Johannesburg The Elusive Metropolis

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WITH AN AFTERWORD BY Arjun Appadurai AND Carol A. Breckenridge

kind. The first few weeks, I walked to the café and back, spending all day there. A little later, I was the temporary owner of the aforementioned VW Beetle, so I drove (this allowed me to work late into the night). Still later, the Beetle had packed up, and my housemate, away on a trip, kindly lent me his car. It was a gleaming new Toyota Corolla. Ephraim watched my apparent upward mobility with growing interest—and growing respect. One day he took me aside and conspiratorially whispered, "I want to do your kind of business."

I explained that I worked for a nonprofit organization, and that I was being paid only living costs. Unfortunately, critical investigations of intellectual property—which is what I work on—mean nothing to most people (and not just because they're from Nigeria), so it was all a bit hazy. But Ephraim remained convinced that I was the man to know. As a preferred customer, albeit one who was soon going to move to a real office, I was given special treatment—like being allowed to keep my time (if I didn't use the whole hour in one sitting) or, embarrassingly, having someone tossed out to accommodate me when the café was full.

It was frequently full. Initially, I was surprised at the number of people who needed to constantly send e-mails throughout the day. Peering over into the next computer, I noticed a letter being composed in the name of Mrs. Stella Sigcau. Now either the honorable South African minister for public works (official hobbies: "Reading and Tapestry") was wandering around Yeoville incognito, sporting snakeskin boots, considerable shoulder muscles, and a trim beard, or I had somehow landed myself in scam central.

I discovered that I was surrounded by a group of rather distinguished people: other than Mrs. Sigcau, there was Albert Chissama, Esq. (writing from his own chambers in the High Court of Lagos, no less), Olusegun Abacha (General Abacha's second son by his third wife, who had to go into hiding at an early age because Abacha's first wives were jealous and spiteful, you understand), even the secret male lover of Colonel "Khadafi." And they were all writing, with "a deep sense of purpose and the utmost sincerity," to inform you of vast sums of money hidden in secret Swiss banks that could be yours, in exchange for some consequential personal information or a little hard cash.

Nigerian 419 scam letters (named after the section of the Nigerian penal code that describes the fraud) had long intrigued me. Douglas Cruickshank, writing in Salon.com, suggests that Nigerian scammers have invented a whole new literary genre: "The truth is I've fallen for them, too—not for the

scam part, but for the writing, the plots (fragmented as they are), the characters, the earnest, alluring evocations of dark deeds and urgent needs, Lebanese mistresses, governments spun out of control, people abruptly 'sacked' for 'official misdemeanours' and all manner of other imaginative details all delivered in a prose style that is as awkward and archaic as it is enchanting" (2001).

Cavendish Street suddenly became a lot more exciting. Forced to relocate by crackdowns at home, my neighborhood in South Africa had become the Grub Street of this Nigerian literary movement. The scamsters came in at dawn and left at dusk. All day, they would sit before their computers with software that trawled the Internet for intact e-mail addresses; then, with the flick of a wrist, Barrister Momoh Sanni Momoh's dark deeds and urgent needs would be broadcast to thousands of unwilling recipients. They had it down pat. They knew exactly how many e-mail addresses to append to each outgoing mail (Yahoo and Hotmail impose limits on the number of people you can e-mail in one go), and their cell phones were always switched on, just in case someone needed to contact the offices of Sierra Leone Diamond Mines, currently represented by a Vodacom pay-as-you-go number in Johannesburg.

There's a whole moral element to these scams, of course, but I can't say I feel sorry for the victims. The letters make it plain that it's a scam within a scam: the illegality of the entire enterprise is laid out right from the word *go*. How do you feel sorry for someone who thinks he didn't get his fair share of a burglary? I tried to push this further with Ephraim, but he clammed up. All he said was this: "Me, I don't do it. But what they get from these e-mails, it is what allows so many people to leave Nigeria and come here, to begin new lives."

There are other people who hope to begin new lives in Yeoville. Some of them are frail old ladies who have traveled from Sebokeng and Soweto to sell vegetables on Raleigh Street. They pitch up each day, squat on the road, and offer a small quantity of fresh produce. Since everyone knows that selling vegetables on the road is the number-one reason for crime in South Africa, the police swoop down on them regularly. They come in with sirens blazing, put on their bulletproof vests, and fearlessly confiscate anything they can lay their hands on. The contraband is then taken away, presumably to that well-known national storehouse of illegal vegetables.

Perhaps the ladies need a giant corporation to represent them. Across the road from where they sit is a brightly colored Cell-C phone booth. I went

there once to call my parents in India and dialed without asking the rates. I was alarmed to find that Cell-C charges exactly double the Telkom rate for international calls—as they do in similar booths set up in low-income areas all around Johannesburg. It's an infallible business plan: charge the poor people twice as much.

Six months ago, I was driving home late from work. It was a Sunday night, and I was finishing up a paper due to be presented at a conference. At about 12:30 a.m., I approached the intersection between Berea and Yeoville, when I was ordered to stop by police officers. They asked for my license. I showed it to them. They asked me where I was from; I told them. They asked to see my passport. I explained that I had left it in my office in Newtown—but that they were welcome to come with me and see it. After years of dealing with the Indian law enforcement, I know my police manners: always admit you're wrong, grovel for sympathy, and appeal to the greatness of the human spirit. Fresh from an intensive beginner's course in Zulu, I even spoke as much of it as I could recall. It didn't impress: the officer whose face rested on my window only seemed to speak Sotho. It was another matter that he was armed and extremely drunk.

