

- * January: Qadi people over Inanda dam land claim; Abahlali baseMjondolo (AbM) v KZN Slums Act; Durban Univ of Technology (DUT) staff and student strike
- * February: Cosatu v Israeli ship; UKZN and DUT students; Ntuzuma service delivery; Movement for Democratic Change (MDC) v Mugabe; Umlazi police violence
- * March: DUT students; bus commuters; South Durban Community Environmental Alliance (SDCEA) v SASOL
- * April: KwaMashu housing; Lamontville housing; Warwick Junction Early Morning Market (EMM)
- * May: Siyanda housing; Marianhill housing; Lamontville housing; SDCEA v Shell; Warwick EMM
- * June: Warwick EMM; electricity disconnections; Qadi land claim; AbM on shack fires; Umlazi hostel conflicts; MDC v Home Affairs; public sector doctors; Lindelani housing; National Union of Mineworkers (NUM) v Mabhida Stadium contractors; Durban bus drivers
- * July: Warwick EMM; doctors; NUM v Mabhida contractors; drivers and residents v City bus service; SA Unemployed People's Movement v shops; SA Municipal Workers Union (Samwu) v municipality
- * August: Warwick EMM; the Communications Workers Union v Post Office; Clairwood and Bluff residents v truckers; SA Commercial, Catering and Allied Workers Union (Saccawu) v Massmart; Telkom workers v Telkom; social workers v KZN Province; Lamontville housing; IFP youth
- * September: AbM attacked; Westcliff Flat Residents' participation; tow truck drivers v Joburg competition
- * October: AbM solidarity and Slums Act court win; Chatsworth v toxic dump; Mangosuthu University of Technology students; Ratepayers Associations v Eskom prices; Warwick EMM
- * November: Wentworth service delivery; Hammarsdale service delivery; AbM solidarity; Phoenix residents v Mahatma Gandhi Memorial Hospital; Warwick EMM; Mayville service delivery; Marrianridge housing; UKZN workers v labour broking
- * December: AbM solidarity; Saccawu n v Pick n Pay

Statement by O'Brien Gcabashe, spokesperson of the Qadi Families Evicted

from Inanda Dam organisation
3:30pm on Saturday, 17 January

The Qadi clan, who lost land during the impoundment of the Inanda Dam which supplies Durban with water, have suffered indignity again. I was shocked that this morning, our constitutional rights to expression were denied us by the Durban Metro Police and SA Police Service.

Police repression against a small group of protesters followed the rejection of our application for a permit to hold a large rally at Inanda Dam, at the time the Dusi Canoe Marathan was passing through the area this morning.

Permission was denied by the Durban City Manager, Michael Sutcliffe, on Wednesday. The reason given in the letter was as follows: "Credible information under oath has been brought to the attention of the Responsible Officer that there is a threat that the gathering in question will result in serious disruption of vehicular traffic, injury to participants in the gathering and/or other persons, and extensive damage to property and that the SAPS and DMPS will not be able to contain the threat."

We dispute this, as it is ridiculous in every respect, and we challenge Sutcliffe and the police to prove these claims.

Yesterday I wrote a letter to the Durban Metro Police (Officer Sewpersad), faxed (with confirmation), copied to a variety of other police stations. The letter stated that we would come to the dam site with fewer than 15 people, in accordance with the Gatherings Act, which permits such protests. We had no reply, written or oral, to tell us not to come.

This morning at 7:30am, a group of us were 1 km from Inanda Dam, on the Hillcrest Road, when roughly 50 police officers in 15 vehicles stopped us. The police did not listen to us, and simply denied us our right to travel further, to demonstrate near the road, to show our signs, or to sing/dance. Had we done these things, which are permitted in our Constitution, the police said they would have arrested us.

We had only 14 members of the Qadi Families Evicted from Inanda Dam organisation there to protest, and hence were not violating the Gatherings Act. After being detained at the side of the road, only at 10am were we allowed to proceed to the Inanda Dam, after the canoeists in the Dusi Marathan had left.

Our intention was simply to show signs and visible bodies, to illustrate that the land below the water originally belonged to us. We wanted the canoeists and media and citizens to know of our plight. We also wanted to go the dam banks to pray for our ancestors.

But we will certainly be back at our ancestral home, on the banks of the Inanda Dam. We intend to fight for our democratic rights of protest. And for the land that was stolen from us by an apartheid government.

O'Brien Gcabashe
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BACKGROUND PRESS INFORMATION

A video about the plight of the Qadi people:

www.youtube.com/watch?v=3vox53e10Lg
<http://www.myvideo.co.za/video/inanda-flooded-forgotten-1-3>

The Mercury

Land threat to Dusi Tribes to 'claim what is ours'

January 07, 2009 Edition 1

MPUME MADLALA

THE people who had their land taken away from them in 1986 to make way for the Inanda Dam, are determined to disrupt the Hansa Powerade Dusi Marathon on January 17.

[NOTE BY O'BRIEN GCABASHE: This is untrue, we never had any intention to disrupt the Dusi, simply to make our case known more widely.]

Three tribes - the AmaQadi, the AmaNgcolosi and the AmaPhephethe - were forcibly removed from their homes so the Inanda Dam could be built.

The 317 families were promised compensation for their land, but after 22 years they are still waiting.

They now live in informal settlements in Ntuzuma and KwaMashu.

O'Brien Gcabashe, a spokesman for the affected families, claimed that R5.6 million was paid to a headman in 1994 by the Department of Traditional Affairs, but the money was never passed on to the affected families.

Gcabashe said there was also no accountability from government.

"For 22 years we have been fighting this battle and no-one has come to our aid. All we have received are empty promises.

"What has made us even more disappointed is that Ray de Vries, the organiser of the marathon, did not keep his promise to help us," he said.

Denied

At a meeting with the AmaQadi last year in November, De Vries had said he would help, claimed Gcabashe.

De Vries denied he had promised to help the people, but had been sympathetic to

their plight at the meeting.

"We have, as the (Dusi Marathon) association, decided not to get involved in the matter on a land issue that we do not know much about it.

"We will let all the relevant authorities involved handle the matter," he said.

Gcabashe said that on January 17 they would go to Inanda Dam, and this time they would not stand outside the gate, but would go inside as they believe they have the right to be there more than anyone else, as it is still their land.

"I was told by one person from this dam that the water was not ours.

"We obviously know that and they can take their water with them. We just want our land back if they are not going to pay us," he said.

Gcabashe said the people were frustrated and now believed that their only hope was in ANC president Jacob Zuma.

"We have sent out a letter to the party's secretary for him to come and meet us, so we can tell him about our problem because government has really failed us," he said.

Fools

Gcabashe said that on January 17 they would arrive in buses and would make their way inside the dam.

"We have been made fools of for far too long and we are very tired. Nobody knows how sad this issue has made us," he said.

On November 23 last year, Gcabashe and others of the Qadi tribe went to the dam to hand out pamphlets to visitors to the dam, stating that the community believed corrupt officials had stolen the money that was meant for them.

The department said yesterday they were willing to place the affected families on a housing list, but said the issue of compensation was complicated because the injustices were committed by the apartheid regime.

Lennox Mabaso, spokesman for the Department of Traditional Affairs, said: "We were not there before 1994 so we don't know what happened to the money they say was paid to our department, but if they feel strongly about it, they are more than welcome to take this matter to court.

"We have only been in this office for four years and most of the people who knew about this matter are no longer here.

"We, however, have committed ourselves to building homes for the people because we understand they are living under difficult conditions while some are homeless. We do want to help," Mabaso said.

Sunday Independent

Flooded and forgotten while Durban drinks

September 23, 2007 Edition 1

By Liane Greeff

Try to imagine that it is night-time on September 27 1987. You are asleep in bed when you are woken up. There is a storm outside. It has been raining for days. Everything is wet, and then the water comes in through your front door.

You light some candles to see what is happening - your world has turned to water. Your neighbours are shouting in the dark, the dam is rising. You and your family run away from your home to higher ground.

The next day, when the dawn breaks, you look down over the valley to where your home was, and all you can see is water. Where once there was your world, now there is water. You have nothing except the clothes you were sleeping in. Everything else is gone - your house, your clothes, your furniture, your memories, your chickens, your goats, your cattle, your ploughed fields and the crops that were growing. Even the new car you had just bought.

This is the testimony of Paulos Gwala of the Mphephetheni Tribal Authority in the Valley of a Thousand Hills, outside Durban. The dam is the Inanda Dam, which was constructed in 1987 to provide Durban with drinking water. The error is a human error, a government error. The dam wall should not have been built before the people were moved.

Both the Mphephetheni and the Ngcolosi communities who lived on opposite banks of the Mgeni River suffered the same fate when the waters of the dam rose unexpectedly and flooded everything that belonged to them.

That was 20 years ago. After the flood the affected members of both communities were given shelter in schools and churches. They were then moved into township-style tin houses - the Mphephetheni moved to Ntuzuma G. Others chose to remain in the valley but without homes - they begged accommodation with family higher up the slopes.

The Ngcolosi were moved to Molweni and KwaDinabakubo, otherwise known as Tin

Town after the tin shacks that were erected there as temporary shelter.

Twenty years later, many people are still living in the same shacks - tortuous accommodation in the KwaZulu-Natal heat.

"For 19 days we stayed in the church hall. On October 17 we moved to Molweni. That's where we started suffering, until today," says Jabulani Msomi, a member of the Ngcolosi community.

The land that was promised never materialised. Not only did they lose their possessions, they also lost their lifestyles and livelihoods. They were flooded and then forgotten.

The story of a third community - the AmaQadi - differs only slightly. The AmaQadi were moved to what was to be temporary housing at Ntuzuma G and were paid compensation.

The government was negotiating to buy land for their permanent settlement but the site earmarked was already occupied by squatters who refused to move.

The government could not find other land, so they gave R5,6 million to Chief Nkosi Mzonjani Ngcobo of the AmaQadi - R5 million was for the 317 households to be resettled and R600 000 was compensation to the chief for tribal land that was inundated. The 317 families never saw the money.

Instead, it went from the hands of the chief to the KwaZulu government, then back to the chief, and then into a development fund, where it was allegedly misspent.

O'Brien Gabasche, the community leader chosen to represent the rights of 317 AmaQadi families, tracked the money and has copies of the forensic audit that was undertaken.

This year O'Brien took the matter to the KwaZulu-Natal provincial standing committee on public accounts and was promised that the issue would be resolved within two months. That was six months ago.

Last month, more than 200 members of the AmaQadi community marched to the offices of the department of housing, local government and traditional affairs to voice their protest. Again, they are waiting for a response.

This is the pattern that has been repeating itself for the past 20 years. The three communities presented to the Southern African hearings for communities affected by dams in 1999, which had the World Commission on Dams as its audience.

The WCD was a global evaluation of large dams initially funded by the World Bank and chaired by Professor Kader Asmal, then the minister of water affairs and

forestry.

The findings of the WCD confirmed that dams have brought benefits - in the case of Inanda Dam, improved water supply to Durban - but that too often the price, in terms of environmental and social effects, has been unacceptably high and was avoidable.

A South African multi-stakeholder forum, mandated to contextualise the WCD for South Africa, visited the dam and tin town at KwaDinabakubo in 2003, as did Ronnie Kasrils, then minister of water affairs. Again, there was acknowledgement of the pain and the suffering experienced by those affected by the dam and the need to compensate them.

An Inanda Dam reparations forum was established under the auspices of eThekweni municipality in 2003, but it has achieved nothing in the four years to date, perhaps because it has no teeth. And, as politicians change portfolios, so the story begins again.

All these processes have brought raised expectations and, as time passes, dashed hopes.

This is a human-rights story, and it bridges the old and the new South Africa. It is a story about how a small group of rural people lost everything and a large group of urban people have benefited for 20 years at their expense.

It is a problem that needs a solution.

One viable solution is that of benefit sharing, whereby those affected by a dam become the first in line to receive its benefits. It has been used successfully in countries such as Canada and China to remedy the social impact of dams.

In the case of Inanda Dam, this could be part of its revenue stream. The dam has been successful in that it has provided water for the Durban metropole.

Umgeni Water manages the dam and provides eThekweni municipality with the raw water. The water is then sold to the residents of Durban by the municipality at a cost calculated to cover the costs of supply.

The cost of compensation for the losses experienced by those affected by the dam is also a legitimate cost of the dam, the same as the cost of the concrete that built the dam wall.

The selling of water is a very lucrative component of local government services, which is in part why there has been such controversy and debate about the privatisation of water services both globally and nationally.

If a minute fraction of the cost of the water was earmarked as compensation for those who first "owned" the resource, it would go a long way to ending the two decades of waiting and suffering of almost 1 000 families.

Then, and only then, will the people of Durban be able to drink the water that gushes from their taps with a clear conscience.

Liane Greef is programme manager for the Water Justice Environmental Monitoring Group.

Restriction of expression Officials have abused many people's right to protest, most recently the right of the Qadi to demonstrate at the Dusi canoe marathon

January 22, 2009 Edition 1

Patrick Bond

IN Durban, your constitutional rights are often limited if there's a chance you'll create a nuisance. It's a complaint we've heard many times before when it comes to ordinary citizens' freedom of expression.

Creating a nuisance is the ambition these days of O'Brien Gcabashe, spokesman for an organisation called the Qadi Families Evicted From Inanda Dam, after 22 years of frustration working through the system and meeting officials as important as (a quite sympathetic) water minister Ronnie Kasrils.

In 1987, apartheid-era officials displaced Gcabashe's family and hundreds of others - along with the Mphephetheni and Ngcolosi communities - in order to build the bulk water supply that we drink from in Durban. Compensation for the Qadi land (R5.6 million) was paid to a corrupt chief, leaving the displaced people with nothing.

Last Saturday morning, Dusi marathon canoes slipped quietly over the old Qadi neighbourhood, after municipal manager Michael Sutcliffe denied Gcabashe's simple request to stand on the water's banks with fellow victims, to pray to their ancestors, and in the process to publicise the land grab in front of athletes, the media and the society.

In a letter to Gcabashe last Wednesday, the city said: "Credible information under oath has been brought to the attention of the responsible officer that there is a threat that the gathering in question will result in serious disruption of vehicular traffic, injury to participants in the gathering and/or other persons, and extensive damage to property and that the SA Police Service and Durban Metro Police Service will not be able to contain the threat."

Gcabashe's response was: "It is ridiculous in every respect, and we challenge Sutcliffe and the police to prove these claims. When we met the police to discuss our aims on January 12, we said we wanted to demonstrate our anger, but there was absolutely no intention to disrupt the Dusi."

Gcabashe's responsibilities under the 1993 Regulation of Gatherings Act are to alert the local police seven working days in advance of a protest, and then attend a meeting with them (within 24 hours of the alert) to work out logistics, if requested.

Hostile

But once Sutcliffe invoked the Act to prevent the Inanda Dam protest, no matter how unreasonably, Gcabashe had another option: taking 14 other people to the site of the protest, because the Act does not prohibit such a small number from expressing their views.

The police believe otherwise. When I met their special events liaison team on Friday, officers were quite hostile to the idea that groups of 15 or fewer could demonstrate in public.

In fact, no one need report to police any small-scale protest, according to the Gatherings Act, and you may have more groups of 15 nearby joining the demonstration, if they are 100m apart.

So Gcabashe gathered 14 people and headed to the park entrance.

"On Saturday at 7.30am, a group of us were 1km from Inanda dam, on the Hillcrest road, when roughly 50 police officers in 15 vehicles stopped us," he said. "The police did not listen to us, and simply denied us our right to travel further, to demonstrate near the road, to show our signs, or to sing and dance."

Threats of arrest followed and, indeed, the police officer on the scene also told me that it didn't matter whether there were 15 or just two, the Qadi demonstrators would be locked up.

"After being detained at the side of the road," said Gcabashe, "only at 10am were we allowed to proceed to the Inanda dam, after the canoeists had left."

Freedom of Expression Institute director Jane Duncan said: "When our attorney phoned on Saturday to clarify why the gathering had been prohibited, she was told by the police that they did not have information on oath: a direct contradiction of what the prohibition said. She was then given a litany of excuses. This is an abuse of power."

Supt Winnie Xama, of the police's special events unit, explained to me that Gcabashe and his community aimed to occupy public land that was "leased" to the Dusi

marathon, a bizarre notion. She also declared the power to judge what day a protest could occur. "Any other time he's welcome to come and do the prayer, but not on the day that he wants. I know he wants publicity," she said.

Well, of course the Qadi people and others displaced want publicity. That's the whole point behind raising their voice, when the state plays deaf.

How many others need publicity to correct historic and contemporary wrongdoing? The shack-dwellers of Kennedy Road and other Abahlali baseMjondolo communities do, but were denied their right to march to City Hall in February 2006, though Sutcliffe's ban was overturned by a judge after the march was due to start.

Informal traders were arrested in their hundreds and subjected to police brutality in June 2007. Last year, too, a variety of activists were denied the right to protest in the centre of town after the police overreacted.

Between June and October, the DA and IFP protested against street name changes (27 000 citizens' applications to reconsider the new names were dismissed with no reasons given), the ANC attacked the National Prosecuting Authority, and trade unionists protested against municipal labour practices.

On two occasions, eThekweni threatened to prohibit all downtown marches "to ensure no disruption to business and trading takes place".

A Mercury report in October said: "Heavily armed riot police, snipers on rooftops and police helicopters combined to prevent former Remant Alton bus drivers and Durban Solid Waste workers from marching."

Durban's Zimbabwean refugee community had tried to hold four anti-Mugabe protests last year, said Shepherd Zvavanhu, a local Movement for Democratic Change organiser, but to no avail. "They always turned us down, for no good reason," he said.

Dissent

Denial of rights is not limited to the central business district. South Durban Community Environmental Alliance members were harassed twice last year after they notified the police about demonstrations against Engen for regular explosions and against Transnet for its pipeline proposal.

Last April, the day before a march against Engen, the alliance had the high court interdict the municipality to reverse its ban, so the protest went ahead with no problems.

Typical police practice is to wait until the day before the protest, before ruling on its legality and then issuing a permit which, in any case, is not required by law.

For example, my colleague Prof Dennis Brutus reckoned a few dozen local critics of Washington's foreign policy would turn out to throw shoes at the fence near the US Consulate on Monday, George W Bush's last day in office. This was in honour of Iraqi journalist Muntadhar Al-Zaidi, who flung two shoes at Bush last month.

But police permission was granted only at 8.20am the day of the protest, so we postponed and Brutus suggested a proper event on March 5.

See you then, City Manager, along with others who want to express dissent in a creative and non-violent manner about genuine grievances: too-expensive water and electricity, with often nonexistent sanitation; ubiquitous shack fires and growing housing backlogs; missing Blue Flags; sewage-marinated fish and enterococci-clad surfers at a dying Vetch's beach; fatally privatised buses; police corruption; no-fishing zones in the harbour; City Hall nudges and winks at industrial pollution and a top-secret evacuation plan for South Durban; irrational rate increases; pseudo-radical street renaming; ruling-party hackery; and myriad other crimes against good governance.

Likewise, promised Gcabashe: "We will certainly be back at our ancestral home, on the banks of the Inanda dam. We intend to fight for our democratic rights of protest. And for the land that was stolen from us by an apartheid government."

Gcabashe aims to overturn a double indignity: losing ancestral land to apartheid within living memory, and then losing his right to protest against that crime by a post-apartheid government that he voted for.

Patrick Bond directs the UKZN Centre for Civil Society.

The Mercury

Forced removals

January 29, 2009 Edition 1

Kerry Chance, Marie Huchzermeyer and Mark Hunter

REJECTION of transit camps and contestations around "adequate housing" are central to urban livelihoods.

Tomorrow the Durban High Court will rule on whether residents of Siyanda shack settlement near KwaMashu will be forcefully moved into a "transit camp" to make way for a new road.

This is a matter of life-changing importance to the 50 households facing removal.

But the way the court defines "adequate alternative accommodation" is of much wider significance.

Siyanda residents argue that the tiny masonite-and-tin structures of the transit camp are not adequate alternative accommodation, as required by the law.

They demand a clear assurance of permanent housing, or to be allowed to rebuild their larger shacks - some comprising five rooms - on land near Siyanda.

For the government, the alternative accommodation is "formal" and thus, by definition, acceptable.

This conflict cuts to the heart of the nature of housing after apartheid. After a slow start, more than two million houses have now been built.

At the same time, the reconstruction and development programme houses are usually tiny two-roomed structures, are often constructed poorly and are usually built on the outskirts of towns.

Their living space is typically a meagre 30m².

Yet the Richmond Farm transit camp to where the authorities want to move the Siyanda residents contains structures that are only around 20m².

Technocratic

This compares unfavourably to the infamous "matchbox" houses built in South Africa's townships under apartheid.

These had four rooms and a living area of typically 51m².

In democratic South Africa the term "RDP houses" came to symbolise housing's pivotal role in facilitating reconstruction and development.

But the project has been far less radical than originally conceived.

The worrying new trend of forcing shack dwellers into transit camps - with no clear indication of when or to where they will be moved - is an extreme extension of a technocratic "formal at all cost" approach to housing.

Even under apartheid many transit camps were built with firm plans for occupants' resettlement.

The destruction of Cato Manor in 1959 was preceded by a transit camp. And

alternative accommodation - which many residents famously opposed primarily because of its location - was typically the four-roomed houses of KwaMashu.

Today, politicians celebrate Cato Manor's history of resistance. Yet contemporary shack residents resisting similar relocations are portrayed as slum dwellers thwarting development.

Siyanda residents have been threatened, fired upon with rubber bullets and sprayed with water cannons by police.

