

Our Movement is under Attack

Tuesday, 06 October 2009

**Press Statement by the Kennedy Road Development Committee,
Abahlali baseMjondolo and the Poor People's Alliance**

We are under attack. We have been attacked physically with all kinds of weapons - guns and knives, even a sword. [We have been driven from our homes and our community](#). The police did nothing to stop the attacks on us despite our calls for help. Four people were killed. The attacks, which began on the night of Saturday 26 September, were carried out by local ANC members together with shebeen owners from the Kennedy Road settlement. They were saying that our movement was 'selling them' to the AmaMpondo. It is a fact that our movement, at the local branch level and at the movement level, has no concern for where people were born or where their ancestors were born. We are a movement of the poor and that means that we do not make divisions between the poor. We have always been [clear](#) about this. This is our politics and we will stick to it.

We have been told that earlier in the day the local ANC branch had a meeting. We are told that there they decided to take up a new operation - Siyabangena (we are entering). We are told that there they decided to kill Mashumi Figlan, Chairperson of the Kennedy Road Development Committee (KRDC) and Deputy Chairperson of our movement. We are told that they decided to cut off his head and leave it in the community hall so that everyone would see that he was dead and not missing.

When the police did arrive they only came with one car and one van. They only took statements from our attackers and they arrested eight people linked to the KRDC. They took no statements from us and to this day none of our attackers have been arrested. Some of the people that they arrested had in fact been performing the [imfene](#) dance at a public performance in Claremont on Saturday night. The arrests were clearly political and aimed at destabilising the movement in Kennedy Road. This is not the first time that most of the Kennedy Road leadership have been arrested for clearly political reasons. In 2007 the [Kennedy Six](#), five of whom were elected members of the KRDC, were arrested on false charges and only released on bail after a [hunger strike](#). All charges against them were later dropped because the state had no evidence.

On the morning after the attack ANC officials arrived in the settlement. There were no police to protect us while we were being attacked but many, many police came with them. While the police and the officials were there the same people who had attacked us the night before demolished our homes and looted them. At least 27 houses were destroyed and many more were looted. They all belonged to people elected to positions in the KRDC or AbM. The police did nothing to stop the destruction of houses and the looting from houses. Supt Glen Nayager and Ward Councillor Yakoob Baig were personally at Kennedy while our homes were destroyed. Baig said, on record, that 'harmony' has

been restored now that the 'Abahlali criminals' were gone.

After the politicians and the police departed from Kennedy Road the settlement was left in the hands of the local ANC – armed young men patrolled and made it clear, via death threats, that Abahlali baseMjondolo was now banned from Kennedy Road. They also made it clear that independent media were also banned. Looting and various kinds of intimidation continued. The eviction of some of our leaders and the arrest of others was followed by the destruction of our office leaving us without access to email and telephone. When our members arrived from other settlements to try and save our records and banners in the office they were threatened with death.

To this day none of our attackers have been arrested. The ANC has installed them in to authority in Kennedy Road (without holding any elections) and is presenting them to the media as 'the community' or as 'community representatives'. Many of the ANC leaders who have spoken in the community or to the media have attacked us and lied about us while not condemning our attackers. On 28 September Bhekisisa Stalin Mncube, spokesperson for the Provincial MEC for Safety & Security Willies Mchunu, sent out a press release on behalf of Mchunu and the Provincial Police Commissioner Hamilton Ngidi saying that "the provincial government has moved swiftly to liberate a Durban community (Kennedy Road)". Mncube added a note to his email threatening that S'bu Zikode may soon be arrested. In this statement it is quite clear that at least some people in the police and the provincial ANC have enthusiastically endorsed the violent attack on our movement.

Following the attacks on our movement Nigel Gumde, head of housing in the eThekweni Municipality, has said, on record, that the government "have a plan to eradicate shacks", that "anyone coming into informal settlements must accept that plan" and that it will be necessary to "jail people to get development going." He is clearly trying to criminalise debate about government policy. How can debate about government policy be banned in a democracy? He has also said that the *imfene* dance is part of the problem and must be investigated. How can the cultural expression of a group of people be considered a problem in this way?

Since then there have been all kinds of other attacks on our movements – we have been lied about, slandered and defamed by various people within the ANC. We consider these lies to be a way of trying to justify what was done to us and to our movement. We consider these lies to be a way of trying to make the victims of a terrible attack look as if they are themselves the problem. We consider these lies to be a way to encourage further attacks.

