

# ANC no longer a force for democracy in KZN

**A**T ABOUT 10.30 on the evening of September 26, 2009, a group of armed men, about 100, many of them clearly drunk, began moving through the thousands of homes in the Kennedy Road shack settlement in Clare Estate.

They knocked on some doors and kicked others in. They identified themselves as ANC supporters and as Zulus, and made it plain that their enemies were leading members of the shack dwellers' movement, Abahlali baseMjondolo, who they described as Pondos.

They demanded that some men join them and assaulted others.

Those who refused to join them were also assaulted. The entirely false conflation of Abahlali baseMjondolo, an organisation that is admirably diverse at all levels, with an ethnic minority in the city emerged out of an attempt to cast the organisation as a front for Cope.

Cope had often been presented in ethnic terms in Durban at a time when mobilisation in support of Jacob Zuma was taking on an overtly ethnic form.

Abahlali baseMjondolo had long been accused of being an ANC front in IFP areas but is, in fact, firmly independent from all political parties.

As the attackers continued their rampage through the settlement, the conflation of Abahlali baseMjondolo with an ethnic minority resulted in violence that was both politically and ethnically organised.

The police, usually ready to swoop on shack dwellers in spectacular fashion at a moment's notice, failed to respond to numerous and desperate calls for help.

## Fled

Most of the people under immediate threat hid or fled, but as the night wore on, some people tried to defend themselves. At times this was organised in terms of a defensive ethnic solidarity.

By the next morning two people were dead. One, who died with his gun in his hands, had been one of the leaders of the attack. The homes of the elected local committee affiliated to Abahlali baseMjondolo and those of a number of other prominent people had been destroyed and looted.

The ANC, which usually responds to the crisis of urban poverty with an unconscionable lethargy, moved into action with remarkable swiftness.

The local ANC seized control of the settlement from the elected structures that had governed it.

The provincial ANC organ-

Party still denies that its members organised attack on Kennedy Road settlement, writes **Richard Pithouse**



SCENE OF THE CRIME: Tensions flared in the Kennedy Road informal settlement after the mob attack and murder of two people in September 2009.

ised an Orwellian media circus in the settlement where ANC members from elsewhere pretended to be "the community". Wild and patently untrue allegations were made about Abahlali baseMjondolo.

The MEC for Safety and Security, Willies Mchunu, and the provincial police commissioner, Lieutenant-General Hamilton Ngidi, issued a statement declaring that the settlement had been "liberated".

People without ANC cards were excluded from public life in the settlement and death threats were openly made against a large number of activists, with the result that Abahlali baseMjondolo was effectively banned in the settlement.

Thirteen people, all Xhosa speaking and all linked, in various ways, to Abahlali baseMjondolo, were pointed out by the local ANC as being responsible for the violence.

They were arrested and charged with an astonishing array of crimes, including murder.

At least 1 000 people had to flee the settlement. More than 50 people and, in Durban, the previously public activities of a whole movement with more than 10 000 paid-up members in 64 settlements, had to go underground.

Abahlali baseMjondolo issued a widely supported call for the recently retired Chief Justice Pius Langa to head a judicial commission of inquiry that would carefully examine all aspects of the violence in the settlement.

This call was ignored. Instead, the provincial government set up a high-level task team to investigate what it called "criminality". In a series of thundering press statements, Mchunu sought to present Abahlali baseMjondolo as a criminal organisation.

"Let us not," he insisted, "give crime fancy names, criminals are exactly that - criminals - and they must be treated as such."

He declared that "I hate criminals", and called for communities to compile lists of "criminals".

## Task

The task team began its work by summarily announcing that "the structure that is called Abahlali baseMjondolo be dissolved" and then proceeded to invest its energies in trying to frame the men who had been arrested after the attack, while allowing the open demolition and looting of the homes of Abahlali baseMjondolo activists to continue for months without consequence.

At the bail hearings of the men arrested after the attack, ANC supporters, some armed, came to court hearings where public death threats were openly issued.

The bail hearings were carried out in a way that was patently politicised and patently illegal.

The accused, who became known as the "Kennedy 12" after charges were withdrawn against one of them, were severely assaulted in prison.

The attack on Abahlali baseMjondolo didn't come out of nowhere.

There had been an ANC meeting at the settlement at which it was said that S'bu Zikode, the national president of Abahlali baseMjondolo, had to be "chased from the area" because "the ANC couldn't perform as it wanted".

At the ANC regional general conference a week before the attack, the chairman of the eThekweni region, the late John Mchunu, warned against "counter revolutionaries ... colluding with one mission to weaken the ANC and its alliance".

Under the heading of "CRIMINAL", his speech referred to Abahlali baseMjondolo as: "The element of these NGO who are funded by the West to destabilise us, these elements use all forms of media and poor people (sic)."

Before that there had been extremely violent assaults on Zikode and Lindela Figlan, the chairman of the Kennedy Road Development Committee.

Mzonke Poni, the chairman of the movement in Cape Town, had also been attacked. The movement had been subject to sustained and often violent harassment by the police, between 2005 and 2007.

The attack on Kennedy Road was not the end of the repression confronted by the movement.

