of Cape Town  
Programme and Abstracts

W. C. Moster  
J. Reynier  
Hendrik Boor  
(later J. Cloete)  
De Hollandse Tuyn (S. Botma)  
Fort Ruyterwacht  
Frans Gerrit  
J. Cloet  
(later Hans Ras)  
t Groene Veld (H. Remajenne)  
Casper Brinkman  
Piet Visagie  
en J. C. Visse  
Jacob Theunissen  
Stephanus Botma  
Leendert Cornelissen  
van Zevenhuyse  
se bo.

Bosheuvel

Van Riebeeck se  
tweede plaas  
(toegeken in 1658)

Van Riebeeck se eerste plaas (toegeken in 1657.)

Van Riebeeck se tweede plaas (toegeken in 1658)

se bos

van Zeehuysen

Leendert Cornelissen

Stephanus Botma

Jacob Theunissen

en J. C. Vissie

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Casper Brinkman

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J. Cloete

Frans Gerrits

Fort Ruiterwacht

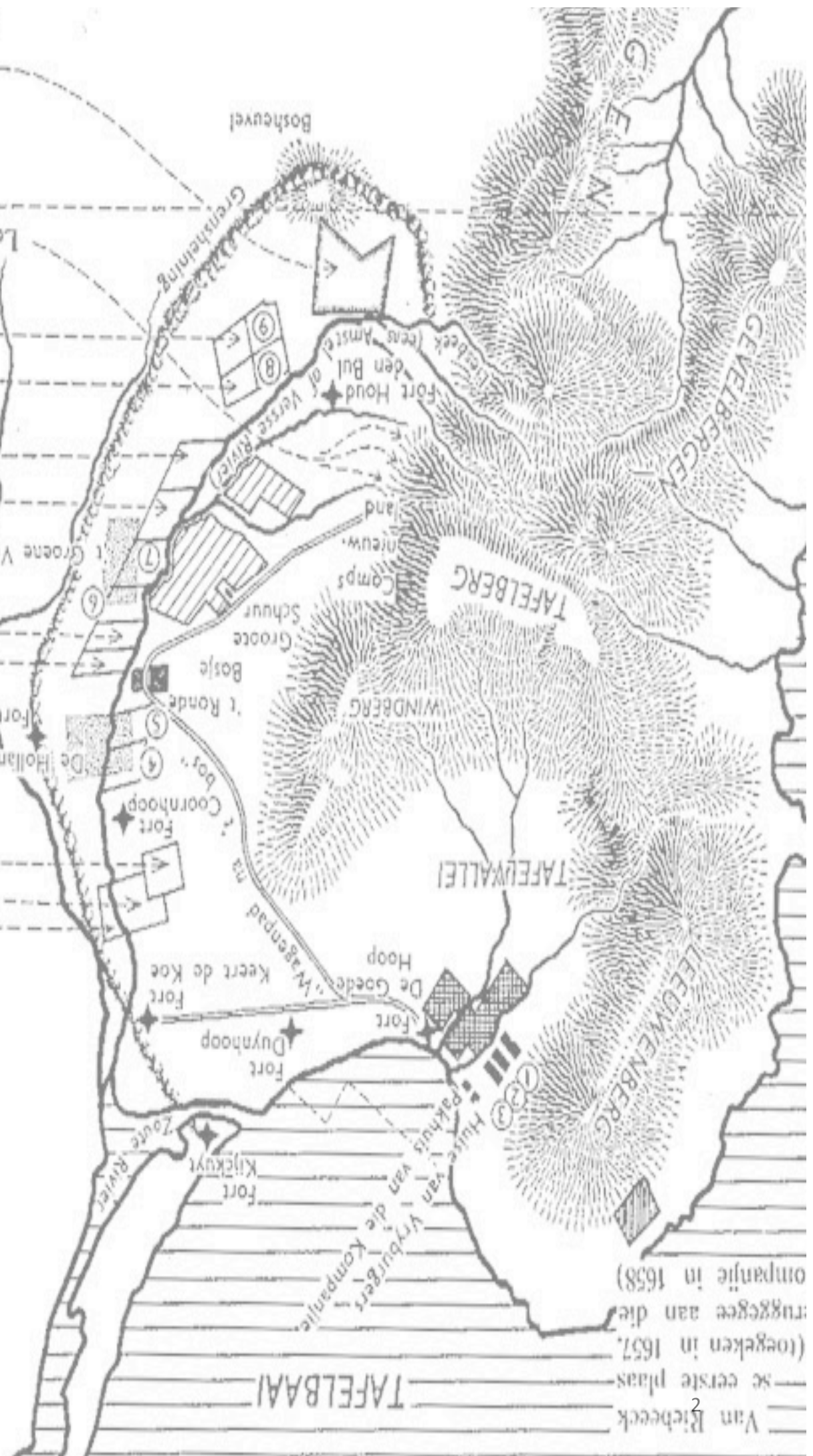
De Hollandse Tuyn (S. Botma)