This is despite the awful record of transit camps across the country.

Again and again, from apartheid's notorious transit camps used for screening and repatriation, to the camps today across South Africa's major cities, these spaces have been used to control urban dwellers deemed unruly and dangerous to groups in power.

At Delft in Cape Town, the transit camp is encircled with barbed wire fencing.

It has a single entrance where an armoured police truck and trailer are stationed - life in this site is controlled.

Transit camps are often located far from the shacks in which residents might have lived for many years.

In Cape Town some residents of Langa lost their jobs when they were relocated to the distant transit camp of Tsunami.

Here, the erosion of social networks means that women are now in greater fear of their safety when they collect water from the few collective taps, or venture at night to the communal toilets.

Their children have to be bused 25km to school. Those who used electricity in the shacks have been forced to revert to hazardous candles and paraffin stoves.

More progressive practices elsewhere have been flagrantly ignored. In Brazil a dedicated social worker is assigned to assist transit camp residents.

Transit camps there, as in most countries, are not thought of as adequate accommodation but as a temporary solution only considered as a last resort, and always alongside a clearly timed plan for future housing.

Urban livelihoods

A sustainable approach starts from the perspective of urban livelihoods, one articulated by groups like the shack dwellers' movement Abahlali baseMjondolo.

While formally built housing is desired, the umjondolo is not simply bad because it is informal but because it might lack certain services such as toilets. The place of its location matters. A shack is not automatically improved by "formal" housing.

Some moves to in situ upgrading recognise this, whereas KwaZulu-Natal reverted to a more coercive strategy through its infamous Slum Elimination Act.

Indeed, for the past few years the KZN government has seemed determined to fulfil a fantasy of ridding the province of slums or shacks before the World Cup in 2010.

And in less than two years, deep irony could mark football tourists' stay in eThekweni.

Fans will be encouraged to visit the Cato Manor Museum to view the horrors of forced removals and transit camps under apartheid.

But to get there they might drive past bulldozed shacks and modern-day transit camps.

To avoid this, authorities must start from the lives of shack dwellers themselves. When residents say they prefer to live in a shack rather than a transit camp this must be taken seriously. It is not a vote in favour of shacks but a stronger vote against the alternative.

That's why the Siyanda case is important. It can help shift "development" from a technocratic numbers project to one about social transformation - to put the RDP back into housing.

Kerry Chance, Marie Huchzermeyer and Mark Hunter are based at the Universities of Chicago, Witwatersrand and Toronto, respectively.

The Mercury

Campuses close as strike turns violent

February 04, 2009 Edition 1

Sinegugu Ndlovu

The Durban University of Technology was closed after five people were taken to hospital yesterday with injuries sustained in clashes between students and campus security guards.

Two students were arrested after university property was damaged.

The clashes happened on the second day of a strike by university staff over salary increases and by students over accommodation and transport issues.

Yesterday, protests were held at the Steve Biko campus in Mansfield Road, which was closed by police for more than four hours after it was blockaded with bricks, rocks, logs and tyres by students.

Four security guards posted on the steps of university vice-chancellor Roy du Pre's office were injured during clashes with the protesting students. The fifth person injured was a female staff member who was struck on the hand by a stone.

The windows of some university buildings and cars parked in the vicinity were smashed by rocks and bottles.

University spokesman Nomonde Mbadi said: "The fact that the university has been closed is a sign that things aren't going well."

She said the violence had resulted in the management's closing all campuses to staff and students. The staff were required to return tomorrow and students on Monday.

"The only students that will be permitted on campus are those that are housed in the campus residences," said Mbadi.

Six ER24 and Citimed ambulances were called to the scene at the height of the mayhem.

The police public order policing unit was also called in to calm the situation.

Capt Sfiso Mbense could not confirm what sparked the violence, but blamed students as the instigators. He said two students were arrested after police used rubber bullets to disperse the rowdy crowd which ran into Mansfield Road and damaged a police van.

Students' representative council spokesman Philani Mlambo, however, denied claims that the students had started the clashes.

Mbadi said the university would take strong action against people guilty of damaging its property.

"We will know the cost of the damage by next week. It's all systems go in terms of trying to do everything we can to contain this situation," said Mbadi.

The striking staff unions and the student council met yesterday afternoon in an attempt to establish ground rules for the strike.

Ivan Govender, a legal adviser to the unions, said staff should make students aware that they did not condone violence. He said staff would continue to strike until the salary dispute was resolved.

"Du Pre's delay in resolving the matter led to the current situation. We tried to communicate with him yesterday, but he refused," he said.

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Daily News

Cosatu targets Israel Dockers in Durban refuse to offload ship

February 04, 2009 Edition 2

Heinz de Boer

TRADE union giant Cosatu has vowed to close South African ports to ships bearing goods from "apartheid Israel" - starting with a refusal to offload a vessel which will be docking in Durban on Sunday.

It will be the second time Cosatu's affiliate, the South African Transport and Allied Workers Union (Satawu), refuses to unload goods destined for, or from countries, the labour unions have labelled rogue states: Israel, Zimbabwe and Swaziland among them. Unions describe these countries as "dictatorial and oppressive".

Last year a Chinese ship laden with arms and ammunition bound for Zimbabwe had to turn away from Durban and other ports after Satawu refused to offload it.

In a joint statement by Cosatu, the Palestine Solidarity Committee and Young Communist League, they said: "This follows the decision by Cosatu to strengthen the campaign in South Africa for boycotts, divestment and sanctions against apartheid Israel."

They announced a series of protests starting tomorrow in Durban, Johannesburg, Cape Town and Benoni.

Several members of parliament, senior union leaders and former intelligence minister, Ronnie Kasrils, are expected to take part at these events. Protesters are expected near the harbour on Margaret Mncadi Avenue (Victoria Embankment) on Sunday at 10am.

Cosatu said Western Australian unionists had last week also decided to refuse to

handle Israeli goods in a campaign of boycotts, divestment and sanctions against Israel.

The joint statement also recalled how dock workers had successfully boycotted South African goods in the apartheid years.

"We call on other workers and unions to follow suit and to do all that is necessary to ensure that they boycott all goods to and from Israel until Palestine is free.

"We also welcome statements by various South African Jews of conscience who have dissociated themselves from the genocide in Gaza," the joint statement said.

But the South African Jewish Board of Deputies yesterday told the Daily News Cosatu's concern over the ship may have more to do with impending national elections.

Elections

"Cosatu wants to show its muscle and the elections are getting closer, so it is easy to bash a foreign state," said board chairman, Zev Krenzel. "It is a pity Cosatu cannot show the same solidarity with its own brothers in the African continent. More than 3 000 people in Zimbabwe have died of cholera, yet we do not see any protest about that."

Krenzel said boycotts would have little economic effect on Israel.

"As South Africans, we have been a nation which talks and reconciles. This is not helping at all, and does not help the Palestinians," he said.

Cosatu spokesman, Patrick Craven, said the labour federation and its affiliates were forced into not handling Israeli goods by that country's own actions.

He ridiculed suggestions that electioneering had anything to do with the decision not to offload the ship.

"The ultimate aim is to give the Palestinians independence and a sovereign state in which to live. This particular action goes beyond simple verbal denunciations (of Israel's actions)," Craven said.

The Witness

CAMPUS PROTEST SPREADS

University: Police called as march turns violent

05 Feb 2009

Shirley Jones

Riot police were called in when a protest at the University of KwaZulu Natal's Edgewood campus began turning violent yesterday.

This is the second campus to be disrupted by protests this week. On Monday and Tuesday, protests at the university's Westville campus turned ugly, resulting in the arrest of five students who were charged with malicious damage to property.

They were objecting to conditions in residences as well as a lack of adequate transport to and from the campus. The Edgewood protest is also believed to be about problems with accommodation.

There were no arrests or injuries at Edgewood, although new students who were caught in the chaos were traumatised.

A newly registered graduate student, who asked not to be named, was locked in one of the main buildings surrounded by protesting students. She had already battled to drive between protesting students, swerving to miss two students who fell to the ground fighting in front of her car.

She said they were armed with sticks and batons, and threw water-filled condoms. "We pay our fees. We have a right to feel safe at an educational institution and I did not. I feel let down," she said.

Parents who called The Witness described the situation as unacceptable and asked for reassurances that their children would be safe and that the courses for which they paid will not be further disrupted.

Professor Fikile Mazibuko, deputy vice-chancellor and head of college (humanities), confirmed that students handed in a memorandum at the Westville and Edgewood campuses.

"Registration at the Edgewood campus was disrupted by about 150 students who blocked the entrances at the library and the main entrance to the Margaret Martin lecture theatre where registration was taking place," he said, adding that by the end of yesterday the students' representative council and university executive had reached an agreement.

Registration and lectures continued on both campuses. Mazibuko warned that any further disruptions will be dealt with "firmly and decisively" and said additional security has been arranged to ensure that today's registration runs smoothly.

Since Monday, 20 889 students have registered at the Howard College, Westville, Edgewood and Pietermaritzburg campuses.

Student leaders arrested at Westville protest

PRIMARASHNI GOWER | JOHANNESBURG, SOUTH AFRICA - Feb 04 2009 15:18

Two student leaders were arrested at Wednesday's protest action at the Westville campus of the University of KwaZulu-Natal, for allegedly inciting public violence.

The protests, which entered day three this week, centre around the lack of transport between the campus and the Durban CBD; "inferior" accommodation on the Westville campus; and inadequate accommodation on the Pietermaritzburg campus.

Student Representative Council (SRC) president Sandile Phakathi said: "Just when we were about to present our memorandum to management, police took Westville SRC president Ntuthuko Makhombothi and Westville SRC treasurer Ntando Zulu away. We refuse to meet with management or to present our memorandum to them unless these students are returned to the campus."

Phakathi said that on Monday five students were arrested and were denied representation or visitation rights and were released on Tuesday.

Police superintendent Dion Singh confirmed that two students were arrested on Wednesday. "They are being processed to go to the Pinetown Magistrate's Court. They will be formally charged with public violence and assault."

According to Themba Khumalo, deputy dean of students at UKZN, the university management was to receive the memorandum of grievances from students at lunchtime on Wednesday. However, the SRC halted the handing over of the memorandum following the two arrests.

"Both members are alleged to have incited public violence. They were also caught on camera hurling eggs at non-protesting students and at the police. SRC members say they will only hand over the memorandum once both members are released," said Khumalo in a statement.

"It is only once management receives the memorandum that the university will effectively indicate what can and will be done to resolve the issues raised therein ... The university management sincerely hopes that both SRC members are released soon so that a process of negotiations can begin."

Meanwhile, Durban University of Technology (DUT) is closed for academic activity following student and staff protests earlier this week. Staff embarked on a strike on

Monday after wage negotiations reached a stalemate, while the students' grievances centred on a shortage of residences and unroadworthy transport.

Nomonde Mbadi, executive director of corporate affairs, said five security guards are in hospital with serious injuries after they were attacked by striking students and staff. They were stationed outside the office of the vice-chancellor. "Rocks and bottles were thrown at security guards, at the windows of various buildings and at cars parked in the vicinity."

Mbadi said the university condemns the acts of violence and intimidation that have "characterised this strike action and endeavours to work with the unions and the SRC to find solutions to the current challenges so that DUT can return to normality".

She said staff will return to work on Thursday. "Students are required to return to lectures on Monday February 9 2009. The only students that will be permitted on campus before Monday February 9 2009 are those that are housed on the campus residences.

[http://www.witness.co.za/index.php?showcontent&global\[_id\]=19244](http://www.witness.co.za/index.php?showcontent&global[_id]=19244)

University students went on the rampage at both the Durban University of Technology (DUT) and the University of KZN yesterday, damaging property and bringing registration and lectures to a halt.

Police spokesman Inspector Michael Read said two students were arrested during a violent confrontation at the DUT's Steve Biko campus in Durban and charged with public violence. Two people were slightly injured.

DUT SRC president Mandla Shange described the confrontation between staff, students and police as "a very unbecoming situation" and said havoc broke out outside management offices while the SRC was trying to arrange a meeting between the parties.

DUT vice chancellor Professor Roy du Pré closed all DUT campuses until Monday for students and tomorrow for staff.

DUT staff went on strike on Monday after wage negotiations became deadlocked. Students are protesting at a lack of residences and unroadworthy transport.

At UKZN's Westville campus, police arrested a student yesterday morning, bringing the number of students arrested there since Monday to six. Five appeared in court on charges of malicious damage to property and were released on bail, while the sixth was not charged.

Central SRC president Sandile Phakathi said students are protesting because of the poor state of residences on the campus and the lack of transport.

Since taxi services were suspended in 2006 during a taxi association conflict, students have had to walk three kilometres to get transport to the city centre. Although the university apparently promised a shuttle service, nothing has been done, he said.

EastCoast Radio

DUT strike resolved

The salary dispute at the Durban University of Technology has been resolved. Admin staff and lecturers downed tools on Monday, demanding a pay hike of 11.5-percent while management was offering one percent less.

The sides settled on 10.5-percent during a meeting yesterday.

DUT's Nomonde Mbadi says they're relieved.

"There has been an agreement that has been reached and that deal is going to be signed today and what is on the table is not really that far from what management had offered the unions in the beginning."

Another protest was running parallel to the staff strike. The SRC is leading a strike over various issues.

Mbadi says they'll be meeting with the student body today. If the SRC chooses to continue its protest, the DUT's obtained a court interdict preventing students from demonstrating within a hundred metres of the institution.

"We're hoping that that meeting is going to be fruitful to an extent that everything will be back to normal on Monday. But even if that meeting is not fruitful the court order is going to ensure that DUT remains operational as from Monday."

Daily News

Seven held in Durban protest

February 09 2009 at 11:08AM

Seven people were arrested for allegedly attacking police and passing cars in a

protest against the lack of RDP houses in Ntuzuma,

outside Durban, on Monday.

"They blocked an entrance to the Metro bus depot at around 3am because they wanted people not to go to work, so that government can listen to them," said police spokesperson Captain Phindile Nxumalo.

"Policemen tried to negotiate with them but were stoned. They also attacked cars that were passing by. We had to open rubber bullets to clamp them down."

Nxumalo said there were around 1,000 protesters and 11 sustained minor injuries when police fired rubber bullets.

She said the people were shack dwellers from Kwamancinza section and the nearby Lindelani. They were demanding Reconstruction and Development Programme houses from government.

"Now, they are being addressed by an official from the mayor's office, we'll see what happens after that," she said.

Nxumalo said community members were affected by the absence of buses, and were queuing for taxis in streets not affected by the blocked depot.

SABC

Calm restored in Ntuzuma following service delivery protest February 09
2009 , 1:19:00

An intervention by Ethekewini Municipality Speaker James Nxumalo has helped to calm the situation in Ntuzuma north of Durban. Protesting community members have finally dispersed following running battles with police this morning where residents had blockaded the roads with burning tyres and rocks after protesting about service delivery in the Mancinza settlement. Six people were wounded when police fired rubber bullets to disperse the protesters.

Nxumalo says they are dealing with the community's concerns. "I am not here to campaign, I am here to respond to the people because people were demanding that someone from the municipality must come and receive the memorandum. Fortunately enough I'm one who is dealing with the matter of KwaMancinza. I have told the people that we are dealing with the issue of housing and development in the area. Also we are dealing with the issue of the school as well because we have referred the matter to MEC for Education Ina Cronje," said Nxumalo.

"As long as there are tangible things that are happening in the process definitely at the end of the day, this area will be developed like other areas."

Rubber bullets fired at blockade protesters

February 10, 2009 Edition 2

NTOKOZO MFUSI

THE police fired rubber bullets to disperse protesters barricading a bus depot at Ntuzuma, north of Durban, yesterday.

Residents of Kwamancinza, an informal settlement near Ntuzuma, were protesting against the eThekweni Municipality's failure to provide them with housing and sanitation, and for a school to be built in the area.

About 300 residents barricaded streets and blockaded the Remant Alton bus depot, leaving commuters stranded in the morning. The protesters also stoned a car.

Police Supt Vincent Mdunge said they warned the protesters several times and gave orders to disperse, but those were ignored. "We then called in the public order policing unit to disperse them."

The unit fired rubber bullets, sending protesters and media alike running for cover. In the chaos, 13 people were injured. A Kwamancinza resident, who spoke on condition of anonymity, said: "We have lived here for 17 years and watched while areas around us were developed but we received nothing. We will not vote until this issue is resolved."

The community protested for the same causes in September last year.

eThekweni Speaker James Nxumalo told the protesters that he had held meetings with community representatives since last year.

He said education MEC Ina Cronje had said she would send a team to investigate the possibility of providing a school for the area.

Nxumalo had also contacted eThekweni housing infrastructure committee head Nigel Gumede to see if there would be funds available this financial year to build houses for the community.

He said Gumede's response would be communicated to them at a meeting tomorrow.

MDC Durban members protest in City

DURBAN - A small group of around 20 members from Zimbabwean political party, the Movement for Democratic Change, protested outside the Durban City hall on Wednesday.

Nhamo Chikouore, MDC district committee member, told Sapa it would be a peaceful protest to highlight the "plight of the people" in Zimbabwe to the rest of the world.

A memorandum was expected to be handed over to city officials.

In it, the MDC calls for the immediate release of "all activists" who were arrested by the Zimbabwean government.

Protesters said people were being abducted and unlawfully arrested and kept in appalling "inhumane conditions".

Chikouore said at least 30 MDC activists had been in jail on "trumped up charges" for more than three months after being abducted from their homes and workplaces.

Metro police spokeswoman Superintendent Joyce Khuzwayo told Sapa the MDC's application for permission to protest had not been granted because they had not met certain requirements.

"Today, we just see them here."

She said the group was still protesting irrespective and that police would continue to monitor the situation.

No incidents of violence had been reported thus far.

Protests were also expected to take place in Johannesburg and Cape Town this week.

- Sapa

'Bring my girl's case to court'

18 February 2009

Mhlaba Memela

Sad: Busi Ngcobo's daughter was allegedly shot by police.

Justice delayed is justice denied!

This is how Busi Ngcobo of Umlazi, south of Durban, feels after her daughter was killed during a protest at which police allegedly fired live ammunition three years ago. Ngcobo, 46, blames police for killing her only daughter, Nomthandazo, who was a breadwinner.

A postmortem confirmed that she was killed by a bullet. The matter was referred to the Independent Complaints Directorate but the family has never been informed about the outcome.

Nomthandazo was allegedly caught in a cross-fire when police attempted to disperse protesters calling for the removal of a local councillor. She died at the scene.

At the time police claimed that they had used rubber bullets to calm the angry residents.

"Police shot her in 2006 and she was not part of the protest. She was killed while waiting for a bus to take her to work.

"I was told that the investigation into her death was complete, but the case has not gone to court. I know nothing," said her grieving mother.

Ngcobo said she wants the case to be taken to court. She appealed to MEC for community safety Bheki Cele to intervene.

Police spokesman Superintendent Muzi Ngomezulu said the matter is still being investigated by the IDC.

"The docket is still with the ICD. There are some issues that still need to be attended to," he said.

***Lectures suspended at DUT

04/03/2009 18:21 - (SA)

Pietermaritzburg - Lectures have been suspended at Durban University of Technology because of student protests, the university said on Wednesday.

"Students have been involved in protest action from Thursday 26 February, 2009. The various disruptions over the past two days have resulted in management suspending all academic activities with immediate effect," said DUT spokesperson Nomonde Mbadi.

Academic activities, including tests, examinations and libraries, were suspended.

"The academic programme will resume on Monday 9 March, 2009. All staff (academic and support) are required to be on campus during this period.

"Students are not allowed on campus, except for residence students," Mbadi said.

Last month, the university obtained a court interdict preventing staff and students from disrupting lectures at the university.

This was after DUT staff downed tools when wage negotiations with management deadlocked.

Students embarked on protests on the same day resulting in management closing the university. Protests re-surfaced last week, and the university called in police to disperse the students.

Students are complaining about a wide range of issues including a shortage of accommodation.

Addressing National Education Health and Allied Workers Union members in Pietermaritzburg on Wednesday, SA Students Congress president Magasela Mzobe criticised the police for using teargas during student protests.

"We have seen police brutality in a number of institutions. Many students have been shot by police and police leaders have been quiet about that."

"We hate to see the police in our institutions. They should be dealing with crime," he said.

- SAPA

Political tension boils over on KZN campus

3 March 2009, 09:14

By Nathi Olifant, Sinegugu Ndlovu and Jeff Wicks

Police and security guards used pepper spray to defuse a brawl between ANC and IFP students outside the Durban University of Technology's Steve Biko Campus on Monday.

This was the second clash between students of the rival parties in KwaZulu-Natal in

three days after a similar incident at the University of Zululand on Friday.

The DUT clash took place in the afternoon, after students had clashed with police earlier during a protest over the lack of accommodation.

During the morning protest, non-protesting students were briefly barred from entering the university until police intervened. The protest later moved to the Durban Magistrate's Court where five students, including four student representative council members, made a brief court appearance after being arrested on Friday for violating a court interdict. The SRC members were remanded.

Police Superintendent Jay Naicker said officers had been posted at the campus until the strike action calmed down and were on hand when students belonging to the IFP-aligned South African Democratic Students' Movement (Sadesmo) clashed with ANC-aligned South African Students' Congress (Sasco) members. The reason for the clash was not known on Monday.

"Police stationed at the university intervened after the two groups started fighting, using pepper spray to disperse the crowd. No one was arrested or injured badly in the foray," he said.

Students forced Mercury photographer John Hlongwa to delete many of the images he had taken of the clash on his camera before police came to his aid.