On November 14 that year the police attacked the Pemary Ridge settlement in Reservoir Hills, also affiliated to Abahlali

baseMjondolo, kicking in doors, beating people and firing live rounds into the home of activist Philani Zungu.

## Statements

Thirteen people were arrested and 15 were injured. All charges were eventually dropped against the 13.

The police have never had to account for the injuries to the 15.

On July 18, Mandela Day, the case against the Kennedy 12 was thrown out of court. No credible evidence had been brought against any of the accused on any charge and crystal clear evidence had emerged of the State's attempt to frame the men.

Witnesses contradicted their original statements and each other and some freely admitted that the police had told them who to point out in the line-up. Credible testimony was given that statements to the

police had been concocted by the police.

One witness admitted she was lying and others were obviously lying.

Another witness said she had been told to give false evidence, but that she would not do so. She was subject to death threats and was attacked in her home and only saved by the quick reaction of her neighbours.

Another witness, a police officer, gave credible testimony that confirmed, in important respects, the Abahlali baseMjondolo account of events, including the fact that the violence in the settlement was an attack on Abahlali baseMjondolo by the ANC.

The State could not find, with both bribery and intimidation in its arsenal, a single witness to credibly attest to the veracity of the avalanche of propaganda issued by the ANC in the wake of the attacks.

The judge made some strong comments from the bench about the extremely dubious manner in which the case had been investigated and the obvious dishonesty on the part of the witnesses that stuck to the ANC line.

The ANC continues to deny, despite abundant evidence to the contrary, that its members organised the attack.

Hopefully the civil case that Abahlali baseMjondolo is bringing against the police will allow some of that evidence to be tested in court.

But the ANC cannot deny that violence was used to drive activists from their homes, that their homes were openly destroyed and looted, and that death threats were openly issued against activists without any sanction from the police.

There is now a court record that shows clearly that the police investigation into the attack was a failed attempt to frame people linked to a social movement rather than an attempt to mount a fair investigation into the violence that broke out in the Kennedy Road shack settlement in September 2009.

The ANC is also in no position to deny that its leading officials presented the largest social movement in the country as a criminal organisation without a shred of evidence to this effect, issued no statement of opposition to the violence and extreme intimidation directed against the leading activists in the movement, and sought to summarily disband it by decree.

The time when it made sense to consider the ANC in KwaZulu-Natal as a democratic force has passed.

*Pithouse lectures politics at Rhodes University.*

## Sports minister gets off to a fast start

JON HERSKOVITZ

THE former head of the ANC Youth League, Fikile Mbalula, is beating a path that may lead right to the top using sport to help unite a nation still scarred by apartheid.

While the youth league's current leader has played the race card hard and faces charges that could derail his career, Mbalula is a rising star in the ANC, practising "controllable ambitions".

Analysts believe the 40-year-old sports and recreation minister is in line for a prime post in any cabinet reshuffle and for a senior ANC job when the party elects its leaders next year.

Mbalula, who dresses in casual chic and peppers his comments with self-deprecating humour, has stood out in the government of President Jacob Zuma for rallying the ANC at grassroots level and pushing sport as a way to bring social cohesion.

Blunt-speaking Mbalula made a failed grab for power at an ANC meeting last year, drawing a sharp rebuke from party leaders. However, he has since turned around the sleepy sports ministry and ran a successful campaign in local elections this year when the ANC swept to victory.

Mbalula quotes Nelson Mandela to show he has learnt that it's best not to speak about aspirations in a party where openly campaigning for posts can be political suicide.

"In the ANC, as much as you can have ambitions, Nelson Mandela used to say that you have to have controllable ambitions," he said at the weekend.

A gauge of Mbalula's power will be whether he can convince the cabinet to reverse a decision not to bid for the 2020 Olympics.

He has not said much about his policy priorities for South Africa,

although the youth league pushed for a sharp turn to the left while he was president in 2004-08.

However, Mbalula was named in the best-seller *Killing Kibbe* this year as being supported by questionable businessmen, and has been criticised for moving the party away from the idealism of ANC giants and youth league co-founders, including Mandela and Walter Sisulu.

In November, just a few days into the job as sports minister, Mbalula said he wanted to end racial quotas in sports.

This decision was one of the first by the party to roll back an affirmative action programme.

"The quotas have served their time and they generally have been counterproductive of late," he said.

Youth league leader Julius Malema has alarmed investors by playing the race card, calling for seizure of assets from white capitalists that would include nationalising mines and expropriating white-owned farmland.

Last weekend it was reported that Malema had a trust fund to collect kickbacks in return for using his influence to help donors win lucrative government contracts. Another newspaper reported on Sunday that police were investigating the fund.

Mbalula's fortunes remain tied to the youth league, which has been hinting it could try to oust Zuma. He already played the role of a kingmaker when the youth league under his leadership joined forces that ousted former president Thabo Mbeki and allowed Zuma to rise to the top post.

"I have gone through that as (youth league) president. All the vibrant presidents of the youth league have gone through that patch. Let the bad times roll, because the good ones are still coming," he said. - Reuters

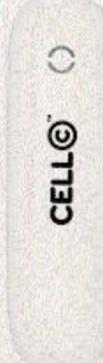


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