

Two deaths, dozens of injuries and counting...



Investigation into politically motivated violence in eTwatwa (Gauteng) and other Landless People's Movement affiliated settlements during May 2010

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Introduction

Reports of political violence in South Africa are on the upsurge. There has been a clear increase in aggressive attempts to undermine social movement activities in the past few years. As a result of the violence, social movements activists, migrants and ethnic minorities have often been forced into exile from their communities.

The following report investigates allegations of politically-sanctioned and coordinated attacks on the Landless Peoples Movement in the informal settlement area of eTwatwa in the Municipality of Ekurhuleni in Gauteng. These attacks have resulted in the forced removal of numerous residents who have, as a direct consequence of the attacks, been forced from their homes and, often, into hiding. This report focuses on the historical context behind the attacks as well as how the attacks have affected the relevant communities.

This report is based on interviews conducted during the first weeks of June 2010. The interviews focused on the experience of landless people in eTwatwa in which 15 community-members were interviewed both individually and in groups. Interviews were also conducted with members of the Protea South community. Unless otherwise cited, all the information contained within the report is the product of these anonymous interviews² and empirical evidence gained from the investigations into the events of May 2010.

Historical context in eTwatwa

Before founding of the settlement (pre-1987)

The land in which eTwatwa is now situated was in earlier times inhabited by the Ndebele people. Pre-colonial Ndebele society, like other pre-colonial South African societies did not believe in private land ownership laws. Instead, the land settled by the Ndebele was communally-owned and communally-controlled by the people living on it through various unwritten laws and customs. It is important to note this historical fact because it provides one with the necessary context by which one can understand the emergence of the Landless People's Movement in eTwatwa as a movement of landless black Africans which include but is not limited to people of Ndebele origin.

When the area was colonised, successive waves of Europeans stole the land from the Ndebele. After the Ndebele commons was expropriated, the land was then privatised and Western laws regarding ownership were adopted by white farmers who occupied the land. This process of racialised land expropriation was, for the local Ndebele, comparable to other acts of colonisation throughout South Africa creating a huge underclass of vulnerable black landless people living on white-controlled land or forced into crowded rural "Bantustans".

In the 1980s, as resistance to Apartheid and the resulting political violence was in full swing, the land

² All interviews were conducted anonymously. This was important in order to protect the identities of those interviewed. Anonymity also allowed residents to speak freely without fear of retribution thereby making their viewpoints more accurate and credible.

was sold to developers. They, in turn, decided to 'open up' the land for the construction of Bond "Cluster" Houses for an emerging black middle class who could afford to purchase bank bonds and who wanted to get out of crowded townships such as nearby Daveyton. Instead of going towards the mass of landless people in the area, as promised by various social documents demanding land redistribution (such as the Freedom Charter), the land was reserved only for those who could afford it. In other words ownership was de-racialised but it reminded privatised.

Founding of eTwatwa (1987-1994)

In 1987, at the height of mobilisations against Apartheid in the area, local communities who lived mostly in the next-door township of Daveyton began agitating for space in which landless families could settle.

An important aspect of resistance against Apartheid was the movement to reoccupy land which had previously been stolen by whites during colonialism and Apartheid. According to residents, the social movements operating in the area included the Mass Democratic Movement as well as the Sofasonke Party. A key figure in local populist politics was Sadrack Sinaba, a councillor in the Black Local Authorities. Sinaba took a strong stand in support of land occupations and against the persecution of squatters by government authorities.³

Eventually, the radicalisation of township politics in the later 1980s enabled residents to occupy land near Daveyton that the apartheid government had allocated towards private developers for the purpose of building bond houses. The occupation was an insurgent recreation of the commons that was a direct result of the very practical need for land and housing among landless people. As the Apartheid government called in soldiers to protect private-ownership of the land, most of the leaders of these movements were assassinated. However, the community was generally united and was able to maintain their occupation of the land through mass-based mobilisations and resistance.

The community named this new occupied space eTwatwa after the 'twa-twa' sound of the soldier's guns that residents heard day in and day out as they were being shot at while defending their land. The first squatter camp in eTwatwa was named Mandela (Park) and it was this camp that eventually became the socio-political base for land occupations throughout eTwatwa. The Extension 18 camp, later to become a key constituent base of the Landless Peoples Movement in eTwatwa, was occupied in this manner in 1992.

Originally, most of the people moving into eTwatwa camps were so-called black Africans from urban areas such as the overcrowded rental stocks in the Daveyton township and other townships in Gauteng. They constituted a wide array of ethnic backgrounds including but not limited to Ndebele, Shangaan (Tsonga), Zulu and Shona. However, rural families, especially from former Bantustans, eventually also moved into the area once pass laws were scrapped.