What happened in Kennedy Road was a coup – a violent replacement of a democratically elected community organisation. The ANC have taken over everything that we built in Kennedy Road.

We always allowed free political activity in Kennedy and all settlements in which AbM candidates have been elected to leadership. Now we are banned.

We do not use violence to build support. We use open discussion. Now we are violently banned.

Our members continue to receive death threats in and outside of Kennedy Road. Everyone knows that if you speak for Zikode or AbM in Kennedy Road

you will be attacked. And S'bu has received a number of death threats and threats to his family, including his children, via anonymous calls since he was evicted from the settlement by the ANC and shebeen owner's mob. Last night five men in a white car arrived at his sister's place looking for S'bu and his family. They asked where S'bu and his wife and children are staying now. We don't know who they were but they were clearly hostile.

The ANC continue to attack Zikode by all means. They say that he doesn't follow the ANC code of conduct, that he is stopping development, that he has a big house in Umhlanga. The first one is true – that is his right. That is the right of all of us. We make no apology for this. The rest is just wild defamation. On Sunday Willies Mchunu, Nigel Gumde and others held a big meeting in the Kennedy Road Hall. Our attackers were all sitting there. People from the ANC in Sydenham Heights and the Foreman Road settlement were sitting there pretending to be from Kennedy Road. All kinds of lies were told.

The Kennedy 8 are currently being held in the Sydenham Police station and will appear in court again on Thursday. We are told that the ANC is organising across all wards to get their members to the court to demand that the Kennedy 8 do not receive bail. This is not the behaviour of an organisation committed to truth and justice. They should, instead, be asking for a fair and credible investigation into all the acts of violence, theft, destruction and intimidation that have occurred. This is our demand. They should make it their demand too.

At a time when the Kennedy Road settlement is being targeted all the settlements affiliated to our movement across the country say 'we are all Kennedy Road – if Kennedy Road has committed the crime of organising independently from the ANC and speaking out for justice then we are all criminals'.

At a time when Abahlali baseMjondolo is under attack all the movements that we work with in the Poor People's Alliance, and others too, say 'we are all Abahlali baseMjondolo – if Abahlali baseMjondolo has committed the crime of allowing the poor to organise the poor for justice then we are all criminals.'

At a time when threats are being made on the life of S'bu Zikode, and his family (including his children) and when the ANC are waging campaign of slander and vilification against him we say 'we are all S'bu Zikode – if S'bu Zikode has committed the crime of telling the truth about the lives of the poor and the realities of democracy in South Africa then we are all criminals.'

We want to make some comments about the ongoing and all out attacks on S'bu Zikode from the ANC.

We elected S'bu to represent us. He did not want to be our leader. He never calls himself a leader – people call him a leader. He doesn't live in a fancy house and drive a fancy car to talk about the poor on stages and in hotels. He lives in a shack and works in the community with the community to give us courage to speak for ourselves. Last year he wanted to step down from the Presidency of the movement. We mobilised for two weeks to persuade him to remain as the President.

We know that two weeks before the attack Jackson Gumede, chairperson of the Branch Executive Committee of the ANC in Ward 25, had said that the Abahlali baseMjondolo (AbM) office would soon be an ANC office. We know that

at the same time John Mchunu, chairperson of the ANC in eThekweni accused us of trying to destabilize the country.

We are not a political party. We have never been a political party. We are a poor people's movement – we are looking for justice, not political power. We have never stood in elections. We don't even vote because we don't care about that kind of power. We care about building the power of the community to reduce the gap between ordinary people on the one side and the rich and the politicians on the other side. But the politicians are ignorant. They don't know what a social movement is. They don't understand that there can be a politics outside of party politics. In [eShowe](#) the IFP recently attacked us for being ANC. When we first started our movement in Durban in 2005 the ANC attacked us for being IFP. Now the ANC are claiming that we are COPE. The ANC have seen the huge support that we have and they fear that S'bu will stand in the local government elections.

They also fear us because we have exposed so much corruption in places like [Foreman Road](#), [Motala Heights](#), [Mpola](#), [Siyanda](#), [eShowe](#) and [Howick](#).