He thought I was being impertinent. I was a foreigner driving late at night through the inner city; therefore, I was a criminal. Officer One (no name badge) took my car keys and hauled me off to the back of a police van. Inside were two frightened Nigerians and one Cameroonian. None of them had any money to bribe the police with—hence their confinement. Meanwhile, officers Two, Three, Four, and Five commandeered the road, threatening passersby to stop or be shot at. Four hours later, after the night's collections were in, I was let out. Just for good measure, my wallet was "confiscated." And in case I didn't understand the severity of my misdemeanor, I was told that they would be "watching me."

I tried to lodge a complaint with the Independent Complaints Directorate (ICD) of South Africa. The ICD has an ostensibly simple complaint process. Its Web site provides two useful services to the public. One is "lodging a complaint against a member of SAPS." The other is "complimenting a member of SAPS." Funnily enough, only one service actually works.

I carefully went through the categories of complaint on offer. I decided that mine was Type III, a category that includes offenses as precise as "Sodomy" and as poetic as "Defeating the ends of justice." But hit on the link to take you to the complaints form, and you are confronted with a blank page. Call the ICD in Pretoria, and they will tell you that though they would like

to e-mail you the complaint form, procedure bars them from doing so. Ask in frustration, after several months of trying to register a complaint, as to what you are expected to do, and you will be told to come to Pretoria during working hours and lodge the complaint there.

But the ends of justice had finally defeated me, and I never got around to it. I didn't know the names of the officers who assaulted me that night, I was too scared to note the registration number of the police van we were in, and frankly, I was just sick and tired of the whole thing. These little love-ins with the police happen to everyone who lives where I do. The most bizarre event I have heard of is the police throwing an ID-less man from Durban in jail overnight—all because he couldn't recite the numbers one to ten in Afrikaans (irrefutable proof of his foreignness, never mind that he spoke chaste Zulu). I'm still frequently asked for my papers. But I'm wiser now: I tell them that my passport is at home, show them a photocopy, and, if they persist, offer to call the Commissioner of Police to clarify matters—not that I know him, or have his number.

Last week, a friend picked me up from home. It was a Friday night, and driving out, we noticed the enormous police presence in the area. There were patrol cars everywhere. "What a safe area this is," he said, approvingly. Rot. As long as the upstanding citizens of Sandton believe that the police are keeping their 2.3 bedrooms safe from inner-city thugs, the men in blue are free to do their thing. Residents of Yeoville are not confused by flashing lights. Armed Response wants passengers, and policemen want cash. Try driving through the intersection of Rockey and Raymond Streets *without* being pestered to buy some kind of narcotic, regardless of how many police officers are around. Try it.

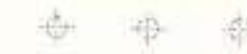
Even as I whine about the self-appointed immigration squads of Yeoville, Berea, and Hillbrow, the truth is, they are but cogs in a vast machine. My indignation at being treated like an illegal immigrant arises mainly from the fact that I am not. This is not a situation that applies to many of my neighbors. If police corruption is the problem, as seems the case, is an efficient process the answer? Faced with the prospect of an indefinite holiday in Lindela (a detention center for illegal immigrants), most people I know would prefer to part with some loose change.

Perhaps the real problem is too big for this essay, or for the residents of Yeoville, who—for the most part—seem to be quite happy to endure occasional police torture in exchange for residence in Johannesburg. The politics of nationhood and South Africa's peculiar relationship with the third world

deserve a better examination elsewhere. As for now, we're happy to go about doing our thing and enjoying the salubrious delights of the inner city while we can.

For it is hard not to appreciate a place where you can have your sandals stitched up—after you played soccer in them—for less than R5, or a place where you can haggle over the price of fresh plantains with people who then become your friends. It's hard not to feel thankful for being alive when you wander about an open-air market to pounding rhythms from five countries and three continents. And it's hard not to love the fact that you can always find someone to repair your microwave oven after it blew up when you hard-boiled eggs for thirty minutes instead of ten, in the course of surprising your housemate with breakfast.

In fact, it's a place just like home: except so very excitingly foreign.



From the Ruins: The Constitution Hill Project

MARK GEVISSER

Between the University of the Witwatersrand and the inner-city neighborhood of Hillbrow (the densest square kilometer of urban space in Africa) is a giant building that emerges from rubble and ruins. To watch it rise is to see a city and a democracy heaving itself from the debris, carrying with it the physical markers and the tangible echoes of an iniquitous political system but also of a history stretching back long before apartheid. The building is the new Constitutional Court, and it is being erected on the site of the Old Fort, Johannesburg's notorious prison complex. On this 95,000-square-meter site, the municipal and provincial governments are developing a major urban regeneration project and mixed-use heritage precinct: Constitution Hill. Constitution Hill will house the new court, symbol and guardian of the South African Constitution, one of the most democratic public declarations in the world; it is also being developed as a "campus for human rights" that will house many statutory bodies and nongovernmental organizations whose job it is to protect and interpret the Constitution. Constitution Hill will bear the mantle of this new order—understood, always, within the context of the past. Prominent in the precinct are the three derelict prisons, left mostly to rot since 1983 when they were closed down and the prison was moved to Soweto. Each prison has its own legacies and ghostly presences; each will fulfill separate roles in the new public space being wrought from the heart of the city.