3 This was deduced from oral histories among eTwatwa residents as well as the following academic article on the history of the region: Hilary Sapire. *Politics and Protest in Shack Settlements of the Pretoria-Witwatersrand-Vereeniging Region, South Africa, 1980-1990* in *Journal of Southern African Studies*, Vol. 18, No. 3, Special Issue: Political Violence in Southern Africa (Sep., 1992), pp. 670-697

Demobilisation of eTwatwa (1994-2004)

After formal Apartheid ended and the African National Congress was elected in 1994, residents in the area say that 'the struggle became quiet'. Residents make it clear, though, that they were still, as poor people, struggling for both socio-economic and political rights. However, to them, the struggle was quiet in the sense that residents believed that relying on electoral politics – i.e. voting the ANC into power – was now the key terrain of the struggle. Indeed, according to people in the area, between 95% and 99% of eTwatwa residents voted for ANC candidates at all levels of government.

Furthermore, virtually all the movements and organisations that had struggled against Apartheid in the 1980s (such as the Mass Democratic Movement and the Sofasonke Party) effectively joined the ANC or merged into organisations affiliated with the ANC such as the South African National Civics Organisation (SANCO). This meant that all community structures in the eTwatwa community were effectively working towards the electoral goals of the ANC. This, in turn, meant that the ANC began funding these organisations through various methods including development budget allocations as well as various forms of patronage. This gave the ANC the power to appoint the leadership of these organisations.

In the 1999 general elections Thabo Mbeki succeeded Nelson Mandela as president of South Africa. Among other things, the new president promised that by 2010 the housing crisis would be solved. While residents began to feel disappointed and/or disheartened because of the lack of progress towards resolving their predicament, there remained the general feeling that 'this government is still new, lets give them a chance'.

But by 2004 as Mbeki and the ANC were re-elected there was still little change in the status quo. The community still voted almost entirely ANC, local organisations remained within the political sphere of the ANC and its alliance members, and the township of eTwatwa remained almost entirely without basic services such as electricity, toilets, water, and sanitation. The services and the subsidised RDP houses meant to be allocated to the area's poorest residents, were instead redirected through political patronage and nepotism. As residents of Extension 18 point out, the previous ANC councillors own RDP houses and shack sites on local public land even though, with their large salaries, they already have alternative accommodation and do not qualify for public housing.

Protests erupt and the founding of the eTwatwa branch of the Landless People's Movement

Initial protests

Following the 2004 re-election of the ANC, there was a conscious shift in the *living politics* (a politics that is of the people)⁴ of the residents of eTwatwa. The community remained primarily ANC voters and local politicians remained attached to their usual populist way of doing politics via clientalism and patronage. However, outside party politics, residents started realising that though they still did not have access to secure land and basic services such as housing, electricity, and sanitation, they in fact deserved and had a right to all these things. Such rights are expressed in the Freedom Charter, in the

4 Richard Pithouse. *To Resist All Degradations & Divisions: An interview with S'bu Zikode*. [Abahlali.org](http://abahlali.org) (28 April 2009) <http://abahlali.org/node/5063>

country's Constitution, in United Nations documents, but most relevant of all such rights are expressed in the culture of the residents of eTswatini. Finally, they also realised that if they continued to keep quiet they would never get anything but 'lip-service delivery' in their communities.

On 18 April 2007, the residents of Extension 18 in eTswatini decided to march on the Ekurhuleni Municipality. While virtually all residents still identified as ANC supporters, the local leadership of SANCO tried to prevent residents from protesting because it would mean being publicly critical of the ANC. As a result, the local civic in Extension 18, with the support of residents, broke off their affiliation with SANCO.

Residents drafted a memorandum of demands which they handed over to the municipality. The core of these service delivery demands included the installation of formal electricity, sanitation, clean water, roads, and toilets. They also demanded the construction of a health clinic, a school and a police station in the immediate vicinity. Finally, they demanded the upgrade of their informal settlement to formal housing.

In response to these initial protests, the municipality contracted out RoadCrete⁵ to build water and sewer networks systems and toilet structures for all the 'stands' in the community. While the government ignored the other demands on the memorandum, this development was, nonetheless, a small victory for residents who had never benefited from any form of development since they first moved to the area.

Evictions, consultation and selective development

While there is a total of 1,949 shack stands in the government's database for Extension 18, RoadCrete was eventually contracted out to supply toilets for only 1,058 stands even though the municipality budgeted over 19 million rand towards water and sanitation in this area for the 2008/09 financial year. Eventually, because of financial mismanagement and alleged corruption, toilets were only constructed for 852 shack stands with only 717 of these toilets actually operational. As a result, 1,097 shack stands were left without any form of sanitation.

