

## SEMINAR

## The Ancestors in the Sea



## Ocean Extractivism vs Cultural Rights in South Africa

Who or what are “the ancestors in the sea”? Focusing on the legal challenge to Shell’s proposed seismic surveys on South Africa’s Wild Coast in the Eastern Cape, this article explores how beliefs about ancestors in deep water, which are prevalent in isiXhosa culture, are represented across literature, visual art, and legal discourse. Drawing on texts ranging from the poetry of S.E.K. Mqhayi and A.C. Jordan’s *The Wrath of the Ancestors*, to poetry by Koleka Putuma and artworks by Buhlebezwe Siwani, I place these into conversation with affidavits and the judgement in *Sustaining the Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others*. I argue that while the selected literary and visual artworks retain ambiguity and some level of opacity regarding cultural beliefs about ancestors who reside in deep water, the affidavits translate these cosmologies into narratives capable of functioning as legal evidence in constitutional claims grounded in cultural rights. Yet, while the affidavits make declarative ontological claims, they often assume literary qualities, relying on memory and storytelling to render cultural experience sufficiently legible to the court while refusing to explain or justify the ontological premises on which they rest. Bringing these genres into dialogue, the paper asks what is gained, and what may be lost, when sacred cultural beliefs are translated into legal discourse, in a global context where cultural rights are often a last line of defence against extractivism.

**Keywords:** Extractivism; post-apartheid; Wild Coast; blue humanities; cultural rights.

**Photo credit:** iGagasi" (2015) by Buhlebezwe Siwani.

Professor Lucy Graham is an Associate Professor in the Department of English at the University of Johannesburg. She is the author of a monograph on representations of gender-based violence in South African literature, *State of Peril: Race and Rape in South African Literature* (Oxford University Press, 2012), and numerous peer-reviewed articles and book chapters. She is currently working on two monograph projects, *J.M. Coetzee, Women’s Voices and Feminism*, and *Post-Apartheid Dissonance: The Cultural Politics of Post-“Rainbow-Nation” South Africa*. Her research interests are South African literature and culture, gender studies, debates on intersectionality and decoloniality, and cultural rights and the environment.



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Conference Hall, Nelson Mandela Uni

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