"I was threatened by the students and they forced to me delete many of my photographs. A couple of them struck me but ran away when the police arrived," he said.

In another incident, the University of Zululand confirmed on Monday that three students were hurt during a brawl between ANC and IFP students last Friday evening.

University spokesperson Dante Mashile said the matter had been referred to the Mtunzini police for investigation.

According to KZN violence monitor Mary de Haas, the clash ensued when election campaign posters were torn down, resulting in a large group of IFP supporters beating up a female student without the campus security guards intervening.

Sadesmo students' representative council president Andile Biyela did not return phone calls, and a Sasco member played down the incident.

Unisa campuses around the country are to be closed today because of a march by staff and students. The staff are demanding that vice-chancellor Barney Pityana step down because of his failure to drive transformation and allegations that he is focused on COPE matters which are interfering with his work.

* This article was originally published on page 4 of The Mercury on March 03, 2009

The Sowetan

'Durban must take full control'

12 March 2009

DISGRUNTLED: Durban bus commuters protest against poor transport service.

The empowerment deal that led to the awarding of the Durban bus operator to a private company has been slammed.

Angry bus commuters marched to the Durban City Hall to hand over a memorandum of grievances against the poor bus service in the city.

Hundreds of commuters carried placards calling the Ethekewini municipality to immediately retake full ownership of the company.

Commuters complained that buses were also not running on time and were sometimes not available .

A grandmother Thokozani Mnyandu, of Umlazi, said her grandchildren had been forced to stay at home for more than two weeks because she could not afford taxi fares.

The municipality awarded the bus contract to Remant Alton.

Shortly after Remant Alton took over, there were strike actions by the bus drivers complaining about the poor pay and working conditions .

Last August the municipality bought back the the buses, leaving the drivers in the employment of Remant Alton, who still own the company.

Officials of the bus company and the municipality were not available for comment at the time of going to press.

Press Release: Update on Sasol's CDM Funding: UNFCCC Rejects Application

Earthlife Africa Jhb

30th of March 2009

The prospects of Sasol receiving CDM funding for its gas conversion at its Secunda plant worsened this month. The United Nations Framework Convention on Climate Change's (UNFCCC) technical body (Meth Panel) assessed Sasol's application for CDM credits and has recommended that the application be rejected. The problems with Sasol's application are so deep that it will have to provide a new submission and restart the process from scratch.

Earthlife Africa Jhb agrees with the Meth Panel's finding; see list of documents below. Earthlife Africa Jhb and the South Durban Community Environmental Alliance sent in a formal objection to the UNFCCC regarding Sasol's application for CDM funding. In particular, Earthlife Africa Jhb agrees with the following statements from the Final Recommendations of the Meth Panel:

"A forecast of the availability of the alternative feeds (i.e. coal and natural gas) during the crediting period should be provided and validated by the DOE; e.g. would the baseline coal mine be depleted before the end of the crediting period, and probably the project activity [natural gas] would become the baseline?"

And,

"This methodology is intended to be applicable to project activities including the development of a new natural gas source: 'This methodology is also appropriate for those projects which include an associated requirement to develop a new natural gas resource to provide the natural gas for the feedstock conversion'. However, if project participants wish to include all the expenses of developing a new natural gas source for demonstrating additionality, the methodology should include guidance on how to select the baseline for the natural gas supply (e.g. develop a new gas source, imported CNG, purchased from third party), and how to assess the revenues from the natural gas well exploitation in the additionality assessment. This is also required as the infrastructure developed for processing and sending the natural gas to the syngas plant (i.e. project activity), can be easily used to sell surplus natural gas to other users in the area near the NG transmission line."

The Meth Panel's rejection of the Sasol application means that the application fails at the first critical point of enquiry. Sasol is now required to start the process from the beginning, which would be its third attempt on this matter. As Tristen Taylor, Energy Policy Officer at Earthlife Africa Jhb, states:

"The UNFCCC's technical analysis has pointed out serious doubts regarding the additionality of Sasol's submission and glaring omissions in terms of emissions. For example, the UNFCCC states that Sasol did not include leakage from natural gas pipelines. This is critical as methane is 20 times more potent a greenhouse gas than carbon dioxide. We would strongly suggest that Sasol ends this charade and give up on the idea of gaming the CDM system."

List of Documents:

1) UNFCCC Meth Panel Final Recommendations

2) UNFCCC Summary of Recommendations

Can be found at:

http://cdm.unfccc.int/methodologies/PAMethodologies/publicview.html?meth_ref=NM0296

3) Earthlife Africa Jhb's Formal Objection to UNFCCC

4) Original Earthlife Press Release on Sasol's CDM Application

Can be found at:

<http://www.earthlife.org.za/wordpress/wp-content/uploads/2009/02/earthlife-nm0296-13.pdf>

<http://www.earthlife.org.za/?p=297>

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No homes, no vote threat

April 15, 2009 Edition 2

Nompumelelo Magwaza & Samantha Blair

More than 300 residents of Siyanda, near Newlands in Durban, marched through KwaMashu yesterday, threatening not to vote in the elections unless the government did away with transit camps.

The camps comprise temporary shelters for people waiting to be placed in proper housing.

Siyanda shack dwellers' spokesman, Bongani Ngwenya, also called on the government to provide them with houses in nearby areas.

A memorandum of their demands was handed over to provincial Housing Department officials.

Ngwenya said many people had lived in transit camps for more than five years, waiting for houses.

"We are asking the government to give us houses with proper electricity and sanitation. We also ask not to be moved away from the urban areas because we will lose our jobs."

He said shack dwellers would not vote in the April 22 elections because it would be a "disgrace" to do so while they lived in transit camps.

eThekwini housing committee chairman Nigel Gumede called on the protesters to speak to the city.

"We have explained about transit camps to the Siyanda residents. They were told to wait while houses were being built," he said.

Battle over houses

21 April 2009

Sne Masuku

ANGRY: Lamontville residents protest against their failure to benefit from a housing project in the area. PHOTO: THULI DLAMINI

They cannot take homes built for us

The south township of Lamontville in Durban came to a standstill yesterday as hundreds of residents protested against not benefiting from a housing project in the area.

The angry residents also accused two area ward councillors of corruption.

Bus and taxi owners suspended services which residents blockaded roads with stones, bricks and burnt tyres and strew rubbish all over the roads.

Pupils and workers were unable to travel because there was no public transport.

Police reinforcements from nearby police stations were deployed in the area, while fire-fighters and emergency services were later called in to be on standby.

A helicopter was later seen hovering over the area. Residents chanted freedom songs, calling for the immediate resignation of the two ward councillors accused of taking bribes.

The protesters said they were tired of being squashed into small "tin" homes while the housing projects in the area only benefited outsiders.

Police tried to disperse the crowd but they responded by hurling stones at them.

The police retaliated by firing rubber bullets.

No injuries were reported but several people were arrested and detained at a local police station.

The angry residents threatened not to vote and to disrupt voting at local voting stations tomorrow.

Community spokesperson Blondy Mbambo said the residents would continue with the protests until the two councillors were suspended.

"We are going to remind the people in power who have become too comfortable at the top how it was during the days of the struggle in this province.

"We will not sit and watch people who are not from Lamontville take the homes that were built for us," she said.

A group of young people said they are forced to spend the nights at local shebeens "partying" because they don't have a place to sleep.

Provincial spokesperson for the department of local government, housing and traditional affairs Lennox Mabaso said people had been misinformed about the housing plans for the area.

"Everyone is going to benefit it cannot happen at once for everyone.

"We are going to engage with the community to rectify the misleading information," he said.

http://blogs.cricinfo.com/tourdiaries/archives/2009/04/fifty_years_of.php

" Strangers in the Durban night |

Fifty years of fighting for justice

Posted by Sriram Veera 3 hours, 15 minutes ago in Indian Premier League

The fire hasn't dimmed for Dennis Brutus © Cricinfo Ltd

I meet him in the middle of the road in Durban city centre. You first notice the grizzly flowing white beard, the long hair blowing in the wind, the sharp eyes and a lovely smile that light up his 85-year old face. Dennis Brutus is protesting. It's the story of his life. An activist against the apartheid regime in the 1960s, he played a key role in getting South Africa suspended from Olympics. For his efforts he was arrested, shot in the back while trying to jump bail, arrested again and jailed in Robben Island. Along with a certain Nelson Mandela. He was also banned from teaching, writing and publishing in South Africa and, on his release, settled in the US as a political refugee. He was finally "officially unbanned" in 1990 and currently lives in Durban.

It's safe to say the fire hasn't dimmed. In 2007, Brutus was nominated for induction in the South African Sports Hall of Fame. The other recipient was Ali Bacher; Brutus says he was ambivalent about accepting the award but Bacher's presence nailed it. After Bacher's acceptance speech was Brutus' turn. He walked to the stage and said: "It is incompatible to have those who championed racist sport alongside its genuine victims. It's time - indeed long past time - for sports truth, apologies and reconciliation." And then turned down the award. That's the part, he says, the broadcasters didn't show. "And I believe Bacher walked out in protest," he says with a chuckle, a throaty infectious laugh.

We are in middle of a protest walkabout towards the almost century-old early morning market on Warwick Avenue, which is about to be shut down for a shopping mall in the beautification process before the 2010 World Cup. The protestors are a motley crowd of black and Indian street traders, fishermen, market representatives, street barbers, singing their way down the road in their yellow T-shirts bearing the message "World-class cities for all".

The 2010 football World Cup, the cause of all this activity, is seen as the dark side of a big flashy World event every country desires on its CV. The chant is unambiguous: "Stop the traditional elitist approach to building cities in preparation of the World

Cup. Include us". The protestors, under the umbrella of streetnet.org.za, walk through the city (myself included), past the speeding cars, past the curious onlookers, past the hawkers who sing out their voice of support, past the homeless man who squints at us before breaking into a smile before the police stop us at the entrance to the market.

While representatives engage the police, Brutus's friend Patrick Bond, director of UKZN Civil Society, offers a wry joke: "I don't think they will teargas us here in the middle of this busy place." Brutus laughs again as he shakes his head. Perhaps he's recalling one of his own lines: "As usual the ministers will wine and dine, and protesters will suck teargas."

The sky is slowly turning grey. The breeze had turned chilly and strong. There is rain in the air. Talks with the police are still on. Brutus continues telling me the story of his fight for racial equality on the sports field. "The first successful anti-apartheid movement in sport was in table-tennis. Our first victory was in 1956. When I came along in 1958 to SANROC (South Africa Non-racial Olympic Committee) I was working on what had been built by George Singh. Then, very significantly, Brazil were scheduled to play in a football event in Durban. They were told that the black players had to stay on the ship while the whites could come on shore. I sent a cable to Brazil's president, Kubitschek [Juscelino Kubitschek de Oliveira]. 'You cannot tolerate this racism against the black players.' And he immediately responded by cancelling the match. That was exactly 50 years ago: March 1959." Then Basil D'Oliviera happened. "In table-tennis, in football, and in cricket, the process gradually quickened."

Meanwhile, in the here and now, the police relent and we turn into the bustling Morning Market, with hundreds of shops lined up next to each other. The shopkeepers join in with the protestors and the decibel level rises. Leaders of the different groups voice their concern. Henry Ramlal, the chairman of the market committee and a short fierce man, expresses his amazement in strong language. "This is ridiculous. You can beautify the entrance of the city; knock us out, take us down, but what you going to do with the heart of the city? The crime rate is already high and what will you achieve by demolishing our market. What will all these families do? Won't crime go up?" He says the municipality has offered them a different location for four months. "What after that? What sort of plan is this? Isn't our site a heritage site? Won't the tourists come to this spot as a tourist attraction? More importantly, where are the poor people going to buy their stuff? You can't clean the city of its people"

The other groups like formal black traders and the informal traders put forth their own concerns about disruption to their livelihood. The South African elections are on Wednesday. Much as in India, the chief concern here is the gap between rich and poor. The country, says Dennis, is at a crucial tremendous crossroads. "You've got to keep fighting. Keep fighting."

Abahlali baseMjondolo Press Statement

Tuesday, 19 May 2009

The Elections Are Over - The War on the Poor Continues

Four Shot in Siyanda with Rubber Bullets, Illegal Demolitions in Mpola, Professor Martin Legassick Arrested in Macassar Village, Mzonke Poni on the Run, Others Arrested and Shot at with Rubber Bullets

Siyanda: More Illegal Evictions, Rumours of More Forced Removals and More Police Violence

Four people were shot with rubber bullets at close range after the police attacked protestors in C - Section of Siyanda, Durban, this morning. The four people are all in hospital. The doctors say that one person is very badly injured.

The protest was aimed at halting construction of houses in the notoriously corrupt Khalula Housing Project. The C-Section community took the decision to halt the construction in protest against the ongoing unlawful demolition of people's homes and rumours that people from C-Section will be forcibly removed to amatinis (also known as government shacks or transit camps) in Red Hill.

All requests by the community for clear information and negotiation have been refused. After lots of pressure municipal official Bonggi Hlengwa eventually agreed to meet the community to discuss their concerns about unlawful demolitions and the rumours of more forced removals at 3:00 p.m. yesterday afternoon. However he cancelled the meeting without explanation following which the decision to stop construction was taken.

More information on the crisis in Siyanda contact Mama Kayiyaki 074 299 2898, Magama Makhanyi 074 756 6348 or Mama Nxumalo 076 579 6198

Mpola: Illegal Evictions

Four shacks were illegally demolished in Mpola, Marianhill (near Pinetown), this morning. The Municipality is knocking down shacks to build houses - but the houses are being given to outsiders. There is no consultation. There is no court order for these demolitions and they are, therefore, like the demolitions in Siyanda, illegal and criminal acts.

More information on the crisis in Mpola contact Lindiwe Ndlovu 078 994 0700

Shell on trial while Nigerians are slaughtered

By Khadija Sharife and Patrick Bond

ZNet Commentary, 25 May 2009

"We sometimes feed conflict by the way we award contracts, gain access to land, and deal with community representatives," Shell Nigeria admitted in 2003.

It was a modest confession from a corporate giant that has long collaborated with the state to access the Niger Delta's oil and gas resources, systematically destroying the indigenous ecology through spills, deforestation, flaring and dumped waste, and in the process fuelling climate change that threatens our collective future on the planet.

But at a time of worsening state massacres of environmental justice activists in the Delta, a moment of reckoning nears. In New York's Southern District Court this Wednesday before Judge Kimba Wood, Shell goes on trial for crimes against the Niger Delta people and environment, which could lead to substantive reparations payments.

The state's most recent assault against the Delta left the villages of Opuye, Okerenkoro, Kurutie and Oporoza (site of the new documentary Sweet Crude - www.sweetcrudemovie.com) burned to the ground in mid-May, with hundreds of Ijaw people - both armed activists (called 'militants') and civilians - feared dead. Journalists are banned from the area.

In a request last week to International Criminal Court prosecutor Luis Moreno Ocampo, solidarity activists observed, "The Nigerian military Joint Task Force commenced the land, water and aerial bombardment of a large area in Gbaramatu Kingdom."

They continued, "Questions regarding President Yar'Adua's involvement must also be investigated. The killings in the Delta today can be traced back to similar massacres in 1990 in Umecheum, in Ogoni led by Major Gen Paul Okuntimo in the mid 1990's, and the 1999 massacre in Odi under the command of Col Agbabiaka. To date no investigation of previous massacres has been undertaken, although each was well documented."

The damage to the Delta goes back five decades. In 2006, the Niger Delta Natural Resource Damage Assessment and Restoration Project declared the region "one of the 10 most important wetlands and marine ecosystems in the world". Although 20 million people directly depend on shared natural Delta resources such as fisheries, fertile land and water sources, Shell is responsible for 2 900 oil spills.

Many have stood up to say "enough!", but perhaps it was the Ogoniland civic leader and writer/poet Ken Saro-Wiwa who is best known for a courageous socio-environmental struggle against Shell, especially after mobilising 300 000 non-violent protesters in early 1993.

Our comrade at the Centre for Civil Society, Dennis Brutus, recalls his last meeting with the 54-year-old Saro-Wiwa, at the University of Pittsburgh: "Ken was displaying his new novel *Sozaboy*, his 28th book. He seemed very gloomy - even pessimistic: as if he had a foreboding that he would be executed on his return to Nigeria."

Brutus travelled to Johannesburg soon thereafter: "The US poet Amiri Baraka and I brought a letter to President Nelson Mandela's office appealing for a stronger role in preventing his execution. But the functionary who took the letter was not encouraging."

Brutus reminds us: "Saro-Wiwa was executed in a bungled operation, with three attempts. The evidence has emerged that the Nigerian regime of Sani Abacha acted on instructions of Shell Oil."

Saro-Wiwa's son, brother and other victims' descendants are suing Shell under the Alien Tort Claims Act, a law Brutus himself helped to publicize as part of a suit demanding apartheid reparations from multinational corporations that profited from apartheid by colluding with the white South African military prior to 1994.

Families of Saro-Wiwa and other victims claim that from 1990-1995, Shell requested and financed Nigerian soldiers to repress a peaceful environmental justice movement with deadly force. On November 10, 1995, the "Ogoni Nine" were executed after being framed for murder and tried by the military.

In addition to Saro-Wiwa, those killed were youth leader John Kpuinen, Dr. Barinem Kiobel, Saturday Doobee, Nordu Eawo, Daniel Gbokoo, Paul Levera, Felix Nuate and Baribor Bera.

After twelve years of preliminary arguments, the Ogoni finally get their day in the New York courts, supported by Brutus' anti-apartheid ally Paul Hoffman, the Center for Constitutional Rights (led by lawyers Jennie Green and Maria LaHood), EarthRights International (Marco Simons and Rick Herz) and Justice in Nigeria Now.

Solidarity protests will be held around the world, including at two Shell gas stations here in South Durban, an unfortunate neighborhood that hosts the largest refineries south of Nigeria.

Shell's South African refining operation - "Sapref" - is partly responsible for the extreme leukemia and asthma rates suffered by neighboring residents. Shell won the groundWork-Centre for Civil Society "Corpse Awards" in 2005, for contributions

to mortality/morbidity in the South Durban basin: "13 thousand tones of sulphur dioxide and 1.2 million tones of carbon dioxide as well as the usual heady mix of volatile organic compounds."

A few years earlier, in 2001, according to Desmond D'Sa of the South Durban Community Environmental Alliance, "Sapref's ageing pipelines ruptured and leaked between one and two million litres of fuel into the ground beneath local people's houses, and 26 tons of tetra-ethyl-lead leaked out of a holding tank adjacent to community houses. Shell then set up a 'Community Liaison Forum' to divide the community."

According to D'Sa, even after years of protest, "Sapref continues to emit toxic gases into the neighbouring community and continues to violate South African's right to an environment that is not harmful to health and wellbeing. Sapref continues to violate maintenance workers' rights by employing them on a casual basis."

The damage pales in comparison to the Niger Delta, where it is estimated that 1.5 million tonnes of oil have spilled since drilling began 51 years ago, the equivalent of an Exxon Valdez spill each year, costing more than \$5 billion in annual environmental damage.

Last year, Nigerian president Yar'Adua finally conceded the obvious: "There is a total loss of confidence between Shell and the Ogoni people. So, another operator acceptable to the Ogonis will take over."

But Yar'Adua's regime, like others before it, is rife with corruption and collaboration, and Shell has hung on in a country responsible for 10% of its profits. The bulk of Nigeria's wealth is held offshore by corrupt officials, and is estimated at over \$100 billion. Over 80% of the state's revenue is derived from the Delta region. According to international agencies, just 1% of the population rakes in 80% of oil and gas revenues.

It is not only Nigerian money that flows out. In Cape Town, Pastor Barry Saro Wuganaale assists Ogoni exiles who still face exile "because of founded fears of persecutions by the government against those who believe in the liberation of their motherland."

Nigeria, considered to be the US's new oil cushion, is the seventh largest producer in the world pumping out a minimum of 900,000 barrels of crude each day. Nigeria is of crucial geopolitical importance to the US, which imports almost 50% of Nigerian oil.

Inevitably, the World Bank is in on the action, and last month the Nigerian Guardian newspaper editorialized, "Having fleeced the country while acting as agents of the Paris and London clubs of creditor countries, the World Bank/IMF seek to perform similar exploits as agents of private international oil companies operating under

Nigerian jurisdiction in 'getting more enforceable commercial framework about the supply of gas' for local generation of electricity... Plans by World Bank/IMF to accord Nigeria-based multinational oil companies the status of sovereign states subvert and contravene provisions of the 1999 Constitution."

Even greater amounts of oil and profits would flow to those companies were it not for militant activists of the Movement for the Emancipation of the Niger Delta (MEND), who kidnap foreign workers both for ransom and to halt the destruction.

As MEND spokesperson Jomo Gbomo put it a year ago, after an attack on a Shell facility, "Our candid advice to the oil majors is that they should not waste their time repairing any lines as we will continue to sabotage them."

A cease-fire ended in January, and MEND attacked a few more foreign oil installations. But it was only in mid-May, following the state's bombing of Gbaramatu Kingdom, that an 'all-out war' was declared by militants.

Earlier this month, MEND reportedly destroyed nine army gunboats and captured three others, which is why, it claims, the army engaged in "indiscriminate aerial bombardment on the defenseless civilians... Casualties are mostly women, children and the elderly who could not get away quickly into the bush or high sea."

As a result, MEND insisted, all oil companies should "evacuate and cease oil production until further notice."

Saro-Wiwa had made the same demand, using peaceful strategies and tactics. "The military dictatorship holds down oil-producing areas such as Ogoni by military decrees and the threat or actual use of physical violence so that Shell can wage its ecological war without hindrance," he said in his closing statement at the trial.