It has emerged that there has always been a secondary motive behind the provision of sanitation to some but not others in the community. Government officials have subsequently begun agitating to move the remaining 1097 families out of the area to a soon to be built transit camp⁶ similar to the infamous [Blikkiesdorp](#)⁷ in Cape Town. Officials claim that the shack dwellers must move because the land contains dolomite and so cannot accommodate RDP houses for residents. Across the country it is typical for the state to mobilise scientific claims to argue that evictions are a result of technical (usually geophysical) factors rather than political or economic factors. In many cases, the land expropriated from shack-dwellers based on such excuses has been handed over to private developers.

5 A civil engineering contractor based in Boksburg. RoadCrete (www.roadcrete.co.za) is a subsidiary of Basil Read Group (www.basilread.co.za), a large multinational construction company closely linked to high profile ANC members. It has been involved in a number of government tender controversies including the corruption-plagued construction of the Mbombela Stadium in Nelspruit.

6 Kerry Chance, Marie Huchzermeyer and Mark Hunter. "Listen to the shack-dwellers". *The Mail & Guardian* <http://www.mg.co.za/article/2009-06-24-listen-to-the-shackdwellers>

7 *Blikkiesdorp*. *Wikipedia.org* (20 June 2010) <http://en.wikipedia.org/wiki/Blikkiesdorp>

Yet, residents have now found out the real reason for their pending eviction: to make way for a planned shopping mall, clinic and more bond houses. The Gauteng government also wants to build a provincial road directly through a certain part of Extension 18.

Residents continue to ask why, if RDP houses are unsuitable for dolomitic land, are bond housing and other types of building acceptable? They also ask why, if there truly is a serious problem building on such land, does the government refuse to make public their past environmental investigations and surveys of the land? Finally, while residents do feel the urgent need for a clinic, they question the demand for a shopping mall which they only see as undermining informal traders and local businesses.

What is clear to residents of Extension 18 is that they are no longer fighting merely for service delivery. The struggle has now also become about how services are actually delivered.

The fight for participation and democratic service delivery

In March 2010, the residents of Extension 18 joined by others from adjacent informal settlements such as Extension 10, 30, 36, and Steve Biko, came together to form the eTwatwa branch of the Landless Peoples Movement. They sought support from fellow LPM activists in Protea South, Harry Gwala and Thembelihle as well as lawyers allied to the movement.

According to residents, they joined the Landless Peoples Movement because they feel neglected by government officials at both the local and national levels. One member commented that “we joined LPM because LPM is fighting for the same issues and can help expose our cause”. Residents feel that the LPM is a way of expressing unity and solidarity amongst the landless which will allow them to help one another and empower their communities. They are now not only fighting for service delivery but also for a particular kind of development founded upon essential issues such as participation, democracy and transparency. One resident explained that their demand from government is: “you must develop with us, not without us”.

Renewed protests

On 25 May 2010, the Landless Peoples Movement eTwatwa mobilised more than 3,000 residents and marched on the office of Councillor Gladys Baleka of Ward 65 handing over a memorandum (see Annexure A) to be forwarded to the Ekurhuleni Municipality and the Gauteng Provincial Legislature. The memorandum included the specific demands of the different extensions as well as the general demands common to all protesters. The key points included the following:

- Speeding up of service delivery (houses, toilets, electricity, roads, etc)
- Higher quality developments (i.e. no more short cuts in the building process)
- Transparency from government officials and contractors
- Investigations into corruption by contractors, local officials and councillors especially in the allocation of houses
- Participatory development and meaningful consultation by government and contractors regarding all development issues

- The resignation of Cllr Baleka with immediate effect

The peaceful protests were seen as an immediate success among residents who, for the first time, presented a unified front regardless of political affiliation or ethnic background. Residents got their message across even though the media had presented the march as merely another demand for service delivery.⁸ It also sent a very strong message that the community would no longer tolerate corruption and authoritarianism from the current and previous councillors.

Politically motivated violence against LPM members in eTwatwa

Background: corruption, ethnic politics and the councillors

Ward 65 in eTwatwa has been home to three successive ANC councillors: Simon Sintu, Desmond Mbikwana and Gladys Baleka. All three councillors have been subject to allegations of past and continued corruption and mismanagement by residents.

According to residents involved in recent protests, both Sintu and Mbikwana have failed their community in all aspects of their demands: for delivery, consultation, transparency and an end to corruption. There are serious allegations that the two are involved in public housing related fraud. Furthermore, Sintu is alleged to control multiple shack stands whereas the land is meant to be distributed equally amongst residents. Finally, a wide range of residents recount a past incident whereby Simon Sintu had demanded a house from a Reverend living in the community. When the Reverend refused, Sintu shot the unarmed man eight times and then claimed that he was acting in self-defense. The overall feeling amongst residents is that “if you do not agree with the councillor [and the former councillors then] you must leave the community”.