(later J. Cloete)

Hendrik Boom

J. Reyniers

W. C. Masten



Van Riebeeck se eerste plaas (toegeken in 1657.)

Van Riebeeck se tweede plaas (toegeken in 1658)

se bos

van Zeehuysen

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Frans Gerrits

Fort Ruiterwacht

De Hollandse Tuyn (S. Botma)

(later J. Cloete)

Hendrik Boom

J. Reyniers

W. C. Masten

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# Cape Town Spatial Justice in the Postcolony Colloquium

14-15 April 2016

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14 April

Venue: New Economics Building Classroom 1C, Middle Campus, UCT

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## ***09:30-09:45: Welcome and Opening***

Jaco Barnard-Naudé (University of Cape Town)  
**'Locating' the *nomos* of the postcolony project**

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## ***09:45-10:45: Keynote***

Julia Chryssostalis (Westminster University)  
**Reading Arendt, reading Schmitt, reading *nomos* 'otherwise'**  
Chair: Jaco Barnard-Naudé

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## ***10:45 – 11:15: Tea***

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## ***11:15 – 13:00: Session 1: Nomos, (de-)colonialism, race - and Africa***

Ulrike Kistner (University of Pretoria)  
**In search of a new *nomos* – beyond 'beyond the line'**  
Joel Modiri (University of Pretoria)  
**The aesthetics of black life: on estranged spatialities, colonial *nomos* and the ruse of 'post'-apartheid**  
Sadiq Toffa (University of Cape Town)  
**Spaces of decolonisation: critical heritage cultures as practice at the University of Cape Town**  
Chair: Victoria Collis-Buthelezi

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## ***13:00 – 13:30: In situ walkabout***

**Decolonial Alternatives Project Space, Middle Campus, UCT**  
The walkabout will be conducted by Sadiq Toffa, winner of the 2014 student design competition for the Decolonial Alternatives Project Space (formerly the Rustenburg Memorial) at the University of Cape Town.

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## ***13:30 – 14:30 Lunch***

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**14:30 – 15:45: Session 2: The legacy and futures of the right to the city**

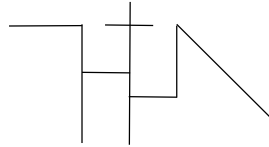
Irma du Plessis (University of Pretoria)

**Johannesburg's 'Model White Housing Scheme': the making and shaping of Jan Hofmeyr, 1933-1937**

Thomas Chapman (Local Studio)

**Spatial justice and the Western Areas of Johannesburg**

Chair: Deborah Posel



**15:45 - 16:00: Tea**

**16:00 – 17:15: Session 3: Transformation in the nomosphere**

Iain Low (University of Cape Town)

**Space and transformation: architecture in an age of (radical) change**

Margot Strauss (University of Stellenbosch, SERAJ Project)

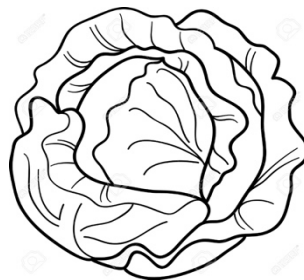
**Conceptualising spatial justice in urban South Africa: housing rights and evictions in the nomosphere**

Chair: Fadly Isaacs

**19:00: Dinner**

**Savoy Cabbage Restaurant**

(Shuttle from Banksia Boutique Hotel will leave at 18:45)



**'inventory of my poetic bankruptcy**

1. spaces      eleven people at night and a child lying awake  
(sounds of lust)
2. spaces      spying unemployed men ancestors old women  
(someone's patched face)
3. spaces      foetus blood grandchildren orphans people dying of aids  
(bags of broken ones turning up)
4. spaces      something to eat      a mug of water      a peaceful defecation  
(calls for help all day)
5. spaces      the caress of summer's song      crystal larynx      poplar  
(eyes clotting opaquely)