They also fear us because we have stood with many other communities who are opposing injustice, such as people in [Umlazi](#) and in [eMacambini](#).

They are embarrassed that shack dwellers, ordinary people like us, took them to the [constitutional court](#). And the judgment is coming this week. The sad thing is that if we find that we have won we will have no place to slaughter a cow.

They see the good relationship that we have developed with city officials during our long negotiations from late 2007 as a threat. They see our good relationship with the provincial HOD for housing as a threat.

We are wondering if democracy still exists.

This is not the first time that we have asked ourselves this question. We asked this question when our march was [illegally banned and we were attacked](#) in Foreman Road in 2005. We asked ourselves this question when people who challenged the ANC in local government elections in E-Section of Umlazi were [assassinated](#) in 2006. We asked this question in 2006 when [S'bu Zikode](#) and [Philani Zungu](#) were [arrested, beaten and tortured](#) while trying to attend a radio interview. We were still asking ourselves this question when our peaceful march was [shot at by the police](#) in 2007.

The ANC is about comradeship. It is about order and protocol. You must follow the mandate and the mandate always comes from above. AbM can just say 'No!'. The new ANC committee that have been put in place in Kennedy will find that they are just expected to be puppets. They will find that they are just expected to take orders from above. Zikode had the strength to take the side of the people. They will not have that strength. Even they will realise the value of the river when drought comes.

Our movement is growing. When the time is right we will go back to Kennedy Road. We are prepared to go toe to toe with the ANC but we will not use violence. We will use open and free discussion on the realities of our country. We will counter lies with truth. We will counter a living politics with politician's politics.

People who belong to prisons must go to prisons. People who belong to Kennedy must go to Kennedy.

Accusations against the Movement

At a time when we are being attacked our attackers, and those who support them, should be subject to intense public scrutiny. However the politicians are doing everything in their power to make us, the victims of this attack, subject to very critical public scrutiny. The most incredible lies are being told about us and our movement. At the same time our attackers are being installed in power in Kennedy Road and introduced to the media as 'the community'.

Many accusations have been made against the movement by the ANC in recent days. Each day new accusations are made. We will address the main accusations here but we request all journalists to please check with us before reporting any accusation made by the police or the ANC (or people presented by the ANC and the police as 'community representatives' - these people may well be the ones that attacked us) as if it were a fact. We can answer any other questions at the press conference tomorrow.

1. **The Safety and Security Committee.** It has been said that this is an illegitimate structure that has no right to exist. The truth is that this Committee was set up in partnership with the police at the time when the state stopped [criminalising](#) our movement and we were successfully negotiating with the state on a whole range of demands. One of our long standing demands has been for equal and fair access to [policing](#). In the past we were denied this and we were all treated as criminals. However when the state began to negotiate with us, a process that began in late 2007, we were able to negotiate with the local police too. The Committee came out of those talks. The Committee is a Sub-Committee of the KRDC which is an elected structure. The police were present at the launch of the Committee. Supt. Glen Nayager was there personally, and they attended its meetings. Representatives from nearby settlements that are affiliated to the ANC also attended its meetings such as Majози from Quarry Road and Simphiwe from Palmiet. This is all detailed in our minutes of those meetings, and it can also be attested to by many witnesses. It was also covered in the local press – for instance there was an article in *The Weekly Gazette* of Overport with a picture of the committee and Supt. Nayager. There is nothing unusual about an elected community organisation setting up an anti-crime committee with the police. The government has asked all communities to do this. In fact on the same day that we were attacked Willies Mchunu [called](#) for a 'people's war against crime'. The day after we were attacked he called the Committee an illegitimate and criminal structure. This was a lie.

2. **The so-called 'curfew'.** It has been said that the Safety & Security Committee imposed a curfew on the settlement which meant that people could not watch TV or cook after 7 at night. This is also a lie. The truth is that the Committee did impose a closing time on shebeens. They had previously been running 24 hours a day. There had been complaints about the noise for years and some of the women comrades in our movement had also argued that alcohol abuse is linked to domestic violence. Also, in a situation where there are [so many fires](#), alcohol abuse can put the safety of the whole community at