Ethnic politics also plays an important role in eTwatwa. The communities were founded upon an anti-ethnic politics of anti-apartheid struggle and communal land occupations. During the 2008 xenophobic pogroms⁹ which erupted throughout the country, residents of eTwatwa (particularly Extension 18), prevented the spread of violence to their areas by calling mass meetings and redirecting resident's anger towards the root causes of their poverty: the failure of local ward councillors, government oppression and the economic system.

The community leadership, knowing that a significant portion of residents comprise both South African and non-South African Shangaan and Shona, realised that unity through a non-ethnic people's politics was the only way to prevent the politically motivated pogroms. They asserted, as did many other independent movements of the organised poor¹⁰, that if you live in a settlement, you are a neighbor, a comrade and an mhlali (a legitimate resident) in that settlement. They ensured numerous mass meetings would take place and that the local civic committee would be ethnically mixed, thus giving all ethnic groupings a stake in area development. David Mathontsi, a Shangaan, was elected as

8 “News flashes - May 26, 2010” in *The Star*. (26 May, 2010) <http://www.thestar.co.za/index.php?fArticleId=5486162>

9 See Michael Neocosmos. *The Politics of Fear and the Fear of Politics*. (5 June 2008). Accessed via: <http://www.abahlali.org/node/3616>

10 Abahlali baseMjondolo. *Abahlali baseMjondolo Statement on the Xenophobic Attacks in Johannesburg*. (21 May 2008) <http://www.abahlali.org/node/3582>

chairperson of the committee on this basis. Issues of service delivery, development, transparency and anti-corruption, not ethnic politics, were to remain core issues at mass meetings. Local councillors and other politicians were prevented from stoking the violence through inflammatory speeches.

Official response to the march on the 25th May

Even though the community's memorandum allowed for 7 days before the government needed to respond, the next day Sizakele Nkosi, from the Gauteng legislature responded and set up a meeting with community leaders for the 2nd of June. The community was happy with this development and decided to wait for that meeting to take place.

Councillor's response and police violence

However, a few days later, Cllr Baleka, without speaking with the area leadership, requested over a loud-hailer that the community of Extension 18 come and register for RDP houses at her office on Chris Hani Drive. Confused because they had already registered with the Department of Human Settlements, about 600 residents of Extension 18 went to Baleka's office to ask for clarification.

At the office, Cllr Baleka had two unelected committees with her headed by the former councillors Sintu and Mbikwana. The former councillors used this opportunity to attack Shangaans and migrants in the community. They said that they must rid the area of Shangaans with a particular reference to the area chairperson, David Mathontsi.

A member of the Cllr's committee, a resident of Extension 18 named Mr Mbanjwa, then attacked a youth from the community.. The community members responded by chasing Baleka and her committees into their office. Fighting broke out and the angry community members surrounded Baleka's office in protest. Some rocks were thrown as well.

A short time later, the police arrived. They did not try to stop the violence nor did they try deal with the issue. Without even as much as a warning shot or an order to disperse, police officers, who were carrying live ammunition, shot directly into the crowd consisting mostly of women and children. Many people were injured. A man named Oupa, after a bullet skimmed his thigh refused to go to hospital. Another woman who was shot in the arm was helped to the emergency room by residents. Both were lucky, they survived the attacks.

Priscilla Sukai, a 46 year old grandmother, was not so lucky. Police shot and killed her. She leaves behind her husband, two sisters, two brothers, four children and three grandchildren.

Continuation of state-sponsored violence

As residents fled the scene, a small group of angry residents went to the shack of a member of Cllr Baleka's committee in Extension 18. They burned his shack.

The SAPS vehicles, claiming that this group was going to burn Cllr Baleka's home, then arrived in

Extension 18 and Extension 10. The police went door-to-door throughout the settlement indiscriminately assaulting residents. They assaulted school-age youth who were studying for exams. They attacked anyone they could find.

They had a list of names of supposed Landless Peoples Movement leaders but attacked anyone and everyone especially if they could be identified as Shangaan. They wanted to make an example of those who sought to defy Baleka, Sintu and Mbikwana. What started out as an attack on the LPM leadership became an attack on all the Shangaan people in the settlement. They came looking specifically for David Mathontsi who was not in the area as he was visiting the wounded in the hospital.