15 April

Venue: New Economics Building Classroom 1C, Middle Campus, UCT

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***09:30-11:30: Session 4: Nomos and 'spatial justice'***

Isolde de Villiers (University of Pretoria)

**Abstract space and continuation in South African legal culture**

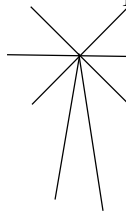
Fadly Isaacs (University of Cape Town)

**Spatial justice and the public realm: preliminary case study work in three working class neighbourhoods in Cape Town**

Karin van Marle (University of Pretoria)

**'Unlearning' - reflections on land and spatial justice**

Chair: Sadiq Toffa



***11:30 – 12:00 Tea***

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***12:00-14:00: Session 5: Reading nomos otherwise***

Derrick Higginbotham (University of Cape Town)

**The space of freedom: economics and erotics in Tendai Huchu's *The hairdresser of Harare***

Victoria Collis-Buthelezi (University of Cape Town / Wiser)

**Lauretta Ngcobo's *And They Didn't Die*: The Impossibility of Women's Friendship in the Suburban South African Home**

Barbara Boswell (University of the Witwatersrand)

**Black feminist geography in South African literature**

Chair: Karin van Marle

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***14:00-15:00 Lunch***

***15:00 – 17:00: Session 6: The nomos of the postcolony?***

Jaco Barnard-Naudé (University of Cape Town)

**'Space is space': the analyst's discourse and becoming decolonial in JM Coetzee's *Waiting for the barbarians***

John Higgins (University of Cape Town)

**'Undisguised savagery and lawless revenge': the justice of the state / the state of justice, a dialectical reading of Marx@Marikana**

Andries Bezuidenhout (University of Pretoria)

**Enclaves as spatial expressions of the social order after apartheid**

Chair: Joel Modiri

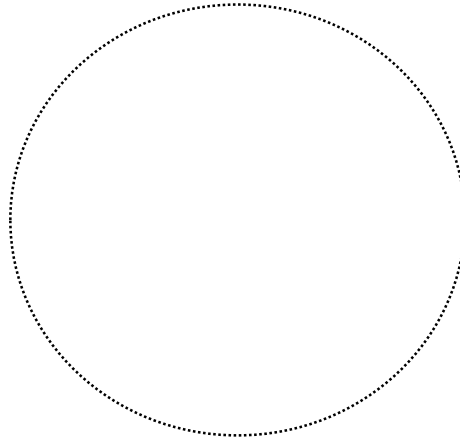
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***17:00 – 17:15: Closing remarks / Publication arrangements***

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### ***Non-presenting participants***

Henk Botha (University of Stellenbosch)  
Richard Bryce (University of Cape Town)  
David Carelse (University of Cape Town)  
Thiyane Duda (University of Cape Town)  
Jacques de Ville (University of the Western Cape)  
Pierre de Vos (University of Cape Town)  
Carlo Germeshuys (University of Cape Town)  
Jurie Fieties (City of Cape Town)  
Shamil Jeppie (University of Cape Town)  
Wessel le Roux (University of the Western Cape)  
Gianna Maita (University of Cape Town)  
Deborah Posel (University of Cape Town)  
Joy Shahn (African Centre for Cities / Reclaiming the City Campaign)  
Carrie Timlin (University of Cape Town)  
Ross Truscott (University of the Western Cape)



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- ‘6. spaces     thirty words of Zulu four words of English angling  
              (daily earthquakes)
7. spaces     overflowing barleydry in barren classrooms  
              (each one leech one)
8. spaces     rapists with names drugs with knowledge  
              (below which rib to slip the knife into the heart)
9. spaces     how loved hoped rejoiced in brought close cared about  
              (generations despaired)
10. how     a house a street are perfumed by hope  
              (lightness laughter surpassing this happens)
11. spaces     how to plunge my imagination into this?  
              I don’t know how life in these spaces lives’

(Antjie Krog, from *Synapse* (2014) p. 59)