"This cozy, if criminal, relationship was perceived to be rudely disrupted by the non-violent struggle of the Ogoni people under MOSOP. The allies decided to bloody the Ogoni in order to stop their example from spreading through the oil-rich Niger Delta," said Saro-Wiwa.

Shell claims it operates on the policy of non-interference with judicial and political processes. Company spokesperson Robin Lebovitz claims Shell asked for clemency for Saro-Wiwa and was "shocked and saddened" when he and the others were killed.

Yet it has been documented that Shell executives met with the Nigerian High Commission in London, stating that if the "Ogoni virus" spreads to other areas in the Delta it would be the end of the oil business.

Shell's then head Bryan Andersen has admitted he approached Owens Wiwa with "the possibility that [Shell] would be prepared to put in some humanitarian aid ... in

exchange for the undertaking to soften their official stance" on reparations.

The plaintiffs allege that Shell hired Nigerian police for internal security; that Shell purchased vehicles and arms for the military; that Shell requested military support to build a pipeline through Ogoni land; and that Shell assisted and financed the Nigerian military to repress the resistance of the Ogoni people. Shell is also accused of participating in the arrest of Ken Saro-Wiwa and John Kpuinen on fake murder charges and of bribing witnesses to produce false testimony.

According to Brutus, "The reparations case against Shell strongly relates to our South African anti-apartheid case." In the same court, six weeks ago, Judge Shira Scheindlin found that Daimler Chrysler, Ford, General Motors, IBM, Fujitsu and Rheinmetall must answer charges in September.

Six years ago, US secretary of state Colin Powell arm-twisted Thabo Mbeki and then justice minister Penuell Maduna to write a letter opposing the apartheid reparations case on grounds that it interfered with SA's own reconciliation process and hence would harm US foreign policy. Will Jacob Zuma and Jeff Radebe follow suit, given how they have pledged to foreign investors that there will be no change in economic policy?

Economist Joseph Stiglitz and Archbishop Desmond Tutu testified against Pretoria's alliance with the corporations. Last month Judge Scheindlin confirmed that there was "absolutely nothing in the Truth and Reconciliation Commission process ... that would be impeded by this litigation."

As Brutus's co-plaintiffs in the Khulumani Support Group observed: "That ruling has certainly breathed new life into a class of human rights litigation seeking to establish that corporations have obligations under international law to not be complicit in human rights violations."

Some of Saro-Wiwa's last words are the most inspiring, and can ring true with some assistance from the US courts: "I have no doubt at all about the ultimate success of my cause, no matter the trials and tribulations which I and those who believe with me may encounter on our journey. Nor imprisonment nor death can stop our ultimate victory."

(Are you in New York on Wednesday? Stop by to see the trial against Shell, at 10am at the US District Court, 500 Pearl Street. Stay tuned at <http://wiwavshell.org/>)

Sharife and Bond are, respectively, visiting scholar and director at the UKZN Centre for Civil Society: <http://www.ukzn.ac.za/ccs>

Sowetan

Housing row sparks protests

Canaan Mdletshe

26 May 2009

UP IN ARMS: Residents of Lamontville protest over the lack of service delivery in the township, and against two local politicians. PHOTO: THULI DLAMINI

TARGET: John Mchunu

Call on Zuma to rein in corrupt officials

Residents of Lamontville in Durban want President Jacob Zuma and ANC provincial chairperson Zweli Mkhize to save them from the wrath of two vengeful local politicians.

The residents have called for the resignation of their councillor, Nolubabalo Mthembu, and the ANC's regional chairperson in eThekweni, MPL John Mchunu.

Lamontville has exploded in recent weeks over the allocation of housing. Police had to quell protests when incensed residents went on the rampage and blockaded roads with burning tyres.

They accused Mchunu and Mthembu of giving houses only to their allies .

An ANC veteran and community representative, Fikile Luthuli, claimed trouble started after resolutions from previous meetings that the developmental houses would be allocated according to the number of years a resident had been in the area and ignored.

Luthuli said residents protested when they realised that outsiders were being given houses meant for locals.

On Sunday, a committee was holding a report-back meeting with residents when Mthembu arrived with a van full of supporters and allegedly tried to disrupt the meeting.

"I was addressing the meeting when a community member, Bheki Miya, walked in bleeding. He had been shot by one of Mthembu's cronies on her instruction," Luthuli said.

She said a meeting would be held on Friday where residents would demand Mthembu and Mchunu's immediate resignation.

Mthembu denied the allegations against her.

"Someone slapped me when I was leaving. I could not see who that was because it was too dark.

"I only heard about the shooting when I went to the police station to report the incident. But I want to stress that I did not instruct anyone to shoot," she said.

Mthembu said Lamontville was getting development projects for the first time in 10 years. She said slums were being eradicated and houses were being renovated.

Mchunu confirmed the government knew about the area's housing problems.

"We are going to have a report-back meeting on Friday. We had to intervene to try to resolve the situation and we hope we will have a peaceful meeting," he said.
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Sutcliffe's Achilles heel?

SAM SOLE | DURBAN, SOUTH AFRICA - Jun 01 2009 11:38

Mike Sutcliffe seems finally to have bitten off more than he can chew.

The eThekweni municipal manager has made a political virtue of a "chew-up-and-spit-out" approach to his critics -- mainly the opposition, media and Durban's ratepayers.

But two projects that book-end his time as manager are proving indigestible. The first is the endlessly controversial 2003 decision to outsource Durban's municipal bus service. The contract was awarded to Remant-Alton, a consortium consisting of the politically well connected (the chairperson was former ANC provincial treasurer Diliza Mji) and the ethically challenged, including a chief executive convicted of bribing a municipal official.

When these issues were raised, Sutcliffe reportedly said: "Nothing with affect this deal. This disclosure will have no impact. The company followed the tender procedure."

Since then, the bus service has lurched from disaster to disaster, forcing the city into regular bailouts and, last year, the repurchase of the bus fleet for R405-million. Remant-Alton denies wrongdoing, but questions persist about whether the city's unswerving commitment was linked to donations to regional ANC coffers. But

Sutcliffe's greater challenge may flow from the unlikely alliance of academics, architects and street-traders fighting the city's plan to allow developers to build a mall at the unique Warwick Junction.

Last September Sutcliffe and his 2010 team tabled a confidential proposal in the city's executive committee to offer a developer, Warwick Mall, a 50-year lease on the site.

This would involve the demolition of a listed building, the 1910 Early Morning Market, where Durban's market gardeners sell their wares, and the displacement of some street-traders, who rely on a taxi and train hub through which 300 000 commuters move at rush hour. The proposal, part of Durban's 2010 facelift, was advertised for comment only in March this year, with the planned "temporary relocation" of traders scheduled for end-May. The announcement hit unexpectedly widespread resistance.

The KwaZulu-Natal Institute of Architects (KZNIA) submitted a formal objection and met Sutcliffe and his team.

Said KZNIA president Miles Pennington: "The city intends leasing a very important commercial site in Durban's Warwick Junction to a private developer, evicting hundreds of street traders at very short notice and under false pretences, as well as lessees of space in the Early Morning Market -- all so that a developer of their choice -- no tender process was followed -- can lease the land for 50 years and build a shopping mall. No urban planning, no analysis of precedent, no traders, no informal economy!"

The KZNIA's call for proper planning and consultation in an area they say forms part of "what makes Durban, Durban" fell on deaf ears. The council approved Sutcliffe's proposal four days later.

But traders and other institutions have dug in their heels. Amafa, the provincial heritage body, has rejected the mall plan, while architects have questioned its economics, which entail unquantified city subsidies. A rowdy and well-attended public meeting last week drew a commitment from deputy mayor Logie Naidoo to consult further. A march by hundreds of traders this week to present a petition to Sutcliffe was blocked at the last minute after police denied permission.

Caroline Skinner, researcher at the University of KwaZulu-Natal's school of development studies, says: "There are 673 trading sites there and over 50 market gardeners sell their produce.

These traders supply other informal traders throughout the city and are an important part of the city-wide fresh produce distribution chain. "By month-end the city aims to move them to temporary accommodation with no knowledge of where, and if, they will be accommodated longer-term... The traders have resolved that

they won't budge."

Traders are backed by the formidable Streetnet -- an international informal traders' network - and have drawn support from South African Communist Party, despite the city's intense behind-the-scenes lobbying to isolate and portray them as dominated by Indian interests.

Daily News

Cosatu vows action against demolition of market

June 01, 2009 Edition 1

Lyse Comins

Cosatu has vowed not to fold its arms and watch while Warwick Junction's Early Morning Market is demolished to make way for a R400 million shopping mall, threatening to mobilise municipal workers to march in solidarity with informal traders.

This comes after a violent confrontation between informal traders and city police who used teargas and force to remove around 200 traders from the premises of the market during an overnight "sit-in" protest against the proposed development.

Around 673 informal traders are among those who have opposed the closure and demolition of the 99-year-old market to make way for the erection of a 30 000m² shopping mall, a move they fear will destroy their livelihoods, resulting in massive job losses.

Traders spent the night in a parking area adjacent to the market only dispersing early yesterday afternoon.

Police used pepper spray and force to remove protesters, saying they were carrying out the orders of city manager Mike Sutcliffe.

However, Metro Police spokesman Joyce Khuzwayo said police had used "minimal force".

Cosatu provincial secretary Zet Luzipo said the union stood in solidarity with the traders' struggle because poor people were being forcefully removed to make way for the interests of a few rich people.

He said government did not take the informal economy seriously.

"The so-called development is taking place for whose interests? Quite clearly it's not the interests of poor workers, but for the benefit of a few people. We have been arguing against the privatisation of the resources of state property.

"We are not going to fold our arms and expect manna from heaven, we are going to fight for this place. The poor must fight for what belongs to them. This is an act of economic parasite where you suck the blood of those who have got nothing to give to the bank balances of the rich," Luzipo said.

"We could have a march by Samwu (SA Municipal Workers' Union) and there are many other activities we can't rule out," Luzipo said.

Several traders who spoke to the Daily News described police behaviour as "unacceptable" and "illegal", saying they would report them to city management.

Early Morning Market Traders Association chairman Harry Ramlall said many elderly people were injured.

"The Metro Police came in last night and started assaulting people and throwing out people. Elderly people were hit."

He said Business Development Unit manager Philip Sithole had promised traders that no action would be taken against them until the city met the traders on Wednesday.

He said the city had granted permission for the sit-in.

Ramlall said traders had sought legal advice and were prepared to obtain an interdict today.

However, by early afternoon yesterday the city had agreed that the market could stay open for business until Wednesday.

Among the injured was former IFP MP Loretta Rajcumar who has historical ties to the market - her father was a farmer who supplied the market in the late 1930s.

Rajcumar has written to President Jacob Zuma and the Indian Consul pleading for their intervention to save the market.

She said she had joined the "sit-in" in sympathy with women.

"It is mostly women traders there. They (police) were going to the stalls and pushing out women and pulling them and assaulting people on the floor.

"I told the police that these were mothers and people with heart problems and they said 'shut up and move before we arrest you'. They pulled me by the arm and

pushed me and then this one woman fell and they were holding guns to these old women.

"They kicked me on my leg. My leg has swollen up," Rajcumar said.

She said she had opened an assault case with the police.

Deputy Mayor Logie Naidoo said stall-holders had been granted permission for the sit-in because it was a fair request.

Said Naidoo: "If there is any allegation of wrongful conduct on the part of Metro Police he (Mike Sutcliffe) needs to investigate that. I understood it to be a peaceful sit-in," Naidoo said.

SAPS spokesman Khepu Ndlovu said the market was peaceful yesterday.

Attempts to contact city manger Mike Sutcliffe last night were unsuccessful.

The Mercury

Business leaders meet Warwick traders

June 02, 2009 Edition 1

NOMPUMELELO MAGWAZA

THE Durban Chamber of Commerce and Industry will today meet traders who do business at the Early Morning Market, in Durban's Warwick Junction, to discuss a possible solution to their dispute with the eThekweni Municipality.

The municipality intends relocating the traders from the market to a temporary trading zone nearby to make way for a R400 million development.

The traders are opposed to being relocated and to a mall being constructed, saying it would kill off their livelihoods.

Chamber president Clive Mancini said yesterday: "I consider the infrastructure investment critical for our 2010 delivery capacity and the investment in the shopping centre is also important for jobs needed in the economy."

"While we support the project from an economic growth and job-creation perspective, we do not believe that we should ignore the voice of the traders," he said.

Early Morning Market manager Sipho Muthwa announced yesterday that the traders would be expected to produce permits or identity books to gain access to the market today.

The traders complained, saying the municipality was using this as a tactic to provoke them. One trader said she had been trading at the market for 21 years and had never been asked for a permit.

"The city is trying to get rid of us and will use anything to provoke us... we are not prepared to move."

The city's Business Support and Markets Unit head, Phillip Sithole, said the city had decided on an administrative process to identify the traders because of violent attacks on its officials at the weekend.

He was referring to clashes between Metro police officers and traders on Saturday. The traders claimed the police had used unwarranted force against elderly people staging a peaceful protest against their removal.

Sithole said traders who did not have permits would have to supply their identity documents to be checked against the municipality's database.

In an e-mail exchange between municipal manager Michael Sutcliffe and Strategic Projects Units and 2010 programme head Julie-May Ellingson, dated May 5, Sutcliffe says: "...I will indicate either they accept the relocation or we will simply terminate the lease and will only accept into the temporary facility those who do not owe us any arrears."

Ellingson replies: "This is what we predicted. They are going to try to use this opportunity to entrench themselves in Warwick despite the fact that they have a long history of payment arrears. I suggest you meet with them and that we immediately issue letters of termination."

Early morning protest over poor housing delivery (update)

2009/06/03 Rochelle de Kock HERALD REPORTER dekokcr@avusa.co.za

ABOUT 200 people threw stones at passing vehicles today (June 3) in an early morning protest over poor housing delivery in an informal settlement, near Seaview road, on the outskirts of Port Elizabeth.

Police spokesman Captain Sandra Janse van Rensburg said no injuries had been reported and the strike was under control.

With police monitoring, a local ward councillor went to speak to them and heard of their frustrations about housing.

The crowd dispersed, with an agreement to return to the Zweledenga hall in Seaview at 2pm to continue discussions on the matter.

Nobody was injured or arrested, and no property was damaged, said Janse van Rensburg, adding that the fire brigade killed the flames on the burning tyres and the road was opened again. - Additional reporting by Sapa

Video footage of police attack on Durban traders last Saturday:
http://www.youtube.com/watch?v=Oak-nkGtb1o&feature=channel_page

Sunday Tribune

Early morning market on a knife-edge

June 07, 2009 Edition 1

Vivian Attwood

AS the city prepares to start serving eviction notices on the more than 600 informal traders at the Early Morning Market in the Warwick Triangle precinct from tomorrow, vendors have vowed to fight to preserve their right to do business in their historic 99-year-old surrounds.

A war of words erupted three months ago when city manager Michael Sutcliffe announced that the market was to be razed to allow for the construction of a double-level taxi parking lot and a 20 000-square metre shopping mall.

The project will draw private investment of some R400 million to an area virtually ignored by apartheid town planners.

Sutcliffe has said that the development represents a unique opportunity for the city and will, for the first time, afford retail space to informal traders within the proposed centre.

Other vendors will be "given better opportunities to trade on the pavement next to the mall under improved trading conditions".

The traders are having none of it.

They have expressed fears that they will lose trade if they are separated from the current taxi and bus ranks; that they will undoubtedly have to pay more than they do at present for upgraded facilities and there will not be enough space to accommodate them all.

Some cite strong historic connections with the Early Morning Market and a family history of trading there as the reasons for their refusal to leave. Sutcliffe, however, is adamant that the scheme will come to fruition, and labelled it a major asset to the city.

"The Warwick precinct has the potential to grow tourism massively," he said.

"Currently most tourists go to the Victoria Market, because there is no safe access to the Early Morning Market traders. Under apartheid the area was deliberately divided into 'Indian' versus 'African' zones. Now visitors will have unimpeded access from areas like the beachfront to Warwick Triangle. It is poised to become one of the vibiest places in town," Sutcliffe said.

Harry Ramlall, the chairman of the Early Morning Market Traders' Association, lashed out at Sutcliffe, saying: "Our city has given too much power to one man. They must not forget that the masses live below the breadline. If they do not shelve this scheme, we will protest, along with Cosatu and other trade unions that support us and this city will become ungovernable."

Despite the fact that heritage body Amafa has refused its sanction for the proposed demolition of the Early Morning Market building and instructed the council in a letter on Monday that no work was to be undertaken on the site pending an appeal and open public participation in discussions, the city manager said the proposed development was non-negotiable.

"We will issue lessees with a termination of lease, and after 30 days the police may legally move them if they have not complied," Sutcliffe said.

"We are going to contest Amafa's jurisdiction. They have no statutory standing whatsoever and we have huge complaints about their conduct," he said.

Sutcliffe added that important historic aspects of the market building would be preserved, and the city "will be launching an initiative to look at all historic buildings (with a view to their preservation).

"We are aiming at not just colonial recognition, but a more democratic approach to the preservation of the histories of all cultures in Durban," Sutcliffe said.

Malls are not for the poor

June 07, 2009 Edition 1

Faced with the spectre of imminent eviction, the prevailing mood among the traders at the Early Morning Market is remarkably upbeat. While they freely discussed their concerns, it appeared most thought popular opinion would prevail, stalling development in the area.

"Our market is here to stay. Our market feeds us," a banner at the market entrance read. Another, more sinister, promised: "Be prepared to remove coffins, not traders." On a lighter note, a wit had penned: "Final notice of relocation. Council and their employees can now move into their new site. Traders will still be operating from this market."

"We are not going anywhere," said an elderly woman known to traders as "Mummy".

"It's our life at stake. We're not going into any marquee". (The city has erected two marquees to provide temporary shelter for the traders.)

"A mall is for rich people. We are the poors (sic)," said Vasie Pillay.

"How would the city councillors and developers feel in our position?" queried Mani Govender.

"When we tried to have a sit-in last week they used pepper spray on us. We have human rights; we are not criminals."

The Early Morning Market, or "Squatters' Market" as it was once known, has seen its fair share of conflict over the years.

Here is a summary of its history:

There were originally four distinct markets, the City Market (Warwick Avenue), a whites-only trading area; the "Native" Meat Market (Victoria Street); an enclosed Indian Market called the Victoria Street Market and a street market in Victoria Street known as the Squatters' or Early Morning Market. About 153 000 Indians arrived between 1860 and 1911 to work as indentured sugarcane cutters.

By 1885 there were about 2 000 market gardeners. They began to supply local markets, but initially encountered a series of difficulties at the fresh produce market, which was run by the Durban Town Council. These included high fees and being forced to ask lower prices for their produce than their white counterparts.

In 1908 a Hindu priest, Swami Shankevanand, formed the Indian Farmers' Association, and subsequently founded the Indian Market Committee to oversee the

welfare of Indian traders.

It wasn't long before the town council flexed its muscles again, insisting on August 1, 1910, that the traders move to a new site in Victoria Street. The farmers protested that the site was too small, and too close to the Catholic Church and "native" market. They boycotted, but the protest was soon quashed.

The town council divided the market into stalls selling fruit, vegetables, ice-cream, sweetmeats, birds and curios, and organised a street market in Victoria Street for Hindu farmers.

The traders lined both sides of the street with stalls and horse-drawn carts, leading to protests from colonialists.

In July 1930 the town allocated £15 000 for a proper enclosure for the Warwick Street traders, and the Early Morning Market, comprising 618 stalls, opened on January 31, 1934.

The Victoria Street Market was destroyed by fire in March 1973, and a temporary market was erected in November that year.

That structure was replaced in 1984 by the current Indian Market.

Sutcliffe's vision of Utopia

June 07, 2009 Edition 1

The Warwick precinct, traversed by up to 1.2 million commuters a day, could aptly be described as the heart of our vibrant city. City manager Michael Sutcliffe believes that the tempo of its heartbeat will accelerate dramatically once the Early Morning Market has given way to a mall-cum-parking lot, and traffic and pedestrian flow has been streamlined. The only fly in the ointment, he says, is the Early Morning Market traders.

"The city is constantly portrayed as uncaring, yet we are the only municipality in the world that has this degree of legislation for informal traders," he said.

"We have issued up to 10 000 permits for them to trade legally. The bovine traders have moved to a new structure and are perfectly happy there and the street traders have indicated that they are happy to make a move. It is only the Early Morning Market traders who are resisting.

"We have had a series of complaints, especially from street traders, who receive fines if they are not at their stalls. They feel we are much tougher on them than we

are on the formal market traders, and we need to find a balance.

"We have already relocated more than 100 street traders from the area where the new flyover is being constructed. There were no moans. 'Why are you treating this group differently?' they ask."

In Sutcliffe's vision of retail Utopia, a "classically designed apartheid hub" will be transformed into a safe environment.

He has stressed the current vulnerability of commuters, in view of the high incidence of deaths because of speeding vehicles in the area and the paucity of ablution facilities.

"Our plan aims to improve public transportation systems to enhance accessibility, mobility and safety; reduce unnecessary traffic congestion; create economic opportunities for both informal and formal trade, and make development culturally responsive and unique to enhance the tourist potential of the area."

Born on the market floor

June 07, 2009 Edition 1

There is a special piece of history adhering to the Early Morning Market that very few who have visited it are privy to. Almost three-quarters of a century ago, an expectant stallholder gave birth to a baby girl after the sudden onset of labour in the early hours of an October morning.