In total, the police severely assaulted 12 members of the community. Thembisile, a pregnant woman was beaten and then arrested. Eunice Zondo and Mavis Ndlovu were assaulted, pushed to the ground, and then beaten and kicked by police. All this was captured on video. However, the police stole a youth's camera which he was using to videotape the police violence. Still, other video evidence of the assaults on Eunice and Mavis remain captured by a resident who was secretly filming on his cellphone from behind the crowd.¹¹

In the end, all 12 residents who were assaulted including Thembisile were arrested and taken to the local police station.

According to eye-witnesses in a separate incident that afternoon, Metro Police (as apposed to SAPS) arrived at David Mathontsi's younger brother's home and confiscated/stole all his belongings including his clothes, blankets, and food. No papers were shown and no reason was given for their actions.

Sunday 30th May – Wednesday 2nd June

While David Mathontsi was visiting the wounded at Far East Rand Hospital, his family was attacked by a mob connected to Cllr Baleka. This mob included Mr Mbanjwa and a number of the people who are on the councillor's committee. At gunpoint, the mob threatened David's children who later fled their home.

At 02h30 on 30th of June, the mob returned. They shot David's younger brother who was inside David's shack and then torched the shack. David's brother was able to escape but the Mathontsi family lost everything they owned: furniture, clothes, food, etc. Residents called the police during the attack but the police never showed up. After this incident, this mob went around in a car hunting for other LPM leaders and intimidating residents. A community member was able to get the registration number of the car: MPU1799P. However, they have not been able to lay a charge against the occupants of the vehicle because the local police station refuses to entertain residents' claims.

During the same day, three delegates from the community went to the police station to negotiate the release of the 12 prisoners arrested the previous day. The commissioner of the police station refused to release the prisoners claiming that they should not have disobeyed Cllr Baleka and addressing the delegates with political talking points about respecting ANC leaders. Residents say that this proves to them that the 12 were in fact political prisoners arrested at the insistence of the councillor. After

¹¹ During the interviews, a youth from eTwatwa gave me three videos which provide conclusive evidence of police brutality against two community members.

significant pressure, however, the commissioner eventually agreed to release Thembisile (the pregnant woman) on police bail.

The next day, 31 May, the police brought charges against five of the twelve prisoners. Of the “eTwatwa 5”, two residents were released that day on R500 bail each and three were released two days later (2nd of June) also on R500 bail each.

On Wednesday 2nd of June, after charges were laid and following significant pressure from the community, the police finally arrested Mr Mbanjwa (one of Cllr Baleka's friends) along with three others for attacking David Mathontsi's family and burning their shack. However, according to reports, former councillor Simon Sintu went to the police station that evening and forced the release of all four accused without charge.

Situation in eTwatwa since 2nd of June

Since these events, the car of people connected to Cllr Baleka has continued to drive around and intimidate LPM members and Shangaans in the community. Residents remain timorous – afraid that either the police or the mob might return. Though the LPM leaders, who have the support of the majority of the community, have returned and are no longer in hiding, they still fear for their lives. In the words of some, Cllr Baleka and her committee are “operating like the ZANU-PF”. You either offer her uncritical support, or you suffer political retribution.

On the side of negotiations for services with government, there has been some minimal progress. Municipal officials have agreed to investigate the faulty toilets though they have not given any indication that they would provide toilets to the remaining residents of Extension 18. Despite the community's demand that Cllr Baleka be removed from office, the ANC has insisted on their own internal private investigation which seems more like a way of deflecting criticism. The government has ignored the issue of police violence and their alleged murder of the LPM community member. As a result, the LPM are attempting to push forward with their own legal actions against the police.

Attacks in other communities affiliated with the Landless Peoples Movement

Protea South (historical background)

On 23rd May 2010, violence erupted in Protea South, another Landless People's Movement community. In this community, there is a history of clashes between shack-dwellers from Protea South Informal Settlement on the one hand and the ANC-linked Homeowners Association, with the support of Ward Councillor Mapule Khumalo, on the other. While the LPM has often defended residents in bond houses who face eviction, local ANC leaders have often played off homeowners' desires and fears when seeking to isolate Protea South shack-dwellers.

According to community members, ANC leaders have convinced many homeowners that the informal settlement is a barrier to development in the area. The Homeowners Association claims the removal of the shack-dwellers would be immediately beneficial to their property prices as well as proposed

developments such as more bond houses and shopping centres thereby creating jobs in the area. The Association also presents the shack-dwellers as harbingers of crime, electricity blackouts and other negative issues. For these reasons, Cllr Khumalo and the ANC Branch Executive have continually attempted since 2002 to remove shack-dwellers from Protea South to an ex-urban area named Dornkop.

In response, the residents of Protea South Informal Settlement have organised to oppose evictions and protect their community. They have demanded housing in Soweto close to jobs, schools and transport.