## ABSTRACTS

Jaco Barnard-Naudé

### **‘Space is space’: the analyst’s discourse and becoming decolonial in JM Coetzee’s *Waiting for the Barbarians***

Drawing on the work of Slavoj Žižek, this paper traces the ‘upheaval without end’ experienced by JM Coetzee’s main character, the Magistrate, in *Waiting for the Barbarians*. I argue that the magistrate’s story is a story of becoming decolonial, in which spatial orientation plays a critical role. Reading as a contradiction, a tautologous sentence at the beginning of the novel in which the magistrate announces that ‘space is space’, the paper argues that the sentence marks a turning point early on in the novel and that this reveals not simply the circular tongue of the colonizer, but in fact marks him as what Memmi has called ‘the colonizer who refuses’. The paper then moves to a spatial reading of the ministration scenes in the novel. Here I argue that the ‘barbarian’ girl whom the magistrate receives into his lodgings plays a determinative role in his demise as a colonizer. I read these scenes as performing the impossible space of Lacan’s discourse of the analyst. The scenes produce an hystericalised Master and as such an incomplete revolutionary discourse through which the magistrate becomes finally able to forsake or ‘unlearn’ his colonial being by adopting a master-signifier of becoming decolonial.

Barbara Boswell

### **Black feminist geography in South African literature**

Black feminist geography (McKittrick 2006) (McKittrick and Woods 2007) has been conceived of as a conceptual and heuristic tool for mapping the place-making practices of Black subjects who inhabit the margins of discursive and geographical space. This paper traces the discursive place-making of Black South African women through literature, starting with the novels of Miriam Tlali and Lauretta Ngcobo, and concluding with contemporary poetry by Koleka Putuma, Malika Ndlovu and Diana Ferrus. McKittrick and Woods (2007) conceptualise oppositional black geography as a set of theories for analysing both the spatiality of race - the way blackness is implicated in the production of geographic space - and the ways in which black subjects respond to and resist the oppressive geographies produced through racialization. They argue that black human geographies can be read as ways to determine “how the lives of these [black] subjects demonstrate that ‘common sense’ workings of modernity and citizenships are worked out, and normalized, through geographies of exclusion, the “literal mappings of power relations and rejections” (McKittrick and Woods 2007, 4). In this paper, I argue that Tlali and Ngcobo were the literary pioneers of a type of black feminist geography which made visible the spatial injustices of apartheid. I trace how this strand of feminist black geography shows the faultlines of continued spatial injustice under neo-liberal, post-apartheid economic regimes, papered over by ideologies on non-racialism and “rainbow nationalism”. In examining poems such as Koleka Putuma’s “Water”, Malika Ndlovu’s “Lydia in the Wind” and Diana Ferrus’s “My Naam is February/My Name is February”, this paper argues that black feminist poetry about place constitutes a form of feminist geography that makes visible the continued exclusion of black bodies from contested space.

Andries Bezuidenhout

### **Enclaves as spatial expressions of the social order after apartheid**

This paper forms part of a broader project on mining and the post-apartheid social order based on an analysis of emerging geographic formations in mining towns such as Rustenburg, Carletonville and Welkom, as well as places such as Tsolo in the Eastern Cape where mine migrants come from and at times return to. Our argument is that, in the absence of a national state that is able to put in place a certain density of basic services at the local level, people in these towns often resort to strategies of setting up enclaves as alternatives to the state. These enclaves take to form

of security villages, privatised schools, and closed compounds. Enclaving is often an elite strategy, but not always so. The aim of this paper is to explore a number of enclave projects in terms of notions of space and scale. Space is analysed by drawing on David Harvey's reading of space as absolute, relative and relational. Drawing on the work of Andrew Herod, scale is understood in similar terms, but of particular interest is the interaction between the body, the local, the national and the global. The fact that the nation state is unable to construct its presence in the local often leads to the establishment of enclaves, which in turn bypass the national scale to intersect with global dynamics directly.

**Thomas Chapman**

### **Spatial justice and the Western Areas of Johannesburg**

In Johannesburg, areas like Sophiatown and Westbury, part of the Western Areas, continue to fulfil apartheid intentions 20 years after South Africa's first democratic elections. I begin this article by describing the layout of Johannesburg. I then go on to frame the more than 100-year history of the Western Areas into five key states of growth and change. Changes to the landscape are presented as urban design 'actions' and are analysed in terms of spatial justice theory, both regarding guiding policies and resultant urban forms (such as dividing buffer strips). The stages of growth include the 1904 to 1919 period characterised by the creation of a transport grid for the town; the era 1918 to 1948, as Sophiatown and Western Native Township took shape; the period of high apartheid from 1948 to 1985; and the dismantling of apartheid spatial policies in the post-1985 period. This final section of this article will also include an account of the most recent spatial policy developments in the Western Areas, branded in 2012 as the 'Corridors of Freedom'.