As the court rises, its every shape is etched against the high-rise apartment blocks of Hillbrow, a neighborhood of 100,000 people, most of whom are

immigrants from other parts of Africa. From the ramparts of the Old Fort, you look down into the neighborhood and see right into its mass of humanity. Church song rises from the neighborhood, mingling with the sounds of children playing in the park directly below. The disparities of Johannesburg, and of South Africa more generally, are immediately evident: in one glance, you can take in both the inner city with all its social problems and the leafy green forest of Johannesburg's affluent northern suburbs. The ramparts provide perspective over not only space but also time. On one side of the site are the colonial prisons; on the other side is the maximum-security prison of a later era, doors to the cells now ajar, yellow highveld grass rising in the cracks of the courtyard. The first phase of the five-year Constitution Hill development was completed and opened to the public in March 2004. It is a site in formation, its future uncertain but as full of promise and as vulnerable to implosion as the history of South Africa always has been. It's a city site, reaching far beyond itself. The only way to get to know the site and to fully understand the scale of the project is to walk it.

The text below is the result of a walking conversation that took place in late 2003 between me and Mark Gevisser, content adviser to Constitution Hill's Heritage, Education, and Tourism team. The accompanying images were taken during the course of the walk and were part of the process of making sense of the place in its incarnations of the past, the present, and the future. S. N.

SARAH NUTTALL: Mark, this is an evocative site for any of us who grew up in this city. You can feel its presences as we walk here now, but it was always powerful from the outside too, as we walked and drove past it but didn't quite know what it was. . . .

MARK GEVISSER: Like so many kids who grew up in Johannesburg, I remember being driven down Kotze Street and seeing what appeared to be a gash in the landscape, this hole in the hill, and knowing that something bad was on the other side, but, yes, not knowing what it was. It was actually the entry through the ramparts of the Old Fort into the Johannesburg Prison. So the Old Fort and its prisons were some kind of absent center, a place that was literally overlooked—in two senses: they were neglected or ignored, but also, quite strangely for a place of incarceration, they were right in the middle of the city. So if you lived in those then rather stylish modernist Hillbrow apartment blocks, you could sit there on your balcony doing whatever it was you did on a Saturday afternoon and look down at the prisoners doing their exercises or having to dance the *tauza* without actually seeing them.[1] In both these senses, it was overlooked.

SN: What about people on the inside—what could they see?

MG: There's a story I love about a man called Cecil Williams, a white gay communist theater director who was detained here during the 1960 state of emergency, with a whole lot of others. He recalls one evening being in one of the recreation courtyards of the Old Fort and looking up at the flats above him and seeing, on one balcony, a party in full swing. He actually recognized some of the people hanging off the balcony and drinking *parfait d'amour* and having a gay old party on a beautiful Johannesburg evening. But they couldn't see him. Or they wouldn't see him. It's a metaphor, I think, for how whites dealt with apartheid: it was under their very noses, but it was invisible to them.

And if the Old Fort has that kind of metaphorical power for whites, it has another, even stronger one for blacks, as this place of darkness in the middle of the city to which they'd be taken if their passes were out of order, or they had broken the curfew regulations, or any one of a number of other petty apartheid laws that criminalized their very existence. Given that all pass offenders in Johannesburg were brought here, there's barely a black family in the city that doesn't have some memory of what it was like inside. In black popular culture, the Old Fort is still known as Number Four because the black male section was section four, and those two words still send shivers down people's spines. Yvonne Chaka Chaka wrote a song in which she uses "number four" as a kind of code for apartheid repression, because she was a gospel singer who played her hits on Radio Bantu so she had to talk in a signifying way. Even now, people from all over the country know nothing about the fort, but they do know about Number Four. They don't locate it, root it, in this site, but they know that it exists. And it's fearsome [see figure 1].

SN: This site has so many earlier incarnations as well, multiple histories of the changing faces of carceral space. How did the British and the Boers imagine and use the site differently?

MG: The Old Fort actually was built originally as a military garrison, by Paul Kruger's Boer Republic in the late 1890s, as a way of keeping watch over the restive uitlanders—the foreign miners—in the village of Johannesburg below. The uitlanders were believed to be plotting to overthrow Kruger and hand the precious gold reef over to the British. So it was a place of surveillance, and of control, and of defiance: a way of saying to the British, "Fuck you, we're not scared of your imperial designs!" There was one howitzer cannon on the southwest corner of the ramparts trained

1 View of Number Four prison from the Old Fort ramparts, 2004. Photo by Mark Gevisser

on the village below and another on the northeast, protecting the road to Pretoria, the republic's capital. But the Boers were also not entirely comfortable with their identity, so they did a bizarre thing: they camouflaged the outside of the fort as a hill and built their facade with its grand Zuid-Afrikaansche Republiek coat of arms on the inside. It's such a strong image of the laager! The Boers never really liked Johannesburg, they saw it as Gomorrah, and so when the Brits marched in, in 1900, they gave it away without much fuss. The fort became a British bastion and a place where Afrikaners were humiliated, forced to surrender their precious muskets. In fact, a few Cape Rebels—British subjects who had fought on the side of the Boers—were executed here, the only executions that ever happened on the site. Then, once the war was over, the fort reverted to being a prison (there was originally a prison on the site, built in 1892), and that's what it remained until 1983—Johannesburg's main place of incarceration—when the prison was moved to Diepkloof, outside Soweto. Since then it has been largely derelict and neglected, until the Constitutional Court came along in the late 1990s and said, "We want our permanent home here."

SN: Why do you think they chose this site, given the heaviness of its history and its proximity to one of the least safe and, in some senses, one of the most traumatic parts of the city?