In response, there has been a long history of suppression, intimidation and violence directed at the shack-dweller community and the leadership of the Landless People's Movement in Protea South. According to residents, jealous political leaders in the ANC attacked and stabbed prominent LPM activist Maureen Mnisi in 1995 while she was still an active ANC member. When she led Protea South in breaking away from the ANC eight years later, threats to her safety and that of her family resurfaced.

Recently, there have been numerous reports and independent investigations by well-respected human rights organisations into the violence against LPM members in Protea South. The Freedom of Expression Institute (FXI) and Amnesty International (AI) have both written of the arrest of 62 LPM activists in 2004, many of whom were beaten and tortured while in police custody.¹² FXI again reported that in 2007, Mnisi and other LPM activists faced repression by police, false arrest, suppression of the right to protest, and unwarranted police violence against peaceful protesters.¹³ Repression has reportedly continued since then with similar incidents apparently occurring in 2008 and 2009 when they won breakthrough court victories against their intended forced removal to Dornkop.¹⁴ At all stages since the beginning of shackdwellers' refusal to move to Dornkop, the local ANC councillor with the violent thugs connected to the Homeowners Association and have been implicated in working together with police to suppress LPM activists. There are accusations that this is also the case throughout the ward including the informal settlements of Thembelihle and Freedom Park.

Protea South (recent attacks)

The attacks in Protea South on 23rd of May, therefore, can be seen as a continuation of state-sanctioned violence against the LPM in the settlement. However, what is new is this paramilitary-like organising of a politicised mob of homeowners possibly backed by the local ANC leadership. According to residents of Protea South, what occurred on the 23rd is the following:

An armed group connected to the Homeowners Association from the nearby bond houses first came to the home of Maureen Mnisi looking for her son Walter. When they were not able to find him, the group attempted to burn down Mnisi's shack which was stopped when Walter returned and raised the alarm throughout the community. The group, armed with pangas and guns, then went to the home of

12 *Amnesty International: 2005 Annual Report for South Africa*. from *Amnesty International USA*. (2007) <http://www.amnestyusa.org/annualreport.php?id=ar&yr=2005&c=ZAF> and *First Progress Report to Open Society Foundation of South Africa*. *Freedom of Expression Institute*. (January 2006) www.fxio.org.za/PDFs/ACP/.../ACP%20progress%20report-Jan2006.pdf

13 *Police repression in Protea South an indicator of a national trend*. *Freedom of Expression Institute* (05 September 2007) <http://www.fxio.org.za/content/view/138/51/>

14 *LPM Wins Breakthrough Court Order in Jo'burg*. *Landless People's Movement* (19 August 2008) <http://abahlali.org/node/3895> and *Winning Our Land Back – the Landless People's Movement Wins a Major Court Victory*. *Landless Peoples Movement*. (07 August 2009) <http://abahlali.org/node/5622>

another LPM leader, beat up his wife and threatened that they would be back for him as well. Afterwards, the group began roaming through the informal settlement attacking people in the community and disconnecting the electricity connections of residents. The violence apparently took place over four hours, from 20h00 through to 24h00. During this time, many people were injured, two were shot and one person was killed. Some angry community members retaliated by burning an electricity transformer that provided electricity to the bond houses.

The police responded by arresting five members of the Landless People's Movement (including three of Maureen Mnisi's children). The LPM members were later released after police were unable to produce any evidence in court that they were involved in the destruction of the electricity transformer. The LPM says that these were political arrests as they actually had nothing to do with the destruction of the transformers. On the other hand, however, police did not arrest anyone from or connected to the Homeowners Association in response to the violence, beatings and death of an LPM member. Police have promised the Protea South community that they would arrest the suspects but, at the time of writing, no one has been arrested for the murder of the LPM member.

Many community members believe that local ANC Cllr Mapule Khumalo either orchestrated the attacks or was at very least providing political backing for them. According to residents, she is known to have a very close relationship with the members of the Homeowners mob that carried out the attacks. Currently, there is significant fear within the community that this is only the beginning of suppression of LPM activities in Protea South.

Harry Gwala

A third Landless People's Movement community has also been reported to have faced repression recently. On 22 May of this year, the elderly chairperson of the LPM in the Harry Gwala settlement, Johnson Nokutwana, was arrested by police for allegedly pulling a gun on a resident of the settlement.

A mass group of community members assembled at the nearby police station and demanded the release of Mr Nokutwana. He was then released on R1,000 bail.

However, according to various LPM members, Mr Nokutwana is severely disabled – he is unable to use his arms. If he wants to pick up and hold something, a friend or family member has to help him do so. If this is true, it would be impossible for Mr Nokutwana to threaten someone at gunpoint even if he owned a gun. This would be relatively easy to prove in court. However, it still begs the question of why an honorable disabled person such as Johnson Nokutwana would be put in jail with all the risks associated with beings in police custody if it is impossible for him to have committed the crime.