**Victoria J Collis-Buthelezi**

### **Lauretta Ngcobo's *And They Didn't Die*: The impossibility of women's friendship in the South African suburban home**

Published in 1990, as South Africa moved firmly into full constitutional democracy, Lauretta Ngcobo's *And They Didn't Die* brought into full view the ways in which black women, rural black women in particular, suffered under apartheid and participated in the struggle against it and its concomitant injustices. In this paper, I explore the protagonist's movement from rural and peri-urban areas of South Africa to the urban suburb to work as a domestic, or a "Nonnie", for a white family. I read her migration from village to suburb as representative of many black women's entrance into South African cities and unpack the ways in which such a movement makes possible urban (white?) womanhood and female solidarity through the erosion of black woman's sexual and reproductive autonomy. I read this late-apartheid novel as giving voice to the injustices of the past, but ultimately contend that it is equally a theorization of the suburban home of the South African city as a site in which female friendship and intimacy is both part of the marrow of self-actualization into heteronormativity and also inextricably linked to the annihilation of black female subjectivity. Ultimately I read the novel as a critique of the coming new South Africa and its failure to attend to the specific conditions of citizenship allotted black women.

**Isolde de Villiers**

### **Abstract space and continuation in South African legal culture**

The legacy of colonialism and apartheid has been described in spatial terms as spatial memory, a haunting spirit of place (*genius loci*), spatial reproduction or spatial continuation. The law-founding violence of colonialism depended on a certain view of space, namely space as abstract. Abstract space is disembodied space and stands in contrast to lived space or social space. The main feature of abstract space, according to Henri Lefebvre, is that it relates negatively to its inherent and underlying features namely politics and history while it relates positively only to its own implications namely knowledge linked to power, applied sciences and technology. This feature of

abstract space is linked to Lefebvre's distinction between habitat (abstract, perceived space) and inhabitance (social, lived space).

In my paper I will draw a link between a view of space as abstract and the language of sanitation and infestation. The fear of the spreading of the bubonic plague and other diseases was used to justify racialised urban planning practices that produced (and reproduced) colonial cities. One example is the creation of Uitvlugt location in the Cape Colony in 1901. The language of the sanitation syndrome, which led to racial segregation and the exercise of spatial power in colonial South Africa, featured again in apartheid South Africa. The forced removals in Lady Selbourne in the Transvaal province during 1961 aptly illustrated this. In a related previous paper the focus fell on these sanitation projects and the way in which current-day cleaning up operations in the city of Tshwane, specifically the 2011 Schubart Park eviction, also employ the language of sanitation. In this paper I will turn to the way in which abstract space impacts on the categorisation of infestation. In particular I look at the way in which Wozani private security, colloquially known as the red ants, move into urban buildings for cleaning up and clearing out operations that are usually executed to enforce eviction orders issued in terms of legal processes. In February and March this year the red ants effected evictions at the RNS building in the City of Tshwane by throwing out the belongings of the residents. Some of these belongings were sold on the spot during the first eviction and some were left in the rain during the second eviction in March. The infestation by the red ants were justified by legally authorised claims to sanitation and cleaning up. These categories are linked to abstract space.

Doreen Massey sees relational space, as opposed to abstract space, as the interconnections between bodies. Literature and narrative opens up the possibility of lived space. The urban fiction novels *Nineveh* and *Zoo City* by Henrietta Rose-Innes and Lauren Beukes respectively draw attention to the complex notions of infestation found in post-Apartheid cities and present the possibility of looking at space as relational. *Nineveh* tells the story of a mysterious infestation of unpleasant insects in a luxury housing estate in Cape Town and *Zoo City* is set in a fictitious Johannesburg where any human animals who commit crimes are entrusted with a non-human animal who gives their humans supernatural powers. With reference to these novels and Massey's feminist geography, I consider the continuation of abstract space and spatial injustice within the South African post-colonial urban landscape and look for ways in which it can be challenged through narratives and a focus on lived space.