MG: They explicitly liked the symbolism of building the home of the Constitution atop or within this place of oppression—to put the Constitution into a historical context, to show that it was a consequence of a long and difficult struggle. And second, the current court is both activist and evangelical: they want to be of the people, with the people, and in the people. That's important to them, given the constitutional values of transparency and accountability. So they wanted to be right here, slap bang in the middle of Hillbrow, with all its social problems, rather than in, say, rarefied Sandton. An international competition was held for the design of the court and won by an exceptional, a truly exceptional team of young South African architects. And then we were brought in to try to figure out how to give this place meaning; how to interpret it as a heritage site, a tourist site, a place of education, as a place that people could use.

SN: How will you give the site meaning as public space?

MG: It was clear that the first thing we had to do was shine some light on it. We interviewed people in Hillbrow, people who live in the buildings that overlook it. They are no longer trendy gay men drinking *parfaits d'amour* but abject illegal immigrants, often twelve to a one-bedroom flat. They hang their washing on their balconies watching the construction of the court, but not one of them stopped to think, hey, what's going on there? It says something about the way Johannesburg's inner-city residents are alienated from their environment and about how daunting our task is, which is to create safe and meaningful public space in the middle of the city.

Constitution Hill, in fact, is actually built on one of the highest points of the Witwatersrand, on a watershed, and there is this sense of it being on a cusp between two things. We were really struck by what happens when you stand on the rampart and you walk along toward Hillbrow: on one side, you see the Old Fort falling down, and on the other side, you see the new court coming up, and there's this sort of balance of forces or energy, the promise of the Constitutional Court rising up out of the ruins of the past. It seemed as if, as we were walking along the rampart, we were suspended between the past and the future, the past derelict and misunderstood and the future still very much under construction—a utopian dream of what we might be able to achieve in this country but is nowhere near being built yet. This society is still very much in transition and the

values of the Constitution remain an ideal rather than something that has been realized. That's what walking on the ramparts evokes, and that's the way we want the site to work interpretatively: to be used as a place where you find yourself between the past and the future, and where you understand that the only way the future can happen, resting on the past, is through your agency as someone in the present. So you pull from the past and put into the future. That's the energy that we want to drive this site: you are in the imperfect present, and you can make the future happen by understanding the past. There's nothing triumphalist about it. Like South Africa itself, it's a work in progress. A place where you watch, and participate in, democracy at work.

SN: Is the Constitution so very important in the life of a society, or are we only imagining that it is? Should we attach such significance to it? Won't its symbolic, material, and living power fade? Have you remained convinced as you work on the site that it will continue to be an important document?

MG: I think the whole point of this development is to make sure that it doesn't fade, that it remains relevant and alive in people's minds. Most South Africans *are* aware of the Constitution and know that it gives them rights, even though they don't necessarily know what those rights are. They know that the Constitution is the fruit of the liberation struggle and of their suffering. Our American consultants who've been here have been struck by the way South Africans say *my* Constitution or *our* Constitution, whereas Americans would say *the* Constitution. So I do have a sense of the Constitution being not just a document or a set of ideas but a place of refuge, a place of possibility. It is that architecture that drives the development of this site: it will be a place that embodies the Constitution and its possibilities—and perhaps also its frailties.

It is very difficult to know what the Constitution will mean in one or two generations' time. But if this place is constructed in such a way that it is dynamic, that it responds to what's happened to its society around it, rather than ossifying this grand moment, the "Mandela magic moment" of the late nineties, then it will remain relevant. It has to be looking at the society around it and measuring that society against the values of the Constitution.

SN: What are the stories that these prisons tell? They are each so different, they seem to carry quite different senses of the past; even as one thinks of the bodies that were confined in each, one imagines those bodies—the

way they move and lay and sat and suffered—quite differently. Much of this is suggested by the architecture of each, which signals, in particular ways, what it means to be imprisoned and what kinds of humiliation the prisoner ought to suffer.

MG: Almost immediately, an apartheid developed in terms of the spatial design of the fort, and this existed up until its closure. The whites were kept within the ramparts, and new prisons were built outside of the ramparts for black men and women. These were sections four and five, which contained the native jail, the venereal section, the awaiting-trial block (which has been demolished to make way for the Court), and the Women's Gaol. It's very interesting to compare the buildings. The Old Fort was built by the Boers, and it has a kind of ramshackle inefficiency to its logic. The Women's Gaol was built by the people who perfected the building of jails—the British, the empire—and it's built as a panopticon. You really see how it works. It's an extraordinarily handsome building with its redbrick courtyards and its oval double-volume atrium in the center. It's very British in that it is beauty with a purpose. It's not just aesthetic; its beauty masks a function that is brutal, efficiently so. Fatima Meer, who was imprisoned here with Winnie Mandela after the 1976 Soweto student uprising, tells a story in her memoirs that really brings this home. She talks about how she was led into the oval atrium, with its perfect neoclassical proportions and columns and its finely wrought iron balustrades along the gallery above, and she imagined that she might see women in Victorian ball gowns sweeping down the staircase. Then, as her eyes accustomed to the darkness, she saw what was really going on in there—naked African women, new intakes, having their vaginas searched for contraband.

In contrast is the experience of going into sections four and five: you really do feel when you walk into them that you're entering the dark heart of apartheid, that you're treading on bones. I don't know why that is. I don't know if it's because this part's derelict, because it's falling apart and nature is pushing through and taking over. Unlike the Old Fort and the Women's Gaol, it wasn't reused after the prison closed in 1983 (the Old Fort was taken over by the Rand Light Infantry and the Women's Gaol by the Metropolitan Police). So it was just left to rot, abandoned. I've been thinking about why that is. Maybe it's because it resisted reuse; that's its power. The way it was built—which says a lot about the attitude to black prisoners—was to relegate all communal activity to the outside. So the very architecture didn't lend itself to being interpreted in any other way—and still

doesn't. This is clear. We'll reuse the other buildings: the Commission on Gender Equality is moving into the Women's Gaol, and an educational center will be set up in the Old Fort. But we can't do anything with sections four and five. They will be a place of interpretation only—where you enter and you understand what happened in the past.