risk. But the main reason for instituting closing times was that since the national election campaign there have been ethnic tensions in Kennedy Road, and in other nearby settlements too. There have been fights and even murders. These fights were all alcohol related and so for the safety of the community we thought that it was necessary to put limits on shebeen hours. The police were present at the meeting where this decision was taken. They suggested that the closing time should be 8 p.m. We suggested that it should be 10 p.m. and in the end it was set at 10 p.m. It is true that the shebeen owners did not like this. But anyone who did not like it could elect new people with different views on to the KRDC in the next election in November, or call for an urgent general meeting and see if there was support to recall the people on the committee and have a new election or take up the issue with the police. Some of the ANC leaders have spoken as if setting closing times for shebeens is some sort of terrible human rights violation that justified the attacks on us. They speak as though the shebeen owners rather than the people who have been attacked and driven from their homes are the real victims. They speak as though the right to drink all night is more important than basic political freedoms and basic safety.

3. AbM is stopping development. Our movement was formed to struggle for development. We struggle for development everyday. But development is not a neutral thing. Some kinds of development are in the interests of the rich and against the interests of the poor. Therefore our movement is specifically committed to struggling for development that is in the interests of the poor. This means that we will oppose a forced removal from a well located shack close to schools, work, health care and so on to a '[transit camp](#)' (which is really just a government shack) in the middle of nowhere. This does not make us unique. Poor people's organisations across South Africa, like the [Western Cape Anti-Eviction Campaign](#) in Cape Town and the [Landless People's Movement](#) in Johannesburg take exactly the same position. Poor people's movements [around the world](#) take the same position. [Academics](#) and [NGOs](#) around the world take the same position. Our achievements in the struggle for pro poor development are a matter of record. In late 2007 the government stopped criminalising our movement and began to negotiate with us. After more than a year of negotiations we signed a memorandum of understating with the eThekweni Municipality in February 2009. That MOU commits the city to provide services to 14 settlements affiliated to the movement and to explore the upgrading of three settlements where they currently are in terms of the government's 2004 Breaking New Ground (BNG) policy. This MOU is not a secret – it has been [covered in the media](#) and we can make it available. The MOU is a major break through for pro-poor development in Kennedy Road, in Durban and in South Africa. It is a major break through for Kennedy Road because in the late 1980s and early 1990s the Urban Foundation had agreed to upgrade the settlement where it was and even started the work – this is when the hall was built. But in 1995 the then Durban City Council cancelled the upgrade and the plan for Kennedy Road was changed to forced removal to a human dumping ground. We won the right to the city for the residents of Kennedy Road. The MOU is also a major break through for Durban because it commits the City to developing settlements in the city instead of forcing people out to rural human dumping grounds. It is a major breakthrough for the

country because if followed up it would be the first time that the BNG policy would actually have been implemented. Negotiations on implementing this deal were continuing right up to the attacks and in fact have continued after the attacks. We have also been negotiating for people who cannot be included in the upgrade to be voluntarily relocated to Cornubia which, because it is near Umhlanga Rocks, will have good access to work, schools, clinics etc. We have worked incredibly hard to achieve all these victories for the development of the people of Kennedy Road. The KRDC and AbM signed that MOU. The victory is ours. It came from our blood (when we were being repressed) and our sweat (when we were negotiating).

4. AbM has taken the government to court. This is true. We have often taken the government to court. We have taken the government to court to protect our basic political freedoms such as the right to march, we have taken the government to court to prevent them from illegally evicting us and we have also taken the government to court to have the Slums Act declared unconstitutional. It is being said that this is an attempt to stop development. When the Slums Bill came out we read it together, line by line, and we developed a [clear critique](#) of it. We are not alone in our critique of the Slums Act. The Act has been widely criticised as anti-poor, even by the [United Nations Special Rapporteur on Housing](#) and our actions against it have been [widely supported](#). We have the same right as everyone else to form opinions about government policy and legislation and to take our views before the courts for their consideration. Taking the government to court is a basic democratic right. It is not a crime – but killing people, chasing people from their homes and their community, destroying their homes and looting their goods and using death threats to ban a democratic political organisation from an area are all crimes.

5. We have travelled overseas. We [do not hide anything](#) about these discussions. We have gone overseas recently. We have been invited by churches to visit [England](#) and [America](#). We go there to speak the truth. That is our right.