#### Irma du Plessis

#### **Johannesburg's 'Model White Housing Scheme'. The making and shaping of Jan Hofmeyr, 1933-1937**

Conceptualised in 1933 against the background of a state preoccupied with racial segregation in cities and the political crisis of white poverty, the Jan Hofmeyr council housing scheme was Johannesburg (and South Africa's) first attempt at large-scale subsidised public housing provision for the white poor. Linked to a slum clearance intervention, its utopian design was informed by the modernist imaginary of orderly city planning and working class housing interventions in metropolitan cities. Framed by Sue Parnell's seminal work on the links between racial segregation, slum clearance and council housing provision in Johannesburg from 1910-1955, this paper argues that the scheme's conceptualisation owed much to the inputs of the Medical Officer of Health, Dr H.L. Milne and Councillor Lionel Leveson. However, tensions between the social reformist vision of the elected politician and the city bureaucrat's technocratic aim of meticulous spatial control overextended the project's scope, which in turn undercut its founding aims and sustainability. Nevertheless, the establishment of the scheme consolidated a white welfare node to the west of the city, enabling a gradual but sure 'whitening out' of the broader area that increasingly would become central to the Afrikaner Nationalist social imaginary and continued to be linked to efforts to uplift poor and working class white Afrikaners until well into the 1980s. This micro-level analysis of the genesis of the project aims to demonstrate (1) the kind of *governmentality* – its rationality and

moral logics, minutia of planning, and modes and techniques of implementation – underpinning the project; (2) the role of key actors in shaping the scheme; (3) civil society responses to the proposed scheme and the resultant reconfiguration of relations between race, class and space in Johannesburg; and, finally (4), the significance of the scheme despite its anomalous status and the consequences of its reach into the present.

### **Derrick Higginbotham**

#### **The space of freedom: economics and erotics in Tendai Huchu's *The Hairdresser of Harare***

Set in the late 2000s, Huchu's *The Hairdresser of Harare* paints a portrait of the city some time after Operation Murambatsvina in 2005, an operation executed by Mugabe's government in order to supposedly cleanse the country of 'slums', at the same time as farm seizures in rural regions and rampant inflation at the national level continued apace. In particular, Operation Murambatsvina, driven as it was by the recreation of geographic space, resulted in the internal migration of peoples. Partially in the name of eliminating illegal commercial activities, the government thus transformed citizens, especially poor ones, into aliens, internal migrants, uprooting lives and communities; this dislocation, as an effect, troubled the spatial coordinates that usually ground identities and communities. By focusing on the bond between the main characters Vimbai and Dumi and the way that sexuality and its meanings shape that bond, *The Hairdresser of Harare* examines this process of transforming citizens into aliens. To capture this transformation and examine the struggle the novel has with this process, I will examine this novel from three distinct yet interrelated angles. Firstly, the novel queers Vimbai, representing her as dislocated from norms governing the family and female sexuality in her pursuit of economic success. Secondly, the novel imagines Dumi and his relationship to the secrecy of the closet as akin to the informal and illegal economy generated by the Mugabe government's social reforms. The novel then situates Dumi and Vimbai's relationship within a complex environment of cultural and economic globalization that defines the national and the international, the citizen and alien, incoherently, even as it links this incoherence to queer sexualities. In my conclusion, I will show that Huchu's novel cannot resolve this incoherence. I will do so by raising fundamental questions about justice and its practice through a conflict that the closet—and its creation of a political order through spatializing the practice of gender and sexuality—creates in Vimbai and Dumi's relationship.

### **John Higgins**

#### **'Undisguised savagery and lawless revenge': the justice of the state / the state of justice, a dialectical reading of Marx@Marikana.**

This paper proposes a dialectical reading in which we ask both how Marx's writings on the Paris Commune may throw new light on the political understanding of Marikana, while at the same time showing how Marikana disturbs orthodox interpretations of the role of the state in Marx's canonical text. It argues that the juxtaposition of the two events brings into focus the conjunction/disjunction between semiotic and political representation, and particularly so around questions of the performance of justice in a democratic society.

### **Fadly Isaacs**

#### **Spatial justice and the public realm: preliminary case study work in three working class neighbourhoods in Cape Town**

In this paper I report on my early insights concerning the evolving spatial form of the public realm in three neighbourhood areas of Cape Town namely, Langa (1923-2014), Bonteheuwel (1960-2014) and Delft South (1994-2014), as case study conditions of three significant moments in the expansion of publicly funded residential areas on the Cape Flats within the overall growth of the Cape Town metropolitan area. This work forms part of my research concerning the spatial

structure of the larger metropole and includes the mappings by two honours architectural design studios convened within the UCT School of Architecture, Planning and Geomatics (2014-16). The paper follows a broad diachronic analysis of the socio-spatial evolution of the respective areas in order to reflect on the following three aspects: 1) the conditions of sustained spatial isolation, 2) the changes in the makeup of public and private city spaces, and 3) the potential spatial prospects at a local city scale in addressing transformative imperatives of post-apartheid South Africa. In doing so, it critically reflects on the urban and architectural typological models that have been employed in the design and construction of the areas over time, and argues for a foregrounding of a public realm that can serve both as a local resource as well as having larger metropolitan significance. In this way the spatial injustices of an apartheid engineered cityscape that espoused social discrimination and segregation can be reconfigured, not only through the implementation of new democratic policy mechanisms, but additionally through spatial design research and intervention that instantiates the imperative for social justice.