Because the fort and the Women's Gaol were reused, they were repainted. Which means that we lost, forever, the most potent prison records available: the graffiti. There are two kinds of prison record—the story from above, the official documents, and the story from below, the graffiti. In section four, you walk under an observation bridge (which I have to say makes me feel like I'm in a Nazi concentration camp) and down into what really is the darkest place in the darkness of the prison: the solitary punishment cells. Like everywhere else in section four it is built around an outdoor courtyard. But in this punishment section, the outdoor courtyard has wire mesh between you and the sky. So you're outside but you're caged. Coming off this courtyard are the cell doors, and on the back of them, a hundred years of records. And what's fascinating about them is that most of the people who were kept there were violent or dangerous criminals, which is why they were kept there, and we know some Soweto kids were kept there—yet the discourse on the doors is a discourse of liberation: "Viva ANC," et cetera. The liberation struggle became a metaphor for freedom. You're incarcerated, you're oppressed by white warders, you identify with the liberation struggle [see figure 2].

SN: The other major national and international political heritage site in this country is Robben Island. This site seems utterly different from the symbolic political symmetry of the island. It seems to offer quite different imaginative force from the particular drama and undiluted majesty and therefore the perfect horror—the clear juxtaposition of beauty and ugliness—of the island. This site is more messy, ambiguous, less clear-cut in terms of the psychic and political terrains it seems to take us into, even as we walk here this afternoon. I can feel right now, for instance, its banality and brilliance (perhaps it's the proximity of the everyday life of the city—just over there, so close one can hear it, even smell it) that demystifies the site and makes its history seem, on the one hand, ethereal and untouchable; and then suddenly, as we walk through a particular entrance or find objects we can't identify still lying around, we're back to the full force of its violence, in the midst of this sunny Saturday afternoon.

2 Graffiti on the door of an isolation cell in Number Four prison, 2004. Photo by Mark Gevisser

MG: What's really important about these prisons is that we cannot claim them as a Robben Island, a place where political prisoners exclusively were sent and incarcerated for decades, a place of heroes and martyrs. The fort was a busy, bustling urban prison holding all sorts of people. Certainly there were political prisoners who were brought in here while they were awaiting trial—Mandela himself was kept in here for two sessions of a few weeks each, one during the treason trial of 1956 and one after his final arrest in 1962; Gandhi was in and out of here at the beginning of the twentieth century; virtually any political activist, anyone who opposed the state, throughout the century, spent time here. But the bulk of the people here were common criminals, among them violent murderers, rapists, sociopaths, *bad* people—and one's got to deal with that legacy: the people who were imprisoned here were not necessarily noble and one can't iconize them. But the zone of interpretation we're most interested in when we look at the site is that most of the people held here were criminalized because of the colonial and apartheid race laws; they were pass offenders, curfew

breakers, people arrested under the Immorality Act, beer brewers—all people who in a just society would never have been imprisoned. Understanding that particular prisoner profile is very important in interpreting this site, for it sets the scene for the constitutional rights that the court now upholds. If there's a constitutional clause that says, "Everyone has the right to freedom of movement," this has to be interpreted within the context that tens of thousands of people were held here for breaking the pass laws, which denied them that freedom.

SN: Over here was the awaiting-trial block. What's happened to it? And where has the visitors' block gone?

MG: The awaiting-trial block was demolished to make way for the court, in one of those terrible trade-offs between urban regeneration and conservation. For an inexplicable and quite frankly unforgivable reason, the heritage consultants who originally advised the Constitutional Court said the building had to be demolished to make space for the new buildings, so the court made it a precondition of moving onto the site. The South African Heritage Resources Agency gave permission for it to be demolished, because they understood that by giving up this building you could save the rest—by bringing the court onto the site and creating a heritage precinct around it. But the rub is that in terms of heritage significance, the awaiting-trial block was far and away the most important site in the complex, because it was where most of the political prisoners were kept—including the 1956 treason trialists and the kids of the Soweto uprising—and also where the visitors' block was, where "outside" met "inside." Luckily, the very innovative architects have found ways of commemorating the building. All its red bricks have been carefully preserved and are used both to build the walls of the court chamber and to mark the footprint of the original building. Its four stairwells have been kept and have been built into the design of the court and the square. You'll be able to see them from all over Johannesburg: they'll be glazed, and images will be projected onto them. They'll be seven stories tall, spires of the cathedral, built on the ruins of the past. They've also kept the visitors' block, which has been demolished brick by brick and kept in containers. Part of our brief is to figure out where and how it will be rebuilt. All this says something about the terrible compromises made in urban development.

SN: We're walking here today as we have many times before, because the site means a great deal to us as participants in the city, as two people who grew up here and care about the future of our city. But how can the site be made to speak to the tourist, both the local tourist and the international tourist—and in what kind of language? Why would people most want to come here, in the name of what kind of vision, do you think? We walk here now, in the red soil and the piles of rubble. In a few months' time, this will be a paved concourse, a shortcut from Hillbrow through to Braamfontein, or a place to linger—even play soccer or watch the court in session. What visiting rites will be conjured from this high city terrain, and for whom?