Because the baby gave so little notice of her imminent arrival, fellow vendors helped deliver her safely. The child grew to adulthood working in the market, where she is still a stallholder.

Annie Roopnarain* is a third-generation vendor who traces her roots to indentured sugarcane labourers.

"My grandfather came from India on one of the first ships, to work in the sugar plantations," she said. "He was treated very poorly and often beaten, so he ran away as a teenager and started selling fruit and vegetables on the streets of Durban.

"Later the Durban Corporation gave him a place where he could sell."

Roopnarain has clear memories of being brought to the market by her parents, and playing under the table while they conducted business. She is the proud mother of four children and has 14 grandchildren and two great-grandchildren.

"God made me strong, and I will work here till I die," she said. "We won't go from this place, just because the city tells us to."

* Name altered by request

The Mercury

Traders told to leave by end of July

June 09, 2009 Edition 2

Sinegugu Ndlovu

TRADERS at the Early Morning Market in Durban's Warwick Junction have been given until the end of next month to vacate the premises to make way for a R700 million development project, which would include a shopping mall.

The eThekweni Municipality served the traders with lease termination notices on Saturday. In addition to the lease terminations, the traders were also reminded in their letters that they had failed to pay their rental fees, which collectively amounted to R20 million.

The traders were ordered to vacate the market by no later than the end of next month.

The municipality's Business Support and Markets Unit head, Phillip Sithole, said the city had been patient with the traders, having engaged with them since 2007. He said the city had complied with all relevant rules and regulations in moving ahead with the development.

"We're now following legal processes (in dealing with the matter). The first step is to serve termination notices... we need the site for development. We've held meetings with everyone who's invested in this venture and we're left with no option but to terminate the lease agreements.

"...This relocation comes with a package which includes a rent-free, six-month period and the marketing of the new site, but they refuse (to move)."

Sithole said more jobs and business opportunities would be created by the development.

"Three hundred jobs will be created during the construction and 500 decent, sustainable jobs will be created after the development, unlike the people employed at Warwick Junction with no rules and regulations. It's the people who owe R20

million in arrears who don't want to relocate. The public needs to gauge these issues," he said.

Early Morning Market Association chairman Harry Ramlal said the traders would seek legal advice over the city's latest move. He disputed that traders owed the city R20m because their rentals had been reduced by 40 percent in 2000.

Fury at electricity disconnections after disputed rates bills not paid

June 10, 2009 Edition 1

GUGU MBONAMBI

DURBAN householders defaulting on inflated rates payments are having their electricity disconnected, sparking an outcry among residents fearing that they could lose their homes by the time their appeals against the assessments are processed.

However, eThekweni Municipality treasurer Krish Kumar said ratepayers should pay the revised amounts.

"If the (house) value comes down, we will reimburse them with interest but if they cannot afford to pay the revised value, they should make arrangements to pay what they can. If their appeal fails, they will have to pay the outstanding amount, also with interest."

MPL John Steenhuisen (DA) said ratepayers were entitled to object when the rates increase was introduced last year and, while their objections were being considered, they could pay what they felt they owed in rates.

"When their objections were rejected, they then had to pay what the municipality had rated them at and their recourse was to lodge complaints to the provincial appeals board. However, the board has still not been set up," he said.

"The city is using the consolidated bill as a tool to cut off people's electricity. The consolidated account of the rates, water and electricity bills allows the city to cut off electricity if rates have not been paid in full," he said.

Lilian Develing, of the Combined Ratepayers Associations, said she had received several complaints from people in the Hillcrest, Kloof and Gillitts areas whose electricity had been disconnected for defaulting on rates payments.

Lucy Tarr, of Gillitts, said her rates had increased by 349 percent after the municipality had rated her property incorrectly.

"I was paying R877 a month but after the municipality rated my property as a

business, instead of a residential property, they increased my rates to R12 000 a month. I lodged an objection and told them that I will continue to pay R877 a month,"she said.

Tarr said a municipal employee came to disconnect her electricity yesterday because of "unpaid rates".

"They have absolutely no right to cut off my electricity. I will sue Mike Sutcliffe in his personal capacity if anyone dares cut off my electricity," she said.

Steenhuisen said there were people with genuine grievances who could lose their homes before their appeals were heard.

The Mercury

Sutcliffe playing a dangerous game

June 15, 2009 Edition 1

ON JUNE 3, The Mercury published a letter from a large number of academics who expressed their concern at the determination of the eThekweni Municipality to remove traders from Durban's Early Morning Market, and the municipality's participation in a construction project which the writers thought was not in the best interests of the city and its people.

The eThekweni manager, Michael Sutcliffe, disagreed profoundly (The Mercury, June 4) and went on to wonder about the motives of the letter-writers: "I am not sure if it is race or self-interest or opposition to the democratic majority that brings these academics together..."

As one of the co-signatories to the letter, I can assure him that his speculations are without foundation.

But he then extended his argument in Metro ezasegagasini ("Your free city paper"), June 5, when he wrote: "Much of the sound and fury in the media is about race, self-interest and opposition to the democratic majority."

The cliché used nowadays for this sort of argument is "playing the race card".

I don't like it.

"Playing the race card" implies that we are participating in some sort of game. We are not. And to make baseless accusations about race in South Africa is to throw a metaphorical hand-grenade into a crowd.

Terrifying

Race is a matter of terrifying and destructive significance in South Africa today, and racism of course has not only to be debated, but identified where it exists.

But this has to be done from an informed position and a sensitive awareness of the dangers implicit in making racial judgements.

Of all people, South Africans should know from their history that, whether the goal of those who seek wealth and power is called "civilisation" as it was in the past, or "progress", or "development" as it is today, racial arguments have been used time and again by the few to appropriate the rights, the land, the property, of the many.

Given our history, what we have achieved and what we are failing to achieve, and the tensions that are created by the vast and increasing gap between those who have and those who have not, between our ideals and our reality, to characterise those with whom we differ as racist and anti-democratic is to my way of thinking an irresponsible act.

It is, for me, inexplicable that a man with the city manager's background and experience can make, in passing, the throw-away remarks quoted above without being aware of not only their damaging, but their dangerous, implications.

Jeff Guy is emeritus professor of history at the University of KwaZulu-Natal.

Warwick propaganda ignores the facts

June 15, 2009 Edition 1

Ethekwini is trying to justify the redevelopment of Warwick Junction by making much of crime, poverty, lack of services and deterioration of conditions in that area.

The propaganda conveniently ignores the fact that 12-13 years ago, the same government initiated an innovative project at Warwick Junction to address these same issues.

The results were remarkable.

Within a few years, the degradation was turned around to the point that the Warwick Junction had become a tourist attraction in addition to being a market hub that, reputedly, generated as much business as the Pavilion.

The city also proudly broadcast the project as a world-leading initiative.

The project showed that pro-poor "sustainable development" could be done successfully through co-ordination of municipal authorities, political will and systemic consultation with, and the participation of, traders. Since 2000, the project has won several awards, the most recent (2008) being a UN Habitat/Dubai International Award for Good Practice.

The propaganda also ignores the government's loss of initiative; notably, in the last few years, the dilution of resources for the project and lack of training and support for municipal officials to deal with the challenges (opportunities as well as problems) of this sort of project.

If conditions in Warwick Junction have deteriorated recently, it is due to the city government forgetting the high standards it set itself.

As for the argument about research, Warwick Junction is one of the city's most heavily researched localities.

There is no shortage of information that could have been used to inform further planning and development of the area.

Tim Quinlan

Durban

Proposals must incorporate 'living museum'

Planning proposals must address issues of traffic, transport nodes, formal and informal trade, access to the city centre as well as Durban's heritage, writes Leonard Rosenberg

June 15, 2009 Edition 1

THE Market versus the mall has become an emotive issue and rightly so, considering that a historically contested space and part of Durban's heritage is at stake.

The focus now is on the Early Morning Market site, but the issue is a larger and more complex issue than just one site. Much of the urban black history lies in the Warwick Junction and surrounding areas, of which the Early Morning Market is an integral part.

City manager Michael Sutcliffe takes exception to the opposition, by a group of academics, to the proposed mall. He questions their interests and concerns, and seems to conclude that the traders in the market and the academics are against

development in the area.

My understanding is that everyone is for development, long overdue, but that it is a case of what to develop (the content) and the how (the process).

Marginalised people, and the traders who are part of this group, often have to get the powerful and the educated to speak on their behalf so that they might be taken more seriously - particularly because the educated can articulate the problem in a language that the powers-that-be can understand.

It is not the first time that academics "on the hill" are speaking up on behalf of the marginalised people at the foothills of the Berea.

Of particular interest is the memorandum that academics of Natal University submitted to the council in 1973 in opposition to the then government's ruling that the Grey Street complex was to be an "Indian" business and industrial area only, resulting in 12 000 people having to find alternative accommodation.

Apart from the opposition from residents, business and political organisations, a group of academics from the then University of Natal, submitted a memorandum to the city titled, "The Grey Street complex, Durban. Memorandum 1 (1973)."

They welcomed the decision that the Indians could still trade in the area, but expressed dismay at the residents that would have to vacate and that "the important Centenary Road educational and cultural complex had been excluded from the proclaimed area".

The focus of the memorandum was the Centenary Road area and it listed Sastri College, St Anthony's, ML Sultan, St Aidan's Hospital, Orient Hall, Curries Fountain and the Badsha Peer Shrine as part of the "Centenary Road educational and cultural complex" and hence their dismay at it having been excluded from the proclamation, and by implication, become a "white" zone.

They described the institutions as "symbols of social and community pride" and not "just a thing of bricks and mortar" but a "considerable amount of sentiment attached to these institutions and an intimate connection between them and the community" and that they are a "visual expression of the desire for and struggle towards educational advancement".

The academics further described the area as "part of the pulsating heart of Durban, adjoining the Markets and Warwick Area", and concluded that was an area where the cultures of the East, West and Africa met - distinguishing Durban from other cities in South Africa.

They warned that "if the character of this part of the city is lost, Durban will have become just another sterile, faceless city that has sacrificed everything for economic

growth". Although the UN academics' memorandum of 1973 responded to a different set of political and planning initiatives in the 1970s, they articulated two very important aspects that had hitherto been (and is now being) unrecognised and ignored - community and heritage.

These aspects are still valid, if not more so now than they were in the 1970s, when black heritage was taboo and being wilfully destroyed.

One of the crucial points that the academics made in 1973 was that the Centenary Road "educational and cultural complex - together with the markets and bus terminal - was part of the larger community that comprised the Grey Street area complex".

All the residential, educational, religious, sporting, commercial, trading and transport nodes for "non-whites" was to be found in this area.

Although the Grey Street area started off as an "Indian" enclave, the area largely developed to include all the other "non-European" groups and became the "black" town adjacent to the "white" CBD.

The second aspect that the memo dealt with was the heritage of the area. It is a part of Durban that feels, looks, sounds, smells and has a vibe that is different; an area that has a rich history that is often ignored and is about to be destroyed.

Now, 36 years later, another group of academics have voiced their concerns that the proposed mall will destroy livelihoods and our inner-city heritage. Again, they have focused on the unique character and heritage of the area - although their concern is specifically focused on the Early Morning Market site and informal traders under threat.

The market controversy is but the symptom and has become the face of a bigger issue of contested heritage in a contested spatial zone.

Driven by 2010 initiatives and legacy projects, the once marginalised minibus taxi is the new dominant force in the precinct - courted by property developers - to be removed from the CBD and locked into the precinct, by the new Inner City People Mover System.

Keeping taxis out of the CBD, like the "non-white" buses in the past, has become the new "driver" and determinant of development in the area. It is quite an ambitious undertaking, considering the number of taxis in the city.

The new innovation in the space-constrained Warwick environment is the stacking of taxi ranks on top of shopping malls, and "filtering" of commuters through the mall.

This "innovative" transport/ shopping interchange suits property developers and taxi operators, and allows the city to get on with the missing link in the Inner City People Mover system, but it should not be at the expense of a significant part of the urban black heritage of Durban, of which the market is but a part.

Planning proposals for the area must respond to and address the issues of traffic, transport nodes, formal and informal trade, access to the city and the heritage of the area - not just the market.

This area is still a "living museum" of apartheid planning. The bus ranks, markets, schools, sports facility, cinemas, religious sites and shrines, streets and neighbourhoods are still with us today, and can provide clues and create design opportunities for their integration into the new developments.

Leonard Rosenberg is an architect and campus planner at DUT. He is doing research on the Warwick Precinct.

Now that the academics are awake, it's time they learnt the facts

June 15, 2009 Edition 1

IT IS refreshing that the Early Morning Market has woken up some of the city's academics and architects. We never heard their voice when we were criticised for creating working-class housing opportunities in areas like Westville.

We never heard them when we challenged authorities like KwaZulu-Natal heritage conservation agency Amafa and the Department of Agriculture and Environmental Affairs for slowing down development programmes.

We never heard their voice when the council renamed only 100 roads out of 45 000 to ensure we have a greater diversity of heritage on display in our street signage.

We've never seen them engaging with us on our developmental vision, helping us to find more efficient, effective and economic ways to address the needs of the poor, and other developmental challenges.

Indeed, I have never had them ask me for any information that would enlighten them and ensure they become better researchers and professionals. This is in spite of my frequent challenge to my alma mater that except for areas like water and engineering, the social and built environment sciences at UKZN are in something of a crisis. The quality of their research, teaching and outreach leaves a lot to be desired.

I am very relieved, therefore, to see that after being so vocal, Caroline Skinner has

taken my advice that she should base her arguments on facts and research. She is now saying that she will be conducting a survey of commuters.

Of course an excellent independent survey, costing about R200 000, has been done and forms part of the developer's submission. However, we look forward to seeing Skinner's survey report.

And now Professor Franco Frescura has also entered the fray. I am sorry he too did not pick up a phone first, or check out his facts, before dashing off an editorial to The Mercury. I am glad he agrees that we should do something about Warwick. For his information, though, more than 10 years ago the Warwick proposals were first put on the table.

But given that the city has prioritised housing, electricity, water and sanitation, we could not afford the more than R1 billion to get the flyovers in place which would then allow us to restructure land uses.

It saddens me that Frescura shows his ignorance of the huge strides we have made and continue to make in transport planning to address the very things he moans about. In 2005 we published the Integrated Transport Plan for comment, and last year the exco endorsed the Integrated Public Transport Network Plan. Frescura has never engaged with us on these plans, both of which form the basis of our attempts to redress the effects of apartheid planning on the people of our city.

Putting into practice such plans to create a more integrated city does not come without financial and social costs.

We have been fortunate that because of the 2010 windfall in funding, we have been able to get the more than R1.2 billion required to restructure roads around Warwick. But there are social costs, too. We have had to relocate thousands of people as we develop new roads, build new housing, and create more opportunities in the city. For example, over the past eight years, we have relocated more than 12 000 families from more than 50 unsafe and unhygienic informal settlements into formal housing.

Over the past eight years we have relocated more than 1 000 traders, in part to accommodate road and other construction projects. In all of these cases, the traders have willingly agreed to move in favour of the developments.

And we have moved almost 400 informal dwellers for roads developments, and in almost all cases they have willingly made way as we reknit the apartheid city to make it more integrated.

Frescura's ignorance of our transport, housing and other plans is compounded when he claims we are doing what the apartheid masters did. The differences between forced removals under apartheid and the relocations we now do to create a

non-racial, integrated city are stark. May I remind him that racial discrimination was at the heart of the apartheid regime.

Under apartheid, there was no constitutional framework guiding what can and can't be done, under apartheid alternative opportunities were usually not provided, and apartheid's removals were on a mass scale.

Thankfully, none of these conditions apply today in the temporary and other relocations we need to do to create an integrated city.

I am glad Frescura has woken up, but I hope he spends time informing himself of what is being done and what else we plan to do.

That will place him in good stead to engage with us on better ways to overcome the effects of the past, while laying the basis for a more prosperous future.

Michael Sutcliffe is Durban's city manager.

<http://www.thepost.co.za/index.php?fArticleId=5029154>

The Post

Traders should be partners

June 10, 2009 Edition 1

Bridgemohan Maharaj

As the democratic initiatives of the early 1990s gained momentum, many progressive urban initiatives emerged to reconstruct apartheid cities.

In November 1995, the Physical Environment Service Unit of the city announced an impressive plan to upgrade the Warwick Avenue Triangle (WAT) and the Grey Street area in "terms of safety, security, cleanliness, functionality and the promotion of economic opportunities".

In supporting the plan, the Durban Metro acknowledged that the WAT had been "politically marginalised in the past in terms of physical, social

and economic development and investment".

The plan was preceded by an analysis of the strengths, weaknesses, opportunities and threats in the WAT. The strengths of the area included vast public land owned by the State, vibrant economic activities, and accessibility. The weaknesses and threats were related. Some of the weaknesses were urban blight, crime and congestion.

Threats included the spreading of problems throughout the inner city area if these were not addressed timeously. Also, there was a lack of commitment from the central government to solve housing problems of the inner city. Opportunities included the development of small business and the informal sector, and the provision of inner city low income housing.

The plans for the redevelopment of the WAT had emerged in consultation with existing residents and other interest groups. Regular consultations had been held with representatives from 21 organisations, who formed the Greater Warwick Avenue and Grey Street Forum.

The Physical Environment Service Unit Report for the Greater Warwick Avenue and Grey Street Project (November 1995) emphasised that the "redevelopment of the Warwick Avenue area, specifically, should be geared towards promoting its primary role and function as a major regional hub for public transportation and trading, with particular focus on the needs of the urban poor". The report emphasised that the success of the project was "dependent upon a high level of political commitment from government at all levels".

In the first democratic decade, there was no reference to the establishment of a mall in the Warwick Avenue area in any of the planning and redevelopment documentation. According to eThekweni's Mike Sutcliffe and Logie Naidoo, those who opposed the development of the mall in Warwick Avenue were variously: preventing poor people from enjoying the privileges associated with malls; pursuing narrow, ethnic, racist agendas; opposing a golden opportunity for investment; opposing the democratic majority; and wanting the traders to remain trapped in the second economy.

If there was a genuine intention to help the traders to escape from the second economy, then the best way to do so would be for them to have become shareholders in the Warwick Mall Pty Ltd which was registered in 2006. The majority of the shareholders of Warwick Mall Pty Ltd, have been previous recipients of BEE projects, a practice which the post-Polokwane ANC wants to stop.

The latest fatally flawed planning fiasco in Warwick Avenue was driven by a top-down process (reminiscent of the Mbeki "dictatorship") and private sector greed. The Durban Metro has demonstrated a contemptuous disregard for the history and culture of the Warwick area.

Professor Di Scott has drawn attention to the futility of planning without recognition of past communities and the cultural meanings that accumulate in places over time. She has emphasised that "the cultural resources of communities, by providing a source of identity and

solidarity, can serve as resources which could be harnessed in the reconstruction process".

There has been no opposition to the upgrading of services and infrastructure in the Warwick area. The opposition has been to the forced removal and relocation - reminiscent of apartheid - and the outcome will always be the same - the banishment of poor, black people to even greater levels of impoverishment. For example, it has been estimated that the establishment of the mall would result in the cost of fruit and vegetables in the area increasing by up to 118 percent - beyond the affordability of the poor. Zet Luzipo, Cosatu provincial secretary, has referred to this as "an act of economic parasite where you suck the blood of those who have nothing to give to the bank balances of the rich".

While the poor and the disadvantaged in Warwick Avenue were largely marginalised through limited participatory opportunities, a positive outcome has been the emergence of non-racial solidarity, a bane to those who demonstrate a callous disregard for the needs of the poor, and who are used to defending mediocrity.

The Mercury

Five hurt as rubber bullets fired

Market traders, police clash

June 16, 2009 Edition 1

Sinegugu Ndlovu

FIVE people sustained minor injuries yesterday when traders at the Early Morning Market in Durban's Warwick Junction clashed with metro police officers as tensions between the traders and the city continued to simmer.

The traders claimed they were attacked without provocation, while the metro police said they had been forced to fire rubber bullets to contain traders trying to force their way into the market.

The eThekweni Municipality was accused of defying a court order permitting traders access to the market.

While the city said that only traders without permits were not allowed entry yesterday, the traders claimed that permit holders had also been barred from the market site.

On Saturday, the traders applied for a court order preventing the city from closing the market or denying entry to all traders. Their lawyers argued that the city had been accepting rent for the stalls even from people who did not have licences and questioned why they were being barred from trading there.

The order was granted by Durban High Court Judge King Ndlovu and would be valid until this Friday. However, it was in dispute whether the order applied to all traders or just to those with trading permits and, while the market would be open tomorrow, the matter remained unresolved.

The city's Business Support Unit head, Phillip Sithole, said the city had not been in contempt of court in acting yesterday because the order granted to the traders only applied to those with permits.

Metro police spokeswoman Joyce Khuzwayo said officers had been forced to use rubber bullets when the traders tried to force their way into the market without producing trading permits. She said three people had been arrested on public violence charges.

"The traders without licences outnumbered those with permits and tried to force their way in. They were a stronger force and we were forced us to use rubber bullets," she said.

Netcare 911 spokesman Chris Botha said five people had sustained minor injuries and were taken to Addington Hospital.

Roy Chetty, of Durban, said he had been walking past the market when he saw the police cordon off the area. He said traders with licences had moved into the market's parking area on the officers' orders when they were "viciously attacked" without provocation.

"It happened quickly. The traders weren't being violent. The police jumped over the boundary wall and started shooting. People were shot in the face and some in the back," Chetty said.