Furthermore, this would lend credence to the accusation that Mr Nokutwana is being framed by his accuser - a community member who is apparently connected to the local ANC councillor. There is significant public support for this view and it would make sense if there is some kind of coordinated attempt to undermine LPM in the various communities in which it is active.

Conclusion

To what extent might there be coordination between the attacks in Harry Gwala, Protea South and eTwatwa?

There is a strong perception among LPM activists that there may have been a great deal of coordination between ward councillors and their supporters regarding the activities of the informal settlements of Harry Gwala, Protea South and eTwatwa.

One can be quite certain that, at very least, government officials in these areas speak to one another and, since they are part of the same political party, are likely to be supportive of one another. Indeed, one LPM member from Protea South recounted to me a statement by an Ekurhuleni municipal director who inquired of him in a forbidding tone: “Why have you brought the LPM to eTwatwa?” One can easily deduce that the three ward councillors in question know of the LPM's organising activities in other wards, that they also know that the attacks on the LPM are not confined to their ward alone, and that they are helping one another to oppose the LPM.

Accordingly, many LPM activists assert that the government will always work to undermine independent poor people's movements. They draw parallels with the September 2009 attacks by an ANC affiliated mob on Abahlali baseMjondolo in Kennedy Road in Durban¹⁵ as well as a much less publicised attack on the same movement in Pemary Ridge by police a few weeks later.¹⁶

However, many landless activists go much farther in their understanding of the incidents in three of their communities. They say that these attacks in eTwatwa, Protea South and the framing of the LPM chairperson in Harry Gwala has spread in a similar manner to the xenophobic pogroms in 2008. That is to say that many feel that there has been a coordinated attempt by high level politicians who want to destroy independent poor people's movements such as the Landless Peoples Movement and Abahlali baseMjondolo thereby terrorising shack-dwellers to such an extent that movement organising is either ineffective or forced underground. These attacks seem to take the form of councillors or other government officials clandestinely organising police or local community members to attack the movements and sow division among community leadership structures.

Whether these attacks are merely locally specific or are being deliberately coordinated at a high political levels remains to be seen. Still, grassroots activists are asserting that the rise of authoritarian politics in the ANC, the rash shoot-to-kill mentality promoted by National Police Commissioner General Bheki Cele and the ethnic politics associated with the election campaign of Jacob Zuma has led to a significant rise in politically motivated and sanctioned mob attacks on community organisers.

15 *South Africa: Failure to conduct impartial investigation into Kennedy Road violence is leading to further human rights abuses.* Amnesty International Public Document. *Amnesty International*. (16 December 2009) <http://www.amnesty.org/en/library/asset/AFR53/011/2009/en/53fce922-d49e-4537-b3bb-84060cf84c85/afr530112009en.html> and *Archive: The Attack on AbM in Kennedy Road.* *Abahlali baseMjondolo*. <http://www.abahlali.org/taxonomy/term/1525>

16 *Police Attack on Pemary Ridge - 13 arrested, at least 15 injured.* *Abahlali baseMjondolo* (14 November 2009) <http://www.abahlali.org/node/6033>

Media response, the World Cup, and future attacks

The media response to the attacks and suppression of the Landless People's Movement in eTswatwa, Protea South and Harry Gwala has been negligible. It seems that the only news service to report anything at all was the tabloid Daily Sun in which residents say they were never even interviewed to give their side of the story. All other mainstream news outlets have effectively ignored the incident all-together.

One reason for this might be the desire among government and elites of all political party persuasions to hide voices of dissent and incidents that challenge the rainbow nation fairytale for the duration of the 2010 Fifa World Cup. There have been numerous allegations of effective bans on protests during the World Cup in order to protect the 'South African brand'.¹⁷ If peaceful protests are a threat to the image of South Africa as a world class nation, then one should consider how threatening and explosive stories of politically sanctioned mob attacks could be.

Moreover, LPM activists respond to the *feel it, it is here* World Cup advertising campaign with their own response: 'we do not feel it. How can we feel it if we cannot afford to watch in Soccer City and we do not have electricity to watch it at home?' Many grassroots activists feel that the World Cup is being used to hide their communities' struggles and conceal the very real violence that government officials and their allies direct against poor people's movements.

However, if this violence is not confronted head on, the consequences could be catastrophic. Already, we see signs of the reemergence of politically motivated xenophobic pogroms which threaten to become full-blown in the immediate aftermath of the World Cup. But if the attacks against the Landless Peoples Movement are any indication, the pogroms will hardly be limited to Africans born outside South Africa's official borders. All poor people, especially those organising independent of political parties, will be in danger.