MG: There's an essential contradiction to the site that is also the core of its energy: it needs to be both sacred space and living, vibrant space. Sacred because of the ghosts who inhabit the prisons and the (hopefully!) Solomonic wisdom taking place inside the court chamber; vibrant because it is the place where the Constitution becomes a living, breathing document, a place where democracy is both at work and at play, where we perform the values of the Constitution into being. So one of our jobs is to harness the energy created by the juxtaposition—the clash—of these two personalities, to understand that the one defines the other, just as a medieval cathedral opens out onto a bustling town square.

One of the reasons tourism is limited to the extent that it is, especially in Johannesburg, is that there is an assumption that locals aren't tourists. Think of Washington, D.C.: if you are American, it's a journey you have to take, your pilgrimage to the shrine of democracy. So our first question is, can we make Constitution Hill a place of pilgrimage for South Africans, a place you have to visit at least once in your lifetime? It's also in the middle of a city—a very underresourced city, a city that has negative public space. It is so clear to us from our research in Hillbrow that people are not interested in the values of the Constitution but in how those values are going to improve their lives. One shocking figure about Hillbrow is that it has a population of 100,000 people and yet there's currently only one library with twenty seats in it. So much for freedom of access to information! So much for the right to education! A lot of people come to live in Hillbrow because it's close to places of study. The need for study places is huge, as is the need for safe spaces for children. This is articulated by residents all the time. And safety is important, because what is the Constitution if not a place of refuge for those in our society who are vulnerable? So just as the Constitution is a place of refuge, this place has to be a space of refuge, too.

There's a lesson that comes out of rural ecotourism that we'll be trying to apply here: the way you ensure the sustainability of a tourism project

like this is that you make sure that the host community owns it. So there are lots of ideas about how the residents of Hillbrow are going to own this site in terms of the economic value they're going to be able to draw from it, the fact that it's going to be a place of pride for them, and so forth. Whether that can happen or not remains to be seen, because there are a lot of balancing acts that have to happen, because our imperative—our *constitutional* imperative—is to be open and accessible and transparent. The court site has to function as a series of city blocks—it has to be a thoroughfare as well as a destination with no physical access control to the site. People have to be able to walk through, hang out, and do what they do. But it's right next to Hillbrow—and we know what people do in Hillbrow: on the one hand it's a community of schools and churches, but a whole lot of bad stuff goes down here too. The site has to function as part of the city. It's a huge issue, the issue at the center of Johannesburg's battle for survival. In a place like inner-city Johannesburg, can public space be secure and accessible at the same time? Can it be attractive to tourists without being removed from the city by security booms and white-gloved officials, like Melrose Arch, or reachable only through a shopping mall and a parking garage, like Sandton Square? This is Constitution Hill's real challenge.

Because, let's face it, the reason the city authorities are supporting this project is not so much because they believe in the power of heritage, but because they are interested in inner-city regeneration, and they see a heritage precinct as a means toward that end. Which means one thing more than anything else: foreign tourists, who bring resources in quantum leaps. If this site is going to work for international tourists, it has to serve two functions: it has to be a place of pilgrimage, the place where you touch the holy stone of the "South African miracle." Then, in that contradictory way, it also has to be a place where you can experience the buzz and tension of Johannesburg and South Africa in action. Johannesburg could be marketed as a very exciting Afropolitan city: as a place where you can eat fufu or Swahili curry or *pap en vleis*. It's all there at the moment, but it's inaccessible to foreigners. Research also shows that even continental Africans, who come here to shop, stay in their hotels—they fear xenophobia and mugging.

There's a very interesting theory of urban design, advanced by Christine Boyer of Princeton in her book *The City of Collective Memory* [2001], about how modern cities create simulacra of democratic public space.

These spaces are all civic or nationalist projects to create the sense of an eternal value that is embedded in their cobblestones, contrived and often anachronistic—built to look older than they are—because their purpose is to represent the ethos out of which the city was developed. Constitution Hill would need to be that kind of place, in the best possible way; the place to which you would come to experience the essence of Johannesburg and of South Africa; just like you go to the Potzdamerplatz to experience the essence of Berlin, or the Plaza Mayor to experience the essence of Madrid, or Red Square to experience the essence of Moscow, or the Mall to experience the essence of, well, not just of Washington but of the American democracy. Right now we go to another kind of mall to experience the essence of Johannesburg. Hopefully, in the future, you're going to come to Constitution Square, at the middle of Constitution Hill, to see the South African democracy embedded in its stones and represented on its surfaces. But because the South African foundation myth is such a dynamic one—the negotiated settlement, the nation that talked itself out of war and into democracy—it won't be, it can't be, a project of ossification or memorialization. What needs to be embedded into Constitution Hill's surfaces is a process rather than ideology: the belief that debate, reason, interaction, negotiation, and reconciliation will make the future happen. That's why we are using the Sesotho word *lekgotla* so much—a "meeting place." It follows the concept at the core of the Constitutional Court and its new building: "justice under a tree."

Postscript

SN: Mark, the conversation above took place in 2003, before the Court had been completed and the site was in full use by the public. How does Constitution Hill look now, as a site and as an idea, and how does it compare to what you envisaged in 2003?

MG: The first month that the site opened—March 2004—there were 3,500 visitors. From August 2004 onward, once the public programs began, there have been between 8,000 and 10,000 a month. With the opening of the Women's Gaol [see figure 3] in August 2005, there were a record of 15,000. This works out to an average of 5,000 a day. This is extraordinary. The most exciting thing about these numbers is that a large percentage of the visitors to the site are locals. When we first did our research, we noted,

3 Women's Gaol atrium, 2006. Courtesy of Constitution Hill

as one of our major risks, the fact that South Africans do not traditionally go to museums and heritage sites. Yet Constitution Hill appears to be reaching the apparently unreachable.