The conflict between the city and traders is over a proposed multimillion-rand development of Warwick Junction, which would include a shopping mall. The traders are opposed to relocating to make way for the mall, which they argue would destroy their livelihoods.

*** Daily News

eThekweni council in trouble with the law

15 June 2009, 14:56

The eThekweni municipality has been accused of defying a court order after it locked traders out of the Early Morning Market on Monday despite the Durban High Court ruling that they can trade.

Chaos broke out when metro police officers fired rubber bullets to disperse hundreds of people who wanted to break the market gate after the municipality prevented traders without valid permits from entering.

Two traders were injured by rubber bullets and were taken to hospital.

Senior Superintendent Joyce Khuzwayo said: "The municipality has made it clear that it wants to sort out the issue of people who do not have permits. The traders then decided to adopt the 'injury to one is injury to all' strategy."

The city locked out hundreds of traders after it emerged that many were trading without permits. The court at the weekend ruled that traders be granted occupation and possession of their stalls.

"As far as we know, the court stated that we should be allowed to trade but the council has sent police to shoot at us. The city is defying the court order and that is very sad," said traders' spokesperson Roy Chetty.

Khuzwayo said the municipality was sorting out the issue of permits by arranging another venue for traders.

"Traders are being removed from the market to make way for the multi-million rand development of Warwick Junction which will include a mall," she said.

She said it was important for the municipality to ensure that all traders had permits so that they would be provided with an alternative place to do business. - Sapa

Daily News

Claimants to get land and houses

Dispossessed clan happy with outcome

June 16, 2009 Edition 1

MPUME MADLALA

AFTER almost 23 years of struggling to get their land back, there may finally be hope for members of the Qadi clan after the Department of Land Affairs offered to buy them land and the Department of Housing to build them houses.

The Qadis were forcibly removed in 1986 to make way for Inanda Dam and were promised compensation by the government at the time.

However, compensation was only paid in 1994 to a committee from which the money never made its way to the affected families.

O'Brien Gcabashe, the spokesman for the families, said the Qadi clan were happy with the proposal, but if it did not come through in time, they would go back to protesting.

"We have been shown the land allocated to us in Etafuleni, Inanda, and we are happy that this painful period is soon going to be behind us.

"We have had many meetings with many people; it was only after we protested at the Dusi Canoe Marathon this year that people started listening.

"Our intention was simply to draw the public's attention to illustrate that the land below the water originally belonged to us. We wanted the canoeists and media and citizens to know of our plight, and I even went on SABC television to tell the whole country of what we were going through and I believe it has worked," he said.

The news has been welcomed by Ray de Vries, media and marketing consultant to the Dusi Canoe Marathon, and Jonsson Dusi Mfula (of) MTB Experience. Both events follow the route through the Valley of a Thousand Hills from Pietermaritzburg to Durban.

Plight

"The plight of the Qadi clan really touched me as I had personally seen them

removed in the 1980s," said De Vries

"It wasn't only disgusting to see them forcibly removed, but it was even more disgusting to see how it was done and the promises that were broken."

De Vries said at the Dusi this year they tried to help, but found themselves stuck between the threat of disruption and the plight of the families.

"It was horrible. I am pleased to see that there has been a positive outcome and thrilled that the Qadi clan will be back in the Valley," he said.

De Vries has already sourced canoes for a development club to be started and moves are afoot to get mountain bikes to start a development MTB club on the newly-acquired land. "O'Brien and I (are) working closely together to get as many people as possible to join the new sports development initiative. The Department of Sport will be approached to help get the initiative off the ground," he said.

Police stoned after blaze

June 16, 2009 Edition 1

MPUME MADLALA

TWO Metro policemen were hospitalised after they were stoned by residents at the Kennedy Road informal settlement during a blaze that destroyed almost a hundred shacks this morning.

Residents were angry over the perceived slow response by the city's fire department, and turned on the policemen who arrived first.

Fire department divisional commander Trevor Stevens said firemen were at the scene minutes after an emergency call was placed.

Police spokesman Senior Superintendent Vincent Mdunge said police were called to the scene by a man who claimed his girlfriend tried to set fire to him as he slept.

Mdunge said the man managed to escape and called the police. "When the SAPS and Metro Police arrived they were greeted by stones coming from residents who were angry that their shacks had caught fire and that fire-fighters had not arrived," he said.

"Two Metro policemen were seriously injured - one sustained injuries to the head and the other to his body - and had to be rushed to hospital," he said.

Mdunge said that as a result of the fire, about 100 shacks were destroyed, leaving many people displaced.

He said the woman who allegedly started the fire was taken in for questioning, and the city's disaster management unit was trying to find shelter for those who had been displaced.

16 June 2009

Press Statement from Abahlali baseKenedy

Fire Devastates the Kennedy Road Settlement - At Least One Hundred Homes Destroyed

The Red Devil Must be Defeated

Today is the 16 June, Youth Day, the anniversary of the 1976 Soweto Uprising. In Johannesburg and Cape Town our comrades are struggling for the people to take this day back from the politicians.

Here at the Kennedy Road settlement we are burning, again. At about 1:30 last night a fire started after a paraffin stove was left unattended while a couple argued. Before it was put out around 100 shacks had burnt. At least 300 people have been left homeless. One woman has been very badly injured and has, only just now, been taken to hospital.

By the end of last year the Kennedy Road settlement had burnt 9 times. Since 2005 we have lost 5 people to fire in Kennedy Road. And it is not just Kennedy Road that has had to confront the plague of fires. In his 2008 of year speech to the whole movement S'bu Zikode declared last year as the year of fire.

We have marched against fires and been shot at and arrested for marching against fires. We have organised a City Wide Summit on Shack Fires. After that summit we declared to the world that to live with constant fires is to live in a state of emergency. We have prepared and circulated a carefully researched report on shack fires. Bishop Rubin Phillip has said very clearly that the fires must be stopped and that our struggle against the red devil is just.

But the response from the City is always the same.

When we connect ourselves to electricity in order to make ourselves safe they send in their men with guns to disconnect us. They arrest us. They beat us. Sometimes they even shoot us. The result of this is more fires.

The first thing that happens after a fire is that government officials rush to blame the victims. They will say that we burn because we are drunk or because we are uneducated. They want to do this so that it seems that the oppressed are responsible for our own suffering. But as we have said so many times the rich also get drunk, they rich also get distracted by a child and the rich also have arguments. Some of us work in their houses and we know that this is true. They are not different to us. The only difference is that the rich have electricity and so leaving a stove unattended for a moment or knocking over a lamp doesn't cause a fire.

When the fires happen a community will get very little support from the City. If the community is weak or divided the fire will be used as an excuse to force people into transit camps. The allocation of the government shacks will be given to the people close to the councillor so that they get power over the settlement. Sometimes people who are critical will be left homeless. This has happened in Foreman Road and in Jadh Place.

The government will say that people must accept the transit camps, which often means relocation, because they will be safe there. But in fact it is perfectly possible to electrify the settlements where they are and it is perfectly possible to electrify shacks as they are. Everybody knows that until 2001 the eThekweni Municipality used to electrify shacks. They stopped this at the same time as they started their notorious 'Slum Clearance' programme.

People are getting desperate, very desperate. After today's fire some people wanted to attack the women who had left her stove unattended. We had to protect her - we had to request the help of the police to keep her safe. It is not surprising that some shack dwellers are responding to armed electricity disconnections by disconnecting the rich.

We need to be very clear about the fact that across the country there is a war on the poor. Everywhere shack dwellers are under attack. Everywhere street traders are under attack. Everywhere the state does not see any need to follow the law when attacking us. Everywhere we are being driven out of the cities and dumped in transit camps. It is clear that we are being left to burn because we do not count. But it is also clear that we are also being left to burn because the fires assist the state in bringing us under their control and driving us out of the cities.

Enough is enough. The fires must stop.

Our demands are simple and they are clear.

1. The state must immediately electrify all shacks with the same urgency and speed with which they built the stadiums for 2010. While people wait for electrification they must be allowed to electrify their own shacks themselves.
2. The settlements must be upgraded where they are with democratic development

methods and this must be undertaken with the same urgency and speed with which the state built the stadiums for 2010. When the state is not able to house the people they must be allowed to build their own structures and in fact supported to do this.

3. There must be a moratorium on the sale or private development of all urban land until the people are housed.

We wish, again, to thank the Fire Department for their support. For some time now they have given us excellent support. They treat us as if we are people that do count. They come when we call them and they risk their lives for us. We deeply appreciated it.

However we note that it is now more than 12 hours since the fire started. The media have all come. But there is still no word from the City. Perhaps they are too busy evicting and shooting at street traders to help us.

In fact certain officials in the Housing Department of the eThekweni Municipality have made it quite clear that they intend to punish us for organising ourselves and speaking for ourselves. They consider this to be a very serious offence, a crime. They are determined to make sure that we must suffer because we have not accepted the policies of the ruling party. In South Africa there is no distinction between the party and the state. If you offend the party by speaking the truth then you offend the state and you will be punished by the state.

We have 300 people who are homeless. We need support. Any donations of food, clothes, blankets and building materials will be highly appreciated.

For further information and comment please contact:

Thina Khanyile, Deputy Chairperson, Kennedy Road Development Committee
(and one of the Kennedy Six): 078 289 1314

Bheki Simelane, Member of the Kennedy Road Development Committee: 078
598 9491

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Uyishayile!

To view 'From the Shacks to the Constitutional Court' visit
http://www.youtube.com/watch?v=Y_T7OKD05Vw

To view an excerpt of 'A Place in the City' visit

<http://www.youtube.com/watch?v=Fr7h6aTQp5A>

To view 'Dear Mandela' visit <http://www.youtube.com/watch?v=caBo002T4eI>

To find out more about 'When the Mountain Meets its Shadow', a new film about life and struggle in Cape Town, visit <http://when-the-mountain-meets-its-shadow.com/>

Abahlali baseMjondolo, together with with Landless People's Movement (Gauteng), the Rural Network (KwaZulu-Natal) and the Western Cape Anti-Eviction Campaign, is part of the Poor People's Alliance - a national network of democratic membership based poor people's movements.

War over Warwick rages on

Traders get third court order to open market

June 16, 2009 Edition 1

Lyse Comins

The war of Warwick Junction rages through Youth Day after traders obtained a third court order against eThekweni authorities.

The Early Morning Market traders secured another Durban High Court order yesterday forcing the municipality to open the market to legal traders tomorrow.

This came in the wake of another violent clash with Metro Police and a day of lost trade yesterday.

The Early Morning Market Traders' Association chairman, Harry Ramlall, said his attorney was scheduled to meet the city's legal counsel in court again today to clarify the dispute over legal and illegal traders in the market.

Dozens of traders waited all day yesterday outside the market, hoping it would be opened. Police fired rubber bullets, injuring four traders. Five traders were arrested on charges of alleged public violence.

"The city has given us the assurance that the market will be open. The order has been granted for the third time. The market will definitely be open on Wednesday morning," said Ramlall.

"I will be at court at 9am (today) verifying the so-called illegal traders because they need to be legalised.

"It's only fair if they have been there for a long time that they should be legal because the council has accepted rental from them."

However, deputy mayor Logie Naidoo earlier said traders collectively owed the municipality hundreds of thousands of rands in rental arrears and many traders were illegal tenants.

Traders have opposed the demolition of the market to make way for a R400 million shopping mall.

Several "barrow boys", who ferry fresh produce around the junction, told the Daily News they were hungry and worried about feeding their families. They worked for themselves, they said, and had lost their daily income of R100 to R200 a day since Friday.

Minority Front leader Amichand Rajbansi, who visited Warwick Junction yesterday, said he would call for a special motion to have the issue "re-debated" by the council. He said he would take the fight to the Human Rights Commission and the Equality Court.

"We were misled (by the council) that this (mall) would be developed over the railway line. Mike Sutcliffe calls this an apartheid structure and says he is concerned about the democratic majority. What does he mean by this?"

"The saviour of our province is going to be SMMEs and the informal sector. We are going to take this issue very seriously. It is very strange that the leaders of this province are keeping silent," Rajbansi said.

SAPS Captain Khepu Ndlovu said two women were injured yesterday when Metro Police fired rubber bullets at protesting traders, and two women were injured in falls. They were taken to hospital by ambulance.

Three men and two women were arrested and charged with public violence. Metro Police Superintendent Wiseman Mchunu said police had used "minimal force" to control the crowd.

eThekweni Municipality business support unit manager Philip Sithole said legal traders had been allowed access to the market but chose to stand in solidarity with the illegal traders.

SPCA chief inspector Dougie Du Plessis said traders had alerted him to the plight of 200 caged chickens inside the building. Eight chickens had died, but this was not from a lack of food and water.

Du Plessis said market managers had allowed some traders entry to tend their chickens, but not all the owners were present.

"They can't stay cooped up here in small cages forever. Normally, they are sold within two days.

"We have been feeding and watering the birds at our own cost.

"Fruit and vegetables are going rotten but the municipality won't allow traders in because if they do they will have another sit-in.

"It's very sad because there are hungry people out there," Du Plessis said.

Don't erase culture and heritage of market

June 15, 2009 Edition 1

I add my voice to the many who have written to this newspaper in response to the destruction of a heritage and culture built over 100 years.

Growing up in Cato Manor (Umkomabaan) I was privileged to be born into a society where all races lived in harmony and peace with one another.

There was Mr TV Govender who owned a piece of land in Cato Manor on which he planted vegetables and fruit.

My relationship with the family was through my elder sister, who was married to his son.

Govender was a well-known fruit and vegetable hawker and he owned a number of trucks.

He supplied most of the restaurants, cafes and hotels in Durban with fruit and vegetables. My brother-in-law worked for his dad and drove one of the trucks.

At a young age I became very interested in the fruit and vegetable trade. I spent my holidays getting up, sometimes at 2am, to load the trucks with fruit and vegetables to go to the Early Morning Market and the bulk sales.

This experience taught me a lot about the lives of the farmers and their workers - who supplied the fresh vegetables from as far as La Mercy in the north and Port Shepstone in the south - the agents who sold the produce at the bulk sales, and the hawkers and traders who collectively ensured that fresh, cheap vegetables were always available daily to the people of Durban.

I spent many years up until my teens enjoying this work because it provided me with much needed experience that has helped me in my later life.

Eventually, the Group Areas Act destroyed the Cato Manor community and people

lost their fertile vegetable gardens and homes were demolished.

We were then forced into Wentworth, an area which up until today is a concrete jungle and highly polluted.

Our families struggled to find jobs, plant fruit and vegetables in the land which needed rehabilitation to be suitable.

We later suffered the consequences of leaving, of not having fresh vegetables.

Our families were totally dependent on the Early Morning Market to provide us with cheap fresh fruit and vegetables.

Like the hawkers, market traders and vendors who have passed on this heritage and culture, so have families passed on their knowledge of buying vegetables at the Early Morning Market.

The poor man deserves to have this Early Morning Market protected for the present and future generations so they can continue to enjoy access to cheap fresh fruit and vegetables.

Don't write out this heritage and culture from the history of Durban, preserve and protect it for our children.

Desmond D'Sa

South Durban Community Environmental Alliance Co-ordinator

Hostel residents picket outside court

June 16, 2009 Edition 1

S'CELO KHUZWAYO

Angry residents of Glebelands hostel have called on the authorities not to grant bail to seven men facing attempted murder charges.

William Mthembu, 46, who is said to be the kingpin behind the violence that has seen two people killed at the hostel, appeared with his six co-accused, Themba Pina, 39, Bongani Mkalali, 36, Mazwi Mabandla, 46, Siyabonga Ngqatyane, 42, Sebenzile Mbholi, 46, and Patric Sipani, 36, in the Umlazi Magistrate's court yesterday.

They have all been charged with attempted murder, despite police saying last week that Mthembu had been arrested for murder.

His arrest came after two weeks of conflict between people allegedly aligned to the ANC and those aligned to Cope at the hostel.

More than 500 people picketed outside the court yesterday, calling for Mthembu and his co-accused to "rot in jail".

The Mercury

Province to intervene in dispute

Call for market caution

June 19, 2009 Edition 1

Sinegugu Ndlovu

THE KwaZulu-Natal government, led by Economic Development MEC Mike Mabuyakhulu, will intervene in the dispute between the eThekweni Municipality and traders at the Early Morning Market, in Durban's Warwick Junction.

This comes after more than four months of hostility between the city and the traders. The city wants to relocate the traders from the market to make way for a multimillion-rand development of the area, which would include a R400 million mall.

Provincial government spokesman Ndabezihle Sibiyi said the cabinet had been informed about plans to reconfigure Warwick Junction, and the need for refurbishment of the area was understood.

"The cabinet has directed that due sensitivity must guide the process of resolving this matter, while the matters of unlicensed traders is being managed. We are very concerned about the plight of the informal traders.

"There is an urgent need to protect the street traders, since the area of small business development is a priority of the government, especially in times of recession. While the municipality is handling this matter, the provincial government has resolved to send a delegation of MECs to support the municipality and informal traders in finding an amicable resolution to this impasse," Sibiyi said.

The Mercury yesterday visited the new temporary trading site being prepared for the traders at the corner of Market and Johannes Nkosi (Alice) streets, where the traders would move at the end of next month. It is about 350m away from the current market.

The traders would operate there for six months, without paying rent, before relocating to a new permanent site.

eThekweni Business Support and Markets Unit official Thulani Nzama said a feasibility study would determine the location of the permanent site. The temporary site consists of two marquees and would be L-shaped when combined with a building currently being refurbished to house additional traders.

"Four hundred traders will be accommodated in the marquee site and about 300 in the building, without being squashed. The marquees are a temporary intervention while the relocation is being finalised. The sides (of the marquees) will be removed during trading hours and put back afterwards, while the developer installs corrugated iron roofs and steel sides," said Nzama.

It would take three weeks to fully develop the site, where the traders would be allocated one stall each.

"Some people have 15 stalls, and it's unfair. It's high time that other people also get opportunities," said Nzama.

He said the site would still enjoy foot traffic considering that it would be based next to the northbound transport mode.

The Early Morning Market Association and the city welcomed news of the KZN government's intervention.

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www.iol.co.za

Zim protest 'was very helpful'

June 19 2009 at 08:18PM

A protest by Zimbabwean refugees at the Home Affairs office in Durban on Friday ended in a meeting with department officials.

"The meeting between the two parties was held in a cordial atmosphere and was very constructive," said Home Affairs spokesperson Ronnie Mamoepa in a statement.

"Leaders of the picketers were given an opportunity to present their grievances to the regional management of Home Affairs."

The protest was organised by Zimbabwean political party Movement for Democratic Change (MDC).

MDC regional spokesperson Shepard Zvavanhu told Sapa: "The meeting was very helpful and we came to a mutual understanding."

According to Mamoepa: "The meeting agreed to establish a mechanism to allow for an ongoing interaction between home affairs department and representatives of the Zimbabwean nationals."

The MDC was protesting "apparent segregation" at the department and conditions inside the office. It also wanted the process for granting asylum to be speeded up.

Zvavanhu said the MDC called for the picket because refugees were getting sick while waiting in long queues outside the Durban offices. Refugees were going for days without drinking water or eating food.

"The home affairs department does not allow them to use water inside the building and there is no running water outside, and people are there for about three to four days, queueing in lines. At night, there are over 400 people in a queue."

"The refugees have no resources. We help each other out at times. Women and children standing there are going hungry and are dehydrated."

The party was distressed to find that some refugees had even collapsed in the queues. The asylum seekers did not have access to toilets and were forced to urinate in an open site, which was "humiliating and unhygienic".

"The department takes far too long to issue asylum papers and that needs to change," Zvavanhu said.

Mamoepa hoped that the "mechanism" put into place between the department and Zimbabweans would foster positive relations between the two parties. - Sapa

Zimbabwean refugees sorting out asylum papers were allegedly assaulted by home affairs officials, Zimbabwean political party the Movement for Democratic Change (MDC) said on Friday in Durban.

MDC district chairman Nhamo Chikowore said there was "apparent segregation" at the department.

He accused officials of ignoring Zimbabweans while other foreign nationals were

attended to.

He was speaking at a picket called by the MDC to get the department to speed up the issuing of asylum papers, which the party claimed took about four months.

By 10am, some 15 MDC supporters were picketing outside the Moore Road home affairs department.

Police spokesperson Inspector Michael Read said there had been no incidents at the department thus far.

"We are not aware of any violence there."

Home Affairs department spokesman Ronnie Mamoepe said he would comment on the matter shortly.

Earlier, regional MDC spokesman Sheperd Zvavanhu said the party called for the picket because refugees were getting sick while waiting in long queues outside the department offices in Durban.

"The home affairs department does not allow them to use water inside the building and there is no running water outside, and people are there for about three to four days, queueing in lines.

"At night, there are over 400 people in a queue."

Refugees were going for days without drinking water or eating food, he said.

"The refugees have no resources. We help each other out at times," he said.

"Women and children standing there are going hungry and are dehydrated."

Zvavanhu said the party was distressed to find that some refugees had even collapsed in the queues.

The asylum seekers, he said, did not even have access to toilets and were forced to urinate in an open site which he described as "humiliating and unhygienic".

"The department takes far too long to issue asylum papers and that needs to change," said Zvavanhu.

A memorandum detailing the concerns would be handed over to the department. - Sapa

www.mg.co.za

KZN doctors vow to intensify strike

DURBAN, SOUTH AFRICA Jun 25 2009 10:14

Striking doctors in KwaZulu-Natal on Thursday embarked on a campaign to cajole their counterparts in other parts of the country to join them.

The strike over pay and working conditions started in KwaZulu-Natal four days ago and has crippled public health institutions in urban areas such as Durban and Pietermaritzburg.