6. We have international support. It is true that we have supporters in other countries. Most of these people are the [same people](#) that supported the struggle against apartheid. They are supporting our struggle because our struggle is clearly just. There are also some young people who see that there is injustice in our world, see that we are standing up for justice and want to work with us. Some have come to live in our settlements for a while to see how we make our homemade politics.

7. We Have Money. When we started our movement we had no money. We had nothing but our will. In recent years we have got a little support, mostly from churches. We have always refused money when we have felt that people were trying to buy over movement. We have never been paid to struggle. We are elected to positions and we serve as volunteers. We still have to work for a living. Our movement is not professionalised. The money that we have got in recent years is very small – before the attack we had an office but the phone was often cut off because we couldn't pay the bill. All our records were kept in the office. Anyone could see them at any time. We also have a list of all the people who have supported us materially on [our website](#). We note that unlike us the ANC refuses to be open about its funders.

8. We did not Attend the Meeting at Kennedy on Sunday. Of course we didn't attend the meeting at Kennedy on Sunday. We received no proper invitation to it. And who in their right mind would attend a meeting after receiving death threats from the same people that would be at the meeting? Who in their right mind would attend a meeting where the people who had just destroyed their home would be presented as 'the community'? Who in their right mind would attend a meeting where their supporters would be too scared to attend with them and too scared to speak if they were there. That meeting was like an ANC rally and it would have been used as a kangaroo court if we had gone there. There were people there from Sydenham Heights and Foreman Road who were speaking as if they were from Kennedy! At this meeting the ANC announced all the victories that we have struggled for, and worked for over so many years, as if they were theirs! The ANC has a long history of hi-jacking people's struggles and claiming them as their own.

Our Demands

1. There needs to be an immediate restoration of democracy in Kennedy Road. This includes:

- The right of everyone who was chased out of the settlement or displaced by the violence to return to the settlement and to be safe in the settlement.
- The right of Abahlali baseMjondolo to work in the settlement without fear of attack or intimidation or slander.
- The restoration of our office to us and a guarantee that the office will be safe.
- The disbanding of the unelected structures that the ANC has instituted in the settlement and the return to authority of the democratically elected organisation that was running the settlement before the attacks or the holding of genuinely free and fair and safe elections in the settlement. If the democratically elected organisation (the KRDC) that was displaced in the coup is returned to its rightful place the next election will be in November.

2. There needs to be a genuinely independent and credible investigation into the attacks at Kennedy Road (including the demolition of people's houses, the looting, the banning of AbM from the settlement and the ongoing threats to AbM members in and out of the settlement) that includes an examination of the role played by everyone including the police, the local ANC and the comments and actions of senior ANC people in the Municipality and the Province after the attacks. It must include fairness and justice for the Kennedy 8.

3. There must be compensation and support for those who have been injured and traumatised, those who have had to flee the settlement, those whose homes and businesses have been destroyed and those who have lost everything that they own.

4. There must be a crystal clear commitment from the ANC, from the top to the bottom, to the right of all people to organise independently of the ANC, to protest against the ANC, to challenge the ANC's understanding of development and to take the ANC government to court.

5. The ANC must make a public commitment backed up with real action to ensure the safety of S'bu Zikode and all other AbM leaders.

6. There must be genuine and safe negotiation on the way forward between

the ANC and AbM. These negotiations should be mediated by someone that we all trust. We know that there are many democrats in the ANC and we hope that they will prevail over those who have cast us as enemies to be attacked and eradicated by all means. Kangaroo courts are not places for real negotiations.

7. In yesterday's *Isolezwe* the Housing MEC said that she will provide housing for those who have been displaced. We welcome this announcement but we demand that those who have had their homes destroyed and all their things stolen should be at the top of the list. This includes S'bu Zikode, Mashumi Figlan and the KRDC.

Solidarity Actions

Many people have contacted us asking what they can do to support us. We want to thank [all those](#) who are supporting us – especially [the church leaders](#) and all those comrades who organised protests in [London](#) and in [iRhini](#). We are making the following suggestions:

1. Affirm our right to exist and our right to be critical of the government.
2. Organise in support of our demands.
3. Support those of us who have lost their homes and all their possessions with material support.
4. Support those of us who are traumatised, including the children, with counselling and spiritual support.
5. Organise serious discussions about the nature of democracy in our country – and include delegates from poor people's organisations in those discussions on the basis of equality.

Contact Details for Further Information and Comment

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