Obviously, once visitors and users start populating a site—start making it their own—it begins to develop a life of its own. It really is no longer a black hole in the middle of Johannesburg. It is used, visited, crossed, discussed, criticized, even loved! It has become what we wanted it to be: a must-see, a pilgrimage site, for anyone who wants to touch base with what the South African democracy means, and few things move me more than watching visitors—international tourists or schoolkids, or ex-prisoners—engaging with our permanent exhibition in Number Four, which tells the story of how criminality was racialized—and race was criminalized, of course—in apartheid South Africa. It was an article of faith that our interventions be substantial enough to draw people in, yet light enough to let the buildings talk for themselves, and to allow visitors to make their own sense of them. And I do think we have succeeded.

Also in our interactive approach: if our philosophy is that each visitor adds to the development of Constitution Hill by leaving his or her story or memory or response, then we have to capture those responses, archive them, and integrate them into future exhibitions. It's an immensely complicated process, particularly if one is working in a low-tech, low-budget environment, and it is an area of trial and error. But there is one clear and powerful proof of Constitution Hill's effect: our visitors are not passive. They want to engage, and respond, and leave their traces.

SN: It is a place I go to often, for lectures and debates and exhibitions. It's become part of *my* Johannesburg. . . .

MG: Something we have learned from studying other projects is being validated: if you want locals to visit your heritage site, you have to offer them a real smorgasbord of programs—events and attractions that will bring them back again and again, so that it doesn't function just as a destination site, but as the context for a whole lot of other activities—the "campus for human rights" we envisaged in our business plan; the place where people come together to explore and expand, or maybe just enjoy, the rights entrenched in the Constitution.

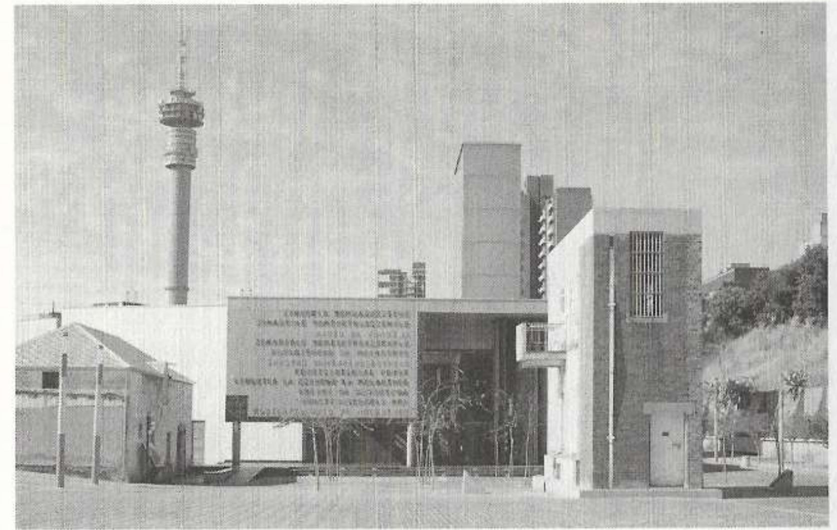
Something that I personally find very gratifying is that Constitution Hill is now the launch pad for the annual Lesbian and Gay Pride March, and the venue of a whole week of activities around pride. I was involved in organizing the first of these marches in 1990, which took place in the city,

but since then, they've moved to the suburbs and become purely commercial ventures. Now Constitution Hill—the home of the document that entrenches gay and lesbian equality—not only enables pride to come back to the inner city, but provides it with a very important political context.

SN: How are the activities chosen? You spoke earlier about balancing "the cathedral" with the "town square." Have you succeeded?

MG: Quite soon after the Hill opened [see figure 4], a hip young party promoter, Politburo Sessions, approached the programmers to hold a party in the Old Fort. There's a long history of parties and raves in the building since its closure as a jail, but now that it was formally Constitution Hill, was a party appropriate? "We, the People, have the right to party?" Well, yes, of course. But if so, where? Are there some spaces that are sacred? And does it make a difference if the Politburo Sessions brand their events with political consciousness—fabulous video montages of South African struggle and redemption? Or that their target market are young politically savvy urbanites of all colors, a key target market for animating Constitution Hill? In the end the party took place, but no food or drink (or smoke!) was allowed inside the spaces of the Old Fort. Albie Sachs, one of the justices of the Constitutional Court, likes to talk about how outraged he was when he heard that permission was given for the party to happen, but then how his mind was changed by his son, a political activist himself, who spoke of the necessity for celebration, and the importance of letting Constitution Hill grow, and develop its own identity. I mean, after all, a big fat party filled with people of all races in the middle of the Old Fort could be seen as the ultimate act of reappropriation. Imagine Paul Kruger and H. F. Verwoerd turning in their graves!

But what if Joe Slovo and Mahatma Gandhi are turning in their graves, too? And while I personally might relish Oom Paul turning in his grave, Constitution Hill—like the document it embodies—belongs to everyone. There should be a protocol as to what events can happen where in the precinct—just as there should be a protocol about who can and can't be tenants in all the new office space. And Constitution Hill should be run by a nonprofit institution that sets such protocols, an institution governed in public trust by a board of highly respected individuals. This is what we proposed in the business plan, and it unfortunately has not yet happened, or even begun to happen, which is a pity, for as soon as such an institution is established, there is a clear line of authority and accountability. In the meanwhile, the Constitution Hill heritage, education, and tourism team



4 Entrance to the Constitutional Court, 2007. Courtesy of Constitution Hill

[HET] continues to function under the guidance of the Johannesburg Development Agency, and does, I think, an excellent job following the principles for programs set out in the business plan and carefully reviewing everything on offer.