Some doctors in other provinces had downed instruments.

Dr Shailendra Sham, one of the striking doctors, said he was in Cape Town on Thursday to mobilise other doctors to join the strike.

"I have just landed in Cape Town and other guys are in Gauteng to mobilise. We want to intensify the strike because we are not happy with the offer."

While the Congress of South African Trade Unions welcomed the pay offer announced by Health Minister Aaron Motsoaledi on Wednesday, striking doctors in KwaZulu-Natal had rejected it and not returned to work.

"The strike continues because we are not happy with the offer," said South African Registrars' Association president Lebogang Phahladira.

The new packages would cost the government more than R1-billion and would be implemented from July 1, if accepted by the unions. -- Sapa

The Mercury

Police open fire on angry Lindelani residents

June 24 2009 at 07:30AM

By Ntokozo Mfusi and Kamini Padayachee

Police on Tuesday fired rubber bullets and used water cannons to disperse a crowd that had gathered at Lindelani, near KwaMashu, to protest against their ward councillor, whom they say failed in his duties.

Residents blocked streets with rocks, trees and burning tyres to prevent traffic from

entering or leaving the township.

A spokesperson, Bonginkosi Mbonambi, said councillor Sikhumbuzo Myeza had done nothing to improve the area.

A housing development project had stalled since he had been installed in 2006, and he took decisions without informing residents, Mbonambi said.

The protesters also accused him of turning people away when they sought help.

However, Myeza saw the protest as a ploy by a few to get rid of him. He said it was not true that he did not address problems in his ward or consult the community.

""On June 14, I had a ward meeting where I invited the community and officials from various government departments and the police to tackle community issues."

Myeza said he held weekly consultation sessions at which residents could raise their grievances.

Police Captain Phindile Nxumalo said officers sent to the scene were pelted with stones. Two vehicles were damaged and nine protesters were arrested.

Officers used rubber bullets and water cannons to disperse the crowd. No injuries were reported.

o This article was originally published on page 3 of The Mercury on June 24, 2009

Union says strike will disrupt work on new stadium and airport

June 29, 2009 Edition 1

Sinegugu Ndlovu

Two major 2010 soccer World Cup-related developments in KwaZulu-Natal could come to a halt if a planned National Union of Mineworkers strike goes ahead.

The union is engaged in a wage dispute with the SA Federation of Civil Engineering Contractors. Despite negotiations being facilitated by the

Commission for Conciliation, Mediation and Arbitration, the matter remains unresolved.

The union is demanding a minimum wage increase of 13 percent while the federation is offering 10 percent across the board.

Union negotiator Bhekani Ngcobo said the strike would affect all civil engineering developments, including Joburg's Gautrain project, roads, Eskom power stations and dams. Key developments that would be hardest hit in Durban were Durban's Moses Mabhida Stadium, King Shaka Airport at La Mercy and the expansion of the harbour entrance.

He said the strike would go ahead 48 hours after the federation had been given notice. This would happen within two weeks.

Federation spokesman Joe Campanella could not be reached for comment.

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Latest on doctors' strike

Last updated: Wednesday, July 01, 2009 Print

The Eastern Cape provincial government has filed an application for an urgent interdict against striking doctors, its health department said earlier this week.

The application was filed in the Port Elizabeth Labour Court on Tuesday and was expected to be heard on Wednesday, spokesman Sizwe Kupelo said. Notice of the application had been served on the strikers.

"We advise them to return to work with immediate effect," he said.

Earlier on Tuesday, health MEC Pumulo Masualle met striking doctors in Port Elizabeth. Kupelo said though he promised to address their grievances over working conditions, he was firm that they should return to work pending the outcome of pay talks in Pretoria.

Kupelo said the meeting was one of a series Masualle had been having with strikers since last week in various centres.

The Port Elizabeth strikers had raised a number of issues besides their salary concerns, related to conditions at the hospitals where they worked and the management of those institutions. The MEC accepted that some of their complaints were genuine and required urgent attention, Kupelo said.

FState health dept handed grievance list

State doctors at three Free State hospitals handed the provincial health department a list of grievances on Tuesday. It included requests for better salaries and working conditions, the department's spokeswoman Lorato Gomolemo said in a statement.

"At this point the department is unsure of how long the strike action would take, however plans are in place to deal with the situation."

At the National Hospital in Bloemfontein five doctors, some dentists and pharmacists did not arrive at work. A small group of medical practitioners met outside the hospital in the morning to discuss the current wage dispute. During another meeting in the afternoon it was announced that they had been given permission to hold a protest march on Wednesday.

The group meeting at the National Hospital said they were protesting for better working conditions. "We want a correction in salaries, medicine at clinics, not only hospitals, we want equipment and posts to be filled," one of them said.

"We do not want tea, coffee, BMWs or houses. It's about normal care for patients."

Fired KZN docs may reapply

Posts for recently fired doctors would be advertised soon and dismissed doctors would be allowed to apply, KwaZulu-Natal health MEC Sibongiseni Dhlomo said on Tuesday afternoon. "We will allow them to reapply but they will have to explain thoroughly why they left patients and also sign that they will not do it again."

On Monday more than 200 doctors were served with dismissal letters by the KwaZulu-Natal health department. They were dismissed after they defied a Durban Labour Court interim interdict compelling health care professionals to return to their posts.

Dhlomo said his department would make submissions to national government about the number of doctors it needs from other countries, which had indicated a willingness to provide doctors.

"Other countries have always been willing to assist South Africa with doctors. They

have done it before. Such arrangement is done by the national government through its diplomatic relations processes," said Dhlomo.

He was pleased that 700 doctors who had been on strike had returned to work since the department issued an ultimatum last Friday. - (Sapa, June 2009)

Doctors' talks continue

29 June 2009, 09:09

Talks on a salary dispute between the government and medical workers are set to continue on Monday.

Discussions at the Public Service Bargaining Council between the health department and the organisations representing doctors and other medical workers were on Friday adjourned until Monday.

"We still have differences on certain issues. There are issues that are being ironed out," SA Medical Association chairperson Norman Mabasa.

Health spokesperson Fidel Hadebe said the adjournment would give all parties the opportunity to report back to their constituencies.

"The discussions are continuing," said Hadebe.

Doctors at several hospitals countrywide embarked on an illegal strike earlier this month to protest against the so-called Occupational Specific Dispensation, which is an adjustment of salary grades for public servants.

Several hospitals have warned that doctors would be dismissed if they continued staying away from work.

On Friday, both parties were still at loggerheads regarding the salary

increment issue.

This was despite an announcement by Health Minister Aaron Motsoaledi that some of the country's lowest paid doctors had been offered a 53 percent pay increase. - Sapa

Medics to ignore court order

Strike doctors to face probe

June 29, 2009 Edition 1

Kamini Padayachee & Jeff Wicks

SIXTEEN Durban doctors are being investigated for refusing to attend to patients during their strike for better pay and working conditions, the Health Professions Council of SA has announced.

This as striking doctors in Durban refused last night to heed government threats of disciplinary action and vowed that their crippling action would continue into its second week today.

On Saturday, the Labour Court in Durban granted the Health Department an interim interdict compelling health care workers to return to work.

Speaking at a meeting of health care professionals last night, Dr Shailendra Sham noted that the meeting had been called to inform striking doctors of the progress made in negotiations between their unions and the department.

"I have been interdicted so I cannot aid, abet or prolong any strike action. All the doctors have individually decided to strike, no one is

telling them to.

"(Doctors) have been left no other legal recourse (but) to demand better remuneration.

Surgeries

"Any form of strike action, even go-slows, are illegal. We all knew what we were getting into from the beginning."

Medical professionals have been on strike since last Monday. The strike has virtually shut down most state hospital services in KwaZulu-Natal, with many hospitals performing only emergency surgeries.

In a statement, the council said it would begin its investigation into the conduct of 16 Addington Hospital doctors today.

"We will begin an investigation into a complaint received involving 16 doctors from Addington Hospital's paediatric department for allegedly refusing to attend to life-threatening emergencies due to their participation in the illegal strike action."

Council spokeswoman Bertha Peters-Scheepers would not say yesterday what emergencies the doctors had failed to attend to.

"We received the complaint last Thursday. At this stage we cannot provide details on what the emergencies were and who laid the complaint."

ER24 reported that its paramedics had to deliver a baby on the back of a bakkie on Saturday afternoon. The woman was in advanced labour when her husband brought her to the hospital. He was told to take her to another facility because there were no staff to deliver the baby.

The baby and mother were admitted to the hospital after the medics used the bakkie as an impromptu labour theatre and safely delivered the baby. Health MEC Sibongiseni Dhlomo said that the department had also laid a complaint about striking doctors with the council.

"The department laid a separate complaint (on Saturday) regarding doctors from six hospitals in Durban who have not been at work because of the strike and as a result have compromised patients. We have given the council the names of these doctors and we expect them to investigate.

"According to the interdict, they must go back to work immediately. If they do not, we will do what the law prescribes and carry out disciplinary inquiries and dismiss them if necessary."

Norman Mabasa, spokesman for the SA Medical Association, which is negotiating with the government on behalf of the strikers, said that talks would resume at the public service bargaining council today. The council had set tomorrow as the last day for talks.

Mabasa said the doctors were unhappy with the salary increases Health Minister Aaron Motsoaledi announced last week.

"The doctors have generally expressed dissatisfaction with the increases because some will be well remunerated and others will not."

ANC Accuses Strikers of Killing Patients

26 June 2009

The African National Congress and Cosatu in KwaZulu-Natal have released

a press release condemning doctors for their "unprofessional" strike action in the province.

In a strongly worded statement, the alliance partners suggested doctors were being unreasonable and had thwarted attempts by National Minister of Health Dr Aaron Motsoaledi and the provincial MEC, Dr Sibongiseni Dhlomo, to reach an agreement.

They accused doctors of refusing to stick with the process and channels available to them.

The statement goes on to blame the callous strike action for the deaths of patients and to welcome threats of dismissal against striking doctors.

Here is the full text of the press release:

"The Alliance in KwaZulu-Natal appeals to the striking doctors to put the lives of patients first and to return to work with immediate effect.

As the Alliance we condemn the unprofessional manner in which certain individuals want this matter to be addressed.

"While we understand and sympathise with the working conditions and salary complaints of the doctors, we cannot condone this continued illegal strike which has become somewhat of a wild cat strike.

"As the Alliance we believe that the government has done its best and shown its commitment improving the working conditions and salary complaints of doctors.

"The National Minister of Health Dr Aaron Motsoaledi has even gone to the extent of making the government's offer public before even tabling

it at the Bargaining Council which was an unprecedented move.

"The MEC in KwaZulu-Natal Dr Sibongiseni Dhlomo has also engaged with the doctors directly and even presented them a proposed offer in an attempt to resolve the matter at hand.

"It has however become apparent that doctors in KwaZulu-Natal do not want to use the proper channels and platforms to resolve their challenges and are prolonging this illegal strike unnecessarily.

"Their callous actions have led to the deaths of patients with many other patients in critical condition not being attended to. This goes against the principles of the Hippocratic Oath that these doctors pledged when choosing this selfless career.

"As the Alliance we therefore support the Department of Health's decision to take decisive action against those doctors who refuse to return to work. We urge these doctors to put the interest of the people at heart and to further consider the implications of this unprotected strike and return to work with immediate effect.

"We also urge all members of the ANC, Cosatu, the South African Communist Party and SANCO who are part of this strike to pull out and return to work with immediate effect.

Furthermore we call on all retired doctors and medical professionals to help by offering their services in hospital where there is a shortage of doctors."

<http://allafrica.com/stories/200906270013.html>

Bus drivers blockade N2 Highway to Durban Airport

29 June 2009

Scores of Remant Alton busses are blockading the N2 Inkosi Albert Luthuli Highway to the Durban Airport. The blockade is believed to be part of a protest by the bus company's drivers who will be unemployed from tomorrow. The bus company opted out of the contract to run the municipal busses earlier this month.

The busses will stop operating in the city from tomorrow. This is expected to create a huge transport crisis in and around Durban as thousands of commuters, including learners and pensioners, will be left stranded. Spokesperson for the Transport Workers Union of South Africa (Tawusa), Mike Biyela, says the drivers have not been paid any salaries or severance packages. It is reported that truck drivers have also joined the bus driver's blockade in solidarity. Bus drivers at Ntuzuma north of Durban have indicated they will also be joining the protest. There are also reports that Remant Alton buses have been abandoned around the Durban city centre and there is a major traffic backlog on the M4 off-ramp from the Victoria Embankment to the airport.

Source: www.arrivealive.co.za

*** IFP to protest market development

Sapa Published: Jul 03, 2009

IFP leaders in the eThekweni region are organising a massive protest against a

proposed multi-million rand development at Durban's Early Morning Market, the party said on Friday.

"We unequivocally condemn the unjust and arrogant manner in which the eThekweni Municipality is treating the traders and the brutality of metro police," said IFP eThekweni district chairman Mdu Nkosi.

Chaos broke out at the market two weeks ago when the city began removing traders to make way for the multi-million rand development, which will include a mall.

Metro police were accused of assaulting traders who resisted being removed.

Nkosi accused the municipality of using the apartheid-style tactics on traders.

"We have proof that the municipality sends police to harass traders on daily basis,"

He said the protest would take place very soon.

KZN doctors call off their strike

Wa2009/07/03

Durban - KwaZulu Natal doctors yesterday called off a strike that saw close to 300 doctors fired.

The doctors will resume work this morning.

Doctors took a decision to suspend the strike after a marathon meeting with Cosatu president Sdumo Dlamini and SA Medical Association (Sama) representatives at the Nelson Mandela School of Medicine here.

Dlamini persuaded the striking doctors to end their protest, saying South Africa could not afford another day without doctors. - Sapa

Strike threat looms large

July 06 2009 at 07:18PM

By Sinegugu Ndlovu

Members of the National Union of Mineworkers (NUM) could go on strike from Wednesday, disrupting work at Durban's major 2010 projects, including the Moses

Mabhida Stadium.

The South African Federation of Civil Engineering Contractors and NUM deadlocked in negotiations over wage increases and other benefits last week.

The federation lodged an application in the Labour Court in Johannesburg in a bid to avert the strike on Friday. However, the court ruled on Monday that NUM members could go on strike.

The federation had used a peace obligation in its agreement with the union to try and avoid the strike. According to the agreement, NUM could not strike while the agreement, which expires at the end of August, was valid.

However, the court did not find there was a prohibition of a strike in the clause.

NUM was demanding a 13 percent wage increase while the federation was offering 10.4 percent. Other key demands included a R300 allowance for construction workers and the extension of family responsibility and paternity leave from three to five days a year.

NUM spokesperson Bhekani Ngcobo said key Durban developments that would be affected included the stadium, the King Shaka Airport being built at La Mercy and expansion of Durban Harbour. He said the union would not budge from its demands and the strike would go ahead as planned if the federation did not accede by 12pm on Wednesday.

Federation spokesperson Joe Campanella said the union's package of demands equated to an increase of almost 63 percent. "No one can afford it, but our doors remain open for negotiation," he said.

Durban stadium protest dispersed

Sapa Published: Jul 08, 2009

Protesting construction workers were forced to disperse minutes after they had gathered at Durban's Moses Mabhida stadium today.

"Their application to protest here was turned down by the Ethekewini Municipality. We want them to leave now," said Durban metro inspector Danny Pillay.

Workers at the stadium downed tools at midday demanding better pay.

By 12.30pm workers were slowly leaving the site where they were protesting.

Municipal manager Mike Sutcliffe was not immediately available to explain why the application was turned down.

The projects affected by the strike are Durban's Soccer World Cup Moses Mabhida stadium, King Shaka International Airport and the widening of Durban and Richard's Bay harbours.

Addressing workers at the Moses Mabhida stadium earlier, National Union of Mineworkers representative Bhekani Ngcobo said the union would make sure that the employers did not use scab labour during the strike.

He accused CEOs of big construction companies of awarding themselves fat salary increments. He said the unions wanted to ensure that no construction worker earned less than R4000 a month in 2010.

The unions were demanding a 13 percent increase while the employers wanted to give them 10.4 percent.

Deadlines for the completion of soccer World Cup projects would not be met if the strike was prolonged.

09/07/2009 20:43:19

NUM sorry over crime at protest

KATLEGO KALAMANE

JOHANNESBURG - The National Union of Mineworkers (NUM) said yesterday it regrets the instances of crime committed by some of its members at Cape Town's Greenpoint stadium.

The statement came amid media reports that a number of disgruntled workers were behaving violently and police had to use stun guns to disperse the group.

NUM spokesman Shane Chosane said the union would look into the reports as some of the protesters were not affiliated to the union.

He added that they were communicating with their Cape Town branch regarding the matter.

NUM further called on its members not to participate in any violent activity and not to incite violence during protests.

Durban Metro police spokesman, Senior Superintendent Joyce Khuzwayo said

protesters at Moses Mabhida stadium were not protesting but were rather sitting outside the stadium.

This after their application to protest at the stadium was turned down by the eThekweni Municipality on Wednesday.

katlegok@citizen.co.za

City public meeting to discuss Warwick plans a complete farce

Words: Dr Lubna Nadvi (Political Science lecturer at UKZN and member of the EMM Support Group)

The eThekweni city management presented its plans with regard to the proposed development of the Warwick Junction area (referred to as the Warwick Junction Precinct Plan) to a public meeting on Friday, 10 July at the ICC Durban.

City Manager Dr Mike Sutcliffe called attention to the rationale and reasons for the development, which were, as he argued, primarily around re-organising the public transport systems of the greater eThekweni region which converged in the Warwick Junction. This included the buses, taxis and trains that shuttled commuters from the outlying centres of the city to the centre. He outlined the vision of the city management, which included:

- a. Optimising the road based system, by rationalising and consolidating public transport
- b. Reducing traffic accidents in the area
- c. Creating a predominantly pedestrian preference corridor
- d. Consolidating and developing land uses for commercial, social and heritage activities
- e. Building a Mall (to be called Warwick Mall), which would provide commuters with retail, recreational and other facilities
- f. Eventual establishment of a single ticket system which would enable commuters to travel on any mode of transport, using a single ticket

However in order to achieve this vision, the city would have to radically alter the current spatial arrangement of the Warwick Junction, which would include:

- a. Demolishing the historic Early Morning Market (EMM), in order to build Warwick

Mall. The retail development would begin from the Berea station area and extend into the EMM vicinity

b. Initial physical relocation of about 267 informal traders from their current areas of trade to other sites. In effect about 3500 informal traders would be affected by the development in various ways, as they will have to physically vacate their current areas of trade, in phases

Dr Sutcliffe claimed that 4 groups of traders would be most affected by the development, and that 3 of these groups had evidently agreed to the proposed changes, and were satisfied with arrangements that would be made to house them temporarily, whereas the EMM group of traders had refused and were pursuing legal options to ensure that the EMM market structure was not demolished. The city had proposed to the traders of the EMM that they could be temporarily housed in a building called the Materials Management site which is about 300m from its current location, while the mall development took place. The EMM traders have rejected this option.

Further to the presentation of the plans, Dr Sutcliffe said that as a result of nationwide budget allocations being given to the cities hosting the 2010 Soccer World Cup, eThekweni was being offered R1.5 billion rand, by an investor, to carry out the Warwick Junction development plans, as part of upgrading the city in preparation for the World Cup.

During the discussion and feedback session, it became apparent that most people were not opposed to the idea of improving the public transport system in the city. However there was clear opposition to the proposed tearing down of the EMM structure and building a mall in its place. People who supported the retaining of the market, argued that the historical significance of the market was a primary consideration in preserving it, in addition to the fact that it was a place where fresh produce was extremely affordable. A mall structure would inflate the prices of goods, and push informal traders out of the space, as well as reduce their customer base.

However it also became clear that the majority of the people present at the meeting were pro city Council and pro ANC supporters, who had been bussed in and promised food at the end of the meeting, in exchange for publicly expressing their support of the Mall development. In effect the meeting had been rigged, with the voices of the traders hardly being heard, and the academics and activists who supported the cause of the EMM, being ridiculed as being "anti-development for African people".

The most shocking aspect of the meeting was the racialised language being used by members representing the city management, in order to try and co-opt the house to support the development plans. Dr Sutcliffe referred to the EMM as being the Indian market on more than one occasion, attempting to create the impression that those

who were fighting to keep it, were actually pro Indian and by implication anti-African. Any trader or patron who walks through the EMM would know very clearly that the market caters to the needs of people of all race groups, and has been one of the successful commercial hubs in the city where traders from all backgrounds have managed to co-exist harmoniously. It is in fact an ideal example of commercial prosperity for residents of the city, who have been historically disadvantaged.

The city made reference to the fact that it was terminating the leases of all traders as of 31 July 2009. These traders would then have to re-apply for permits for trade. While the issue of illegal traders and corruption was highlighted as being an issue by the city, this move by eThekweni can only be seen as a bullying tactic to try and demobilise the political solidarity between traders, and create friction between the "legals" and "illegals".

What is actually unfolding here, is that people are being duped into accepting the mall development plans, as something that will benefit them in future, and provide them with the potential to prosper. Sadly however the reality will be that the air-conditioned environs of a mall will eventually push out the small business individual and informal traders, and when the commuters for whom the mall is supposedly being built, have to reach deep into their pockets to pay for the "goods" and "services", they currently can get at reduced rates, they will prefer to shop at their local spaza shops nearer to their homes.