**Ulrike Kistner**

### **In search of a new *nomos* – beyond ‘beyond the line’**

In response to some major fractures in imperialist configurations immediately before and after World War II, the concept of *nomos* was articulated – as a system of right ‘grounded’ in concrete spatial-territorial orders marking, at the same time, a relation to understandings of universalism and globalism different from those emanating from the Enlightenment tradition.

This paper attempts to trace the re-definition of the political in relation to spatial transformations in the thought of Carl Schmitt and Hannah Arendt on post-World War II re-configurations of international orders, and in Pan-Africanist debates on post-colonial international orders.

**Iain Low**

### **Space and transformation: architecture in an age of (radical) change**

As the physical manifestation of a set of power relations, space is a measure of societal values. When power changes, it is reasonable to anticipate a commensurate shift in space. Where revolution occurs this should take the form of radical change – implying a Foucauldian rupture and the emergence of new spatialities, or alternatively, in the absence of rupture, then transformative production.

Emerging from apartheid and colonial rule at the end of the 20<sup>th</sup> century, the South African case represents a situation of contradictory spatial production. There exists strong evidence of counter movements that contribute valuable knowledge toward a growing project of spatial transformation and the displacement of apartheid space. Whereas this counter production is evident through the experience of its spatialities, the origin of its production arises from multiple sources, both government, ngo’s and socially assisted private sector initiatives – generally in alliance with the design agency of architecture.

This paper will attempt to link spatial production to transformation through an identification of disciplinary specific practices and their regulatory environments. My intention is to surface programs, principles and approaches that better serve the project of spatial transformation and the production of alternative spatialities, particularly those supportive of the democratic ideals of social justice and spatial equity.

**Joel M Modiri**

### **The aesthetics of black life: on estranged spatialities, colonial *nomos* and the ruse of ‘post’-apartheid**

This paper poses an extended meditation on the relation between space, race and coloniality in the nominally “new” South Africa. I am to think and read “postcolonial spatiality” through a Black political register that would highlight the estrangement and nullification of subjectivity and relationality that is the effect of colonial and apartheid racism. I therefore aim to locate “space”

within the on-going terror of white supremacy, focusing specifically on the colonial project of carving into space, law, culture and society a colonial and racist symbolic order which would come to reflect European modernity's perverse and distorted episteme and hierarchy of the Human. While official narratives and laws have attempted to write South Africa anew, traces of its colonial and apartheid past *remain* in its spaces and places. This past, its divisions and devastations are still visible on the surfaces of South Africa's urban and rural spaces, its townships and informal settlements – spaces where most of black life takes place. Not only are many of the untransformed spaces inhabited by black life constructions of the colonial state and apartheid regime which work to maintain spatial divisions between racial groups, they are marked by severe deprivation, squalor, and decay. From this view, the injustices, segregations and oppressions of apartheid materialise physically or ergonomically (that is, aesthetically) in the organisation, cleanliness and appearance of spaces and places where the majority of blacks live. The unjust conditions of misery, decay, poverty that still characterise those spaces can thus be read as an index of the continuing exclusion and marginalisation of blacks from the official agenda of post-apartheid transformation. They register as well the inequalities and disadvantages that blacks still experience as a result of apartheid and which are continuing due to the absence of reparations and the law's failure to actualise new *post-conquest* ways of being and belonging. In a perverse way, many of these spaces embody and mirror the negative and dehumanizing judgements about blacks that are promulgated by white supremacist and antiblack ideology. These broad arguments will be explored through an engagement with the problematic of black social life and social death raised in recent US black studies scholarship as well through the notions of the 'necropolis', 'spatial apartheid', and 'precarious life'. The underlying claim therefore is that the incomplete abolishment of colonial-apartheid that can be seen through the racialised spaces of the present South Africa exposes and countervenes the foundational ruse at the heart of the post-1994 legal and political order: hegemonic attempts to erase and to officially legislate new narratives and laws will always be subverted by the inerasable and incontestable traces of the unresolved past. In this vein, critical race theory in the post-apartheid context has the potential of performing radical acts of memory/counter-memory, and of recovering lost and forgotten memories and stories, lives and deaths.