SN: These issues are particularly intense at the Women's Gaol, right?

MG: Yes, because—unlike Number Four—it is designated as a mixed-use space. So the South African Commission for Gender Equality, a statutory body, and other organizations have their offices in new buildings that have been erected on the original courtyard of the jail, a place of great trauma and suffering for the women who were once kept there. This is difficult, and it has upset several of the ex-prisoners, who did not even have a chance to reclaim their memories of this section of the jail before it was turned into an office block. Personally, it is not a decision I would have made myself: we in HET inherited it and had to make the best of it—but there it is. We have to work with it—and accept that the development model of Constitution Hill is such that the commercial activities not only fund the heritage ones but have the potential to give them their life, their currency. And it does give the Women's Gaol a very special energy—this interplay of past and present, so beautifully articulated by Joyce Seroke, the head of the Gender Commission, who tells the story of how she gets

5 Foyer, Constitutional Court, 2007. Courtesy of Constitution Hill

up every morning and goes to work, to *help* women, in the very place where she was once imprisoned.

I was in Brazil recently, in the city of Recife, and there, the extraordinary old jail—a multistory panopticon—has been turned into a craft market, with each entrepreneur given an old cell to peddle his or her wares. The only sign that it was once a prison is a little information panel in the central lobby [see figure 5]. It's a highly successful tourism and local empowerment project, but is that enough? These are difficult questions, and one of the things I love about Constitution Hill's model is that it allows us to examine them as the development is taking place. And that its mixed-use approach is trying, creatively, to resolve the dilemma about funding heritage in the developing world.

SN: What was it like working with women ex-prisoners?

MG: To prepare the exhibition in the Women's Gaol, which is now up and open to the public, we expanded on the process we had begun in Number Four: unearthing the site, if you will, through a series of workshops with ex-prisoners, to enable them to share their experiences with us, but also to take ownership of the place for themselves. I did not attend any of the workshops but I have seen the footage, and it is extraordinary how these women responded—not just political prisoners, but ordinary women, beer brewers, immorality act offenders, pass offenders, so-called common criminals, women who had given birth in jail. The trauma that they experienced reentering the site was devastating. It got us thinking about how, no matter how difficult jail is for men, it is—well it *was,* at least, in apartheid South Africa—something expected; almost a rite of passage. For women it is so different—something totally unnatural, against the correct order of things; the source of deep and enduring wounds. In what we do at the Women's Gaol, we need to respect this and honor this but also create and support dynamic institutions and programs that remedy it.

The opening of the Women's Gaol, which took place in August 2005, was certainly the most powerful event I have ever attended on the site. There was a very moving lamp-lit procession, led by ex-prisoners, from Constitution Square up to the jail, and the women themselves—once more, running the spread from formidable icons of struggle to aging gangsters—took ownership of the event and the place through a Women's Forum, which they set up and which is now actively involved in the further development of the site. But then, during a tedious official ceremony of speechifying before a formal sit-down dinner, one of the women stood

up and started to protest: "Who are these people speaking?" she cried. "What do they know about this place? This is *my* place! I was here eleven years! Who are *you?*" I'm paraphrasing, but that was the sense of it. It was very embarrassing, very uncomfortable, but it contained, in a cross-section, all the dilemmas and difficulties of developing this site, and I hope it is something that all of us who were there will remember as we move forward with it.

SN: What next?

MG: Number Four and the Women's Gaol are up and running and fully functional, as, of course, is the Court itself. The awaiting-trial block visitors' center is about to be reconstructed on the Hillbrow side of the Court. We will also start activating the Old Fort more fully, while the developers complete the western commercial side of the precinct, with its office blocks, retail facilities, and—most exciting—its visitors' center. This will also be the home of the Nelson Mandela Centre for Memory and Commemoration, a South African version of the grand presidential libraries that dot the United States. We have already started working with the Nelson Mandela Foundation on this, and it promises to be one of the Hill's greatest drawcards.

Note

1 The *tauza* was a "dance" that prisoners had to perform, naked, to show the guards that they had nothing concealed in their anuses.

Reframing Township Space: The Kliptown Project

LINDSAY BREMNER

In 1955, the African National Congress (ANC) held its historic Congress of the People to ratify its liberation manifesto, the Freedom Charter. This event took place in Kliptown, on the outskirts of Soweto, at a site that came to be called Freedom Square in honor of the occasion. Today Freedom Square is an open, windswept tract of land, lying between a shack settlement, a railway line, and a taxi rank and bounded by the back facades of warehouses and wholesale stores. The trees that once lined its edges, providing shade for local traders and commuters, have mostly died, and the farm that once cultivated the land around it has long been abandoned. Remarkable today only for the tapestry of footpaths marking its surface, tracing the movement of people who traverse it in the course of their daily lives, Freedom Square has an auspicious history.

This site in Kliptown was chosen for a meeting of what became known as the Congress of the People simply because it lay outside of municipal jurisdiction, was big enough to accommodate the expected 10,000 attendees, and had functioned many times before as the site of civic gatherings—religious services, political and trade union meetings, and cultural and sporting events.

On June 25–26, 1955, nearly 3,000 delegates and 7,000 spectators from all over South Africa assembled on the site and, surrounded by members of the South African Police, ratified a document that had taken two years to prepare. This process had been inaugurated by Z. K. Matthews of the ANC, not yet a banned organization. His vision was to gather, from across the