Way Forward: rights and citizenship

Research into the violent and repressive events that have occurred in eTswatwa, Protea South and Harry Gwala indicates that there has been an attempt to suppress and scatter social movement organising. This obviously goes against South African and international human rights law.

In order to protect the ability of poor residents to present their own viewpoints, there has to be a commitment by the South African government, the media, and civil society towards ensuring that the basic rights of poor people such as the right to protest, the right not to be arrested without due cause, the right of be heard and have one's viewpoints expressed authentically in the media, the right to a community-centred development process, etc, are respected. etc.

Therefore, some general recommendations are in order:

1. The affirmation by government officials and the police that the human rights outlined above apply equally to poor people.

¹⁷ Jane Duncan. *The Return of State Repression*. *South Africa Civil Society Information Service* (31 May 2010) <http://www.sacsis.org.za/site/article/489.1>

2. The immediate verbal commitment of government and the police to prevent all acts of violence against poor landless shack-dwellers.
3. The establishment of an independent investigation into the attacks carried out by civil society. As there are allegations of police complicity, these investigations must be done outside the auspices of the South African Police Service.
4. An audit of all development projects in which residents allege corruption
5. An investigation as to way in which the media have failed in their necessary role of exposing human rights abuses.
6. The breakup of media conglomerates that control information and the prioritising of community-based and community-controlled media.

Annexure A – Memorandum by eTwatwa Landless People's Movement

MEMORANDUM

Date: 25 May 2010

Ward 65 Community Demand the following grievances:-

We demand that:-

Ext 10

1. 520 House with no toilets be serviced with toilets.
2. RDP houses be build to all beneficiaries and we can wait for 2014.
3. Houses build at Ext 10 be investigated and inspection done
4. Interior material used on our house must be removed.
5. Title deeds be issued transparency and verifications done on sites, results must be released as soon as possible:-
6. Roads be tarred and storm water be installed and criteria used be transparency and community engaged:-
7. Community leader be recognize, informed and engaged in all issues and projects on our area.
8. Municipality stop issuing threatened letters/ on payment of services to the community.

EXT 18

1. Ekurhuleni Officials to give contractor go-ahead to connect toilets and we can't get water in EXT 36.
2. Provincial road be scrapped and community get sites instead of this proposed PWV road
3. Propossed shopping centre be scrapped and those site be residentially declared.
4. All Ext 18 residents benefit and no transit area also we want dustbins, tractors enter all streets.
5. Electricity be installed as soon as possible we can't wait for 2014.
6. Baleka must stop dividing the community by choosing committees that are her friends
7. Sintu to Explain about electricity money taken from the community:-
8. The must be engagement to community on all issues:-
N.B DON'T DO IT FOR US, DO IT WITH US

STEVE BIKO

1. Clear clarity on the community by officials about Spoornet Issue:-
2. The must be good streets.
3. Refuse must be collected at all times
4. Promises made on 2007 about relocation be clarified.

5. Electricity be installed as soon as possible:-
6. We don't want chemical toilets that will enriched Stimela Limako and Sintu because they are politically connected.

EXT 30

1. S.I.U to investigate the incomplete houses and slabs/foundations left unattended
2. The must house build on those have not benefited.
3. Bugget used on renovations be transparent and accounted for to the community.
4. Road be tarred and storm water installed

EXT 36

1. S.I.U investigate allocations of house as most beneficiaries didn't benefit instead wrong people's benefited.
2. People's at transit area be allocated as soon as possible
3. Toilets installed to all those who don't have
4. Mashonisa residents houses renovated as soon as possible
5. Other houses are empty whereas beneficiaries are in transit area
6. Former councilor acquired RDP house be investigated
7. Former councilor (Sintu) with two stands be investigated and one site be given to those who deserve it:-

GENERAL ISSUES

1. Baleka Must stop hiring he Friends if the are vacancies that's includes liaising officers
2. R1000 000 allocated to community be consulted on how to spend it
3. Co-operatives information be given to all youth and women and men's of ward
4. CDW must be visible and consult communities on issues that affects, that community instead of being politicians
5. Ward committees be democratically and geographically spreads
6. Communities be informed about health workers and hiring of them must be transpency and interview be done by independent panels:-
7. The must be recreation centre for youth instead of going to ward Ward 66
8. Baleka and Sintu must step down as soon as possible as they have failed dismally
9. Baleka must stop interfering on contractors forums issues and stop recommendin her friends and family to projects:-
10. Baleka, Sintu & Stemela they must stop calling us with name (**amaqaba**)