### **Margot Strauss**

#### **Conceptualising spatial justice in urban South Africa: housing rights and evictions in the nomosphere**

The 1996 South African Constitution is renowned for entrenching a broad range of judicially enforceable socio-economic rights, including the right of everyone to have access to adequate housing and to be protected from arbitrary evictions in section 26. Although the South African Constitutional Court has issued a number of landmark housing rights decisions in recent years, an emphasis on spatial justice remains elusive in the jurisprudence and academic literature on section 26. This is despite the fact that spatial inequality, which stems from deep historical and social exclusion from formal access to land and housing, permeates our urban geography and holds profound implications for South Africa's urban poor. The impact of this consequential geography is acutely manifest in cities, where legal norms and institutions are often invoked to effect the eviction of impoverished inhabitants from heavily populated urban areas.

Although the Constitution does not expressly refer to spatial justice, its open-ended text and transformative ethos is inclusive enough to accommodate a spatial conception of justice. Moreover, the recent enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) specifically recognises the principle of spatial justice as a compulsory norm applicable to all spatial planning, land use management and development policies in South Africa. In doing so, the SPLUMA seeks to transform racially and spatially divided urban settlement patterns in a manner that gives effect to section 26 of the Constitution.

The concept of spatial justice is, however, insufficiently theorised in South African literature. Drawing on both established and emerging discourses on the relationship between law and space, this paper attempts to develop a context-sensitive understanding of spatial justice in relation to the eviction of poor and vulnerable inhabitants from urban housing spaces in South Africa. In particular, it attempts to investigate the potential richness of the mutual constitutivity of the legal and the spatial through a consideration of David Delaney's conception of the *nomosphere* as a holistic, investigative framework.

**Sadiq Toffa**

**Spaces of decolonisation: Late liberal aesthetics and critical heritage cultures in the 'postcolonial' academy**

The student-led protest movement over the past year has both radicalised and popularised critique within and beyond the South African academy. It follows circulations of critical thought and practice among students, academics, and social movements particularly within other British liberal settler societies, most notably Canada and the United States. A key aspect of this emergent discourse is the temporal imperative of decoloniality, which enjoins new ethical responsibility on inheritances in the postcolony. Concurrent is the ontological denaturalisation of whiteness, with an attendant affective experience of insecurity. The paper constructs a typology of late liberal aesthetics, situated within a politics of radical democracy. An emerging initiative, the Decolonial Alternatives Project Space at the University of Cape Town, is introduced as a new space of production in close engagement with these concerns

**Karin van Marle**

**'Unlearning' - Reflections on land and spatial justice**

The notion of 'unlearning' has been invoked by many authors faced with the complexities of postcolonial / decolonial engagements with transformation. I am interested in thinking about 'unlearning' within the context of land, but also within the context of language. My starting point is the conflation of land, mastery, patriarchy and violence, but added to that, language. I am interested to what extent the right to land, ownership and property is inherently linked to a certain invocation of the right to language. JM Coetzee's critical response to how Breytenbach invoked a relationship with land as if certain 'feelings of passionate intimacy ... can be expressed only in Afrikaans' will be recalled.

A multitude of possible connections, or traces underlie my reflection: Schmitt's insistence on *nomos of the earth*, an inherent link between law and land-appropriation and the rise of subjective right in modern law; reading human rights along the line of a coming of age novel, or the thwarting of it; traditional writings on the farm novel and the undermining thereof; liberal interpretation of rights, the reification of rights, exposing contingency and indeterminacy and 'unlocking' rights.

Antjie Krog has argued for 'a fundamental shift – a new kind of literacy in systemic thinking through relationships, context, patterns and processes relating to land: not extracting from land but in fact learning from it.' (2015: 207) Krog has of course sought also for ways to transform language and to explore the ethical intersection.

I want to investigate the possibility of a fundamental shift through the notion of 'unlearning'. Unlearning has been employed also in relation to the work of Hannah Arendt. I will follow this trend and focus on some of the aspects in Arendt's work that urge us to reflect critically on and rethink practices in order to unlearn, start new.

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