In the final analysis, no one is denying that the Warwick Junction should be upgraded. Cleaner streets and trading areas, smooth public transport systems, more food and beverage carts and the like would be a welcome addition to the area. However, when a historical site is torn down in the interests of lining the pockets of a small number of business developers, it is not the "people" who are benefiting, but a small elite who will be smiling all the way to the bank.

It will indeed be a sad day for the city of eThekweni and the country when a hundred plus years of history is wiped out, if the EMM is demolished at the hands of the current ruling party. And when the ANC celebrates its 100 year anniversary in 2012, it will be in the knowledge that their own legacy is tainted with having committed a crime that their forefathers and foremothers, will never forgive them for.

While eThekweni's municipality aspires to be Africa's most caring city, it has yet to prove that it cares about its history and legacy, which make the urban metropolis one of the most unique in the world. It must now be the people of the city who unite to show they truly care.

The Mercury

Barrow traders challenge city

July 13, 2009 Edition 1

Tania Broughton

Another court challenge aimed at halting the city's planned closure of the Early Morning Market is imminent.

Legal Resource Centre director Mahendra Chetty has confirmed that he had been briefed by the barrow operators, bovine head sellers and others to launch a Durban High Court application.

This comes after the barrow operators secured an interdict against the eThekweni Municipality and its officials, stopping an intended "permit" system and recent harrassment.

The barrow operators claimed in their urgent application before Durban High Court Judge Nic van der Reyden on Friday that the harrassment had only begun after they aligned themselves with the traders who were opposed to the market being shut down.

The city has given the traders until the end of the month to vacate the building, which will be demolished to make way for a R350 million shopping mall and taxi rank at the Warwick Junction site.

In an affidavit in urgent application, barrow operator Ntulakhe Mbali - the "induna" of the barrow operators who has been working at the market for 36 years - said officials had called the barrow operators to a meeting at the end of June, where they were told not to align themselves with the traders. It was at this meeting that the officials had mentioned the possibility of permits for the barrow operators.

"We rejected the proposal and questioned why this was being introduced if the market had little more than a month to operate."

A group then consulted with their lawyers at Durban's Legal Resources Centre and issued instructions to oppose the closure of the market. The day after lawyers' letters to this effect were sent to the municipality and the premier, the barrow operators were issued with a letter saying they had to apply for a permit to continue operating at the market. Mbali said the barrow operators were now under "constant threat" of not being able to work.

While the municipality initially opposed the application, an order was finally taken by consent in terms of which the barrow operators could continue to operate without a permit for 10 days. This was conditional on their presenting their barrows each morning to the market master for approval, in terms of the market's by-laws. The matter was adjourned until July 24.

The Mercury

'If they want blood then blood will spill'

16 July 2009, 11:25

By Ntokozo Mfusi

Gallery: Bus Drivers March

There was a tense three-hour stand-off between police and thousands of protesters, including disgruntled bus drivers, outside the Durban City Hall yesterday as marchers demanded the appointment of a commission of inquiry to investigate the collapse of the city's bus company.

Wednesday's protest has raised questions over whether the new bus company will be able to start operations on Monday as planned.

The group were protesting the loss of jobs and the removal of traders from the Early Morning Market.

Former Remant Alton bus drivers, traders and representatives of the South African Unemployed People's Movement demonstrated in a show of unity, marching to the City Hall to protest against a loss of jobs and the uprooting of the market.

The situation became tense when protesters were told that eThekweni Mayor Obed Mlaba was not available to receive a memorandum after their four-hour march through the city's streets.

In their memorandum, the bus drivers called for the appointment of a commission of inquiry to probe how Remant Alton was managed, including its finances, its appointments, and the receipts of its subsidy payments.

The bus drivers, who lost their jobs when the bus company shut down, demanded their jobs back "as well as a transfer of all employment contracts to the new service provider".

The protesters also called on City Manager Michael Sutcliffe to come out to receive the memorandum personally.

However, an official from the office of City Speaker James Nxumalo, Desmond Myeza, said Sutcliffe refused to come out.

The irate crowd then began to try to push their way past heavily armed police into the City Hall, loudly accusing city politicians of exploiting them.

Nozipho Mteshana, chairperson of the South African Unemployed People's Movement, said: "We will not go anywhere until one of the politicians that we voted for comes out and accepts this memorandum.

"If they want blood then blood will spill now," she shouted.

Others called for the removal of Mlaba and Sutcliffe.

After three hours of waiting in vain for Sutcliffe, they handed over the memorandum to Myeza and demanded that Sutcliffe sign it.

Transport Allied Workers' Union of South Africa national general secretary Zack Mankge maintained that they would ensure that no buses would run on Monday in the city.

Sutcliffe told The Mercury last night that it was "unfortunate that threats were made and I am sure the law will take its course".

He said he could not personally come out to receive the protesters' memorandum because no arrangements had been made with him to do so.

Opposition parties commented on the solidarity displayed by the different groups in the protest, saying that it should serve as a warning to the city that decisions could not be imposed on people without consultation.

Inkatha Freedom Party eThekweni deputy secretary Joshua Mazibuko said: "This should be a wake-up call to the municipality because there is not just one group involved here, meaning the concerns are widespread.

"It is at times like these where you realise that power tends to corrupt because the city is controlled by a huge party who tend to be a law unto themselves and not a part of the community."

DA provincial deputy leader Sizwe Mchunu echoed Mazibuko's sentiments, saying the DA had warned the city seven years ago that such a thing would happen if they did not put the public's needs first.

"People are saying they are tired of the poor service they are receiving from the city. They are tired of not being consulted on decisions and being victimised.

"Municipal officials and politicians should take this as a warning."

The bus drivers have given the city 48 hours to reply to their concerns, failing which

they would "take matters into their own hands".

The crowd dispersed after the signed documents were returned to them. About 1 000 bus drivers have been affected by Remant Alton's closure and about 800 traders will lose their livelihoods at the market.

Tansnat Africa CEO Mike Jesserman, whose company had been awarded the contract to take over the bus service, could not be reached for comment.

* This article was originally published on page 1 of The Mercury on July 16, 2009

Protesters besiege Durban city hall

16 July 2009, 16:30

By Slindile Maluleka

A peaceful march almost turned violent on Wednesday when more than 1 000 protesters waited three hours for city officials to receive a memorandum outside the Durban City Hall.

The protesters, including disgruntled bus drivers, took to the streets to demonstrate against the loss of jobs and the removal of traders from the market.

They have also called for a commission of inquiry to investigate the collapse of Remant Alton.

Two memorandums were handed to Desmond Myeza, an official from speaker James Nxumalo's office, who received them on behalf of city manager Michael Sutcliffe, who refused to come out.

The first was handed over by the South African Transport and Allied Workers Union (Satawu), which represents Remant Alton employees who were dismissed on June 29.

The second memorandum was from the South African Unemployed Peoples' Movement, which demanded a basic income grant of R1 500 for the unemployed.

Satawu's general secretary, Zack Mankge, who represented the drivers, said the decision by Remant Alton to dismiss its employees was political and threatened the smooth operation of buses.

"Here we have workers who have dependants and needs, and the idea of better job

creation is not there," he said.

"If you are a passenger who would be travelling on the new buses, you must know that you are boarding the transport at your own risk. If we have to, we will march every day to the city council, Transport MEC Bheki Cele's office and the eThekweni Transport Authority's offices.

"We will sleep there if we have to. If Sutcliffe does not come out and receive our memorandum, we will sleep here until he comes out to face us."

Transnat Africa, the bus company tasked with taking over the city's transport system, is expected to begin operations on Monday.

Ernest Nzuzo, a spokesman for the drivers, said only some of the Remant Alton employees were being offered jobs.

As protesters marched down Pixley ka Seme (West) Street in groups, they sang apartheid era songs including My mother was a kitchen girl, my father was garden boy, that's why I'm a socialist and converted president Jacob Zuma's Awuleth' umshini wam to Awuleth'imali yami mali yami (Bring my money).

On arrival at the city hall, they were informed that Mayor Obed Mlaba, who was expected to receive the memorandums, had left the previous day for Zimbabwe. Organisers then asked for deputy city manager Derrick Naidoo, who was declared unavailable, while Sutcliffe, who was on the premises, refused to come out to accept the memorandums.

Sutcliffe said he had a very busy diary and no arrangements had been made for him to collect the memorandums.

"It is unfortunate that threats are being made but I am sure that the law will take its course," he said.

"There was also no coalition in the protest, it was just different groups complaining and taking advantage of the fact that I have authorised one march."

The crowd at one stage threatened to enter the hall by force. Eventually, the protesters dispersed after signed documents were returned to them.

Transnat Africa CEO Mike Jesserman was not available for comment.

* This article was originally published on page 3 of The Daily News on July 16, 2009

City Press

18/07/2009 16:51 - (SA)

Saving the pavement economy

eThekweni municipality's plan to revamp Durban's Warwick Junction threatens the future of the city's hawkers and street traders. WONDER HLONGWA reports.

THOLAKELE Maphumulo stirs a hot pot of stew and fresh dumplings ready to be sold to the 59-year-old hawker's customers who are queuing outside her stall.

Maphumulo has been running her business for more than 20 years at Durban's Warwick Junction.

Also in business at the junction are meat sellers, a muti market (traditional herbs, lotions and potions) and the Early Morning Market where mounds of fruit and vegetables are sold.

But things could soon change for the purveyors of Durban's favourite dishes and its street traders as the eThekweni municipality is determined to move them to make way for the revamp of Warwick Junction, which will include a taxi rank and a new R400 million mall.

The idea, says the council, is to improve the image of Warwick Junction.

eThekweni metro says the area is seen as the main transport hub and gateway into the city of Durban and about 400 000 people who rely on public transport pass through this area daily.

Warwick Junction is overpopulated with traders, pedestrians and vehicles and it is clogged with rubbish, haphazardly parked minibus taxis and roadside entrepreneurs offering anything from fake designer clothes to traditional African dishes.

But to the defenders of the pavement economy, the decision to remove the hawkers threatens the legacy of almost a century of street trading and its history and could see some hawkers losing their livelihoods.

It is this history that has pitted eThekweni municipality against several civil society organisations who have rallied behind the embattled hawkers. Last week a Durban High Court judge provisionally passed an interdict prohibiting the city's police from demanding permits from trolley or cart pushers.

The trolley pushers had argued that this was another attempt to discourage trading in the area before they were moved to make way for the planned revamp. The matter was postponed to July 24.

However, Mayor Obed Mlaba is on record as saying that the construction of the new mall would begin by the end of this month.

The Legal Resources Centre, Cosatu and the SA Communist Party have consistently opposed the way the municipality has gone about dealing with the issue.

The provincial government has appointed a task team to mediate between the hawkers and municipality. Both parties are still making submissions to the task team headed by Economic Affairs and Tourism MEC Mike Mabuyakhulu.

But still the municipality seems determined to go ahead with the mall.

The city's head of business support and markets, Phillip Sithole, has said eThekweni would work with traders to find a permanent and suitable location for the hawkers and street traders.

While the legal battle continues, Maphumulo keeps doing what she knows best. But for how long? Only time will tell.

Shop invasion - 100 poor people held over looting of stores

23 July 2009

Canaan Mdletshe

NOWHERE TO RUN: Some of the unemployed people in Durban lie on the floor under police guard after they were caught looting groceries at a Shoprite store in West Street yesterday. PHOTO: THULI DLAMINI

RAIDED: Police stop Durban's unemployed people from leaving with groceries they looted from the Pick n Pay store at the Workshop shopping centre yesterday. The people, who were later arrested, are protesting over the government's failure to address their needs. PHOTOS: THULI DLAMINI

Related Content

The big demand - 'Give us a basic grant of R1500 or we'll wreak havoc'

MEMBERS of the SA Unemployed People's Movement went on the rampage yesterday afternoon, looting shops in Durban's city centre.

The movement, which claims to represent 26 million unemployed people in the country, had warned during last week's protest that if they don't get a positive

response from the municipality they would unleash their members to loot.

Nearly 200 people gathered yesterday morning and a decision to loot shops was taken. People, mostly women, went to Shoprite Checkers while others went to Pick n Pay.

Sowetan witnessed people carrying grocery items from the stores.

A cashier at Pick n Pay, who asked not to be named, said they were busy helping customers when the group of unemployed people came into the store and loaded groceries into trolleys.

"At first I thought it was a joke but when the group started singing freedom songs and going past the tills without paying I realised they were serious."

At Shoprite one member of the group chanted "Amandla", as he was led into a police van.

This made some of the members, who had not been arrested, pledge their support by accompanying their colleagues to the Durban central police station, where they were kept.

Nozipho Mteshana, the movement's national spokesperson, said what happened in Durban was "the beginning".

She said they marched last week to the city hall, where they asked the city's authorities to forward their memorandum to the Presidency.

"We made it clear that if we don't get a positive response from the municipality to our grievances, we would allow people to loot shops," Mteshana said.

She warned that unless their demand for a basic income grant was met more looting would take place.

"People are unemployed and those who had been working are losing their jobs daily and our government is doing nothing."

Police spokesperson Captain Khephu Ndlovu confirmed that 100 people were arrested.

"Fifty people were arrested at Shoprite in Smith Street. Of those arrested, 35 were women and 15 men. And at Pick n Pay at the Workshop Shopping Mall, 50 people were arrested, mainly women," Ndlovu said.

Ndlovu said police had been informed of the gathering and decided to deploy their members there.

"Had we not been there in great numbers the situation could have spun out of control," he said.

The people arrested are expected to appear at the Durban magistrate's court today to face charges of shoplifting or alternatively theft.

100 rampage through chain stores

Looting 'the tip of the iceberg'

July 23, 2009 Edition 1

Mercury reporter

A DURBAN sociologist says incidents of looting will become common as people become increasingly disillusioned with the pace of service delivery.

Mary de Haas, also a violence monitor, was speaking after about 100 people, members of the SA Unemployed People's Movement, were arrested for looting Durban city centre branches of Shoprite and Pick n Pay yesterday.

The group's chairwoman, Nozipho Mtshane, said they would continue their action until the government took them seriously.

"This is just the tip of the iceberg. I cannot stop the people because they are angry. We handed in a memorandum of demands to the city a week ago and gave them seven days to respond and they have not."

She said they would target big businesses until the government took them seriously.

Mtshane said yesterday's demonstration was a message to the government that people were hungry and were struggling to make ends meet.

"We want the government to provide the unemployed people of this country with a R1 500 a month basic income grant," she said.

Onlookers at the Shoprite store on Dr Pixley KaSeme (West) Street said members of the group ate roasted chicken, chips and other goods inside the store and loaded trolleys to take with them. Simultaneously, another group raided the Pick n Pay store in the Workshop shopping centre.

Heavily armed police arrived and closed down both stores. The looters inside the stores were then arrested.

Nompumelelo Xulu, who was inside the Shoprite store when the group arrived, said: "They began taking trolleys and putting groceries inside. A man who looked like their leader told them that he would give them a signal for when they should start eating food."

Police Captain Khephu Ndlovu said 44 people were arrested at Shoprite and 50 at Pick n Pay. They were charged with theft and with holding an illegal gathering.

Disgruntled

De Haas said such protests would escalate because people were unhappy with the delivery of services.

"I am not surprised that people are disgruntled. They have high expectations because the government has promised a lot, yet people are losing their jobs. This is a symptom of the failure of the people elected to government," she said.

Municipal manager Michael Sutcliffe said the looting should be condemned. "There seems to be a political element in this... it's true they handed in a memorandum last week and we know there is a lot unemployment and poverty, but they are not the poorest of the poor, which is why we feel there are other elements involved. The government is looking into the incident and will deal with this accordingly."

Journos barred from looting case

23 July 2009, 14:53

Reporters were on Thursday barred from attending the case of 90 people arrested for looting shops in Durban.

The first appearance of SA Unemployed People's Movement members was held in the basement of the Durban Magistrate's Court. The case was initially going to be held in Court 10, but the venue was changed and journalists were not informed.

After spending more than four hours waiting, reporters went to control prosecutor Nhlanhla Mkhize to demand permission to attend the proceedings in the basement.

"We cannot allow you to go down there because it is not allowed. We decided to do it there because we could not bring all of them to the normal court room. We did it for security reasons."

Journalists would be allowed to see the charge sheet later on Thursday, he said.

The movement's spokeswoman Nozipho Mteshane said members of her organisation would ask for free bail and deny the charge of theft, stemming from Wednesday's spree that took in Shoprite Checkers and Pick n Pay outlets.

"We were not stealing. We were just demonstrating. Taking food from the shops was a way of showing government that unemployed people are hungry. We stormed shops after other attempts of appealing for assistance failed."

She said they had written many letters to the government and also submitted memorandums asking for basic income grants for unemployed people. Mteshane claimed her organisation represented "millions" of unemployed South Africans. She vowed to continue organising similar protests, saying the state would not afford to keep all members of her organisation in jails.

"We will make sure that the soccer world cup is spoiled if our demands are not met."

Ethekwini municipality mayor Obed Mlaba and ANC secretary in KwaZulu-Natal Sihle Zikalala condemned the looting.

"Notwithstanding the constitutional right of people to strike and the plight faced by the unemployed, the looting of shops cannot be justified. We are disturbed by the movement's criminal activity. These are purely criminal deeds and they can never be tolerated," Mlaba said.

The municipality confirmed it received the memorandum from the SA Unemployed People's Movement a few weeks ago and forwarded it to the departments which dealt with grants.

"While concerns relating to unemployment may be genuine, we believe that yesterday's rampage accompanied by the looting was smacked with opportunism (sic), where criminals used the protest to satisfy their own selfish needs," Zikalala said.

He appealed to organisations to use the appropriate channels to voice their dissatisfaction. - Sapa

Traders take council to court

July 23, 2009 Edition 1

Kamini Padayachee

TRADERS at Durban's Early Morning Market in Warwick Junction believe the proposal to erect a shopping mall at the site is motivated by the municipality's

desire to create a "cosmetically appealing precinct" ahead of the 2010 World Cup.

This is contained in an affidavit submitted to the Durban High Court by Early Morning Market Traders' Association chairman Harry Ramlall.

The affidavit is in support of the association's application last Friday to have the eThekweni Municipality's decision to demolish the market set aside. The matter was adjourned when it came before the court yesterday.

The municipality wants to relocate traders from the market to make way for a multimillion-rand development of the area, which would include a R400 million mall.

In his affidavit, Ramlall said the market, established in 1910, is a heritage site and provides business opportunities for 700-odd traders.

It was also a source of employment for about 2 000 people, he said.

He said the city wanted an appealing precinct "to boost the egos of the municipal officials" at the expense of the traders' livelihoods.

Ramlall said the decision to demolish the market and relocate the traders was taken without consultation and public hearings.

He said the proposed alternative trading site was incapable of accommodating traders and their employees, and did not enjoy the same amount of passing trade as the present site.

The city wants the traders to move to the Old Material Management Building in Johannes Nkosi (Alice) Street, where tents would be provided.

Ramlall said it was unlikely that the provincial government task team, set up to resolve the dispute between the city and the traders, would find a solution before July 31.

In an advert placed in The Mercury yesterday, municipal business and markets unit head Phillip Sithole said the traders' leases and permits would be terminated on that date.

The Outrage of South Africa's Poor Threatens Their President, Jacob Zuma

By MEGAN LINDOW Megan Lindow 1 hr 13 mins ago

Time Magazine

South Africa's President Jacob Zuma has a problem: The very underclass that swept him into office last April on promises of delivering them a better life have run out of patience, and they're venting their outrage on the streets. Little more than a year after the country's impoverished black townships erupted in a wave of violence directed at migrants from neighboring African countries, tires are once again burning on the streets as crowds protesting the lack of resources in their communities clash with police in images sometimes reminiscent of the apartheid era. Recent weeks have seen a wave of angry and sometimes violent protests and strikes break out across the country. First, construction workers building stadiums for next year's FIFA Soccer World Cup - the world's most popular sporting event - walked off the job demanding higher wages. This week, it was the turn of those with no jobs, as unemployed people living in squatter camps went on the rampage, stoning vehicles, destroying buildings and looting stores to vent their anger over lack of jobs, houses and basic services like sanitation and electricity. (See TIME's look at the life of Nelson Mandela.)

As the global economic downturn drags South Africa into its first recession since the end of apartheid, such protests are likely to escalate, posing an acute dilemma for the President. Zuma catapulted himself into the leadership of the African National Congress (ANC) and then the presidency by championing the interests of those left behind by the market-friendly economic policies of his predecessor, Thabo Mbeki. Now, those who elected Zuma are demanding that he deliver on his promises, as the trade unions who played a key role in his power play within the ANC demand payback, and the fury of the economically marginalized escalates. But the recession, and South Africa's potentially vulnerable position in international capital markets, give Zuma little room to stray from Mbeki's policies.

The trade unions are certainly feeling empowered. After a week-long work stoppage on facilities being built for the World Cup for a week - a move which grabbed international headlines and frayed nerves in a country fearful of the consequences of falling short in its moment of global prestige as the first African country to host the tournament - construction workers negotiated themselves a 12% wage increase. Their success is likely to spur unions in other key sectors of the economy to follow suit. Teachers, miners and doctors have also recently staged strikes, and retail workers are about to do the same. But for those suffering without jobs, wreaking havoc seems to be the only path for seeking redress. (See pictures of South Africa, 15 years after apartheid.)

In the port city of Durban, on Wednesday, 94 members of a group called the South African Unemployed People's Movement, most of them older women, were arrested after they had stormed into supermarkets, grabbing food off the shelves. "This is just the tip of the iceberg, and I myself cannot stop the people because they are angry," the movement's chairwoman Nozipho Mtshane told the Star newspaper. The next day, as similar protests continued in areas around Johannesburg, the Western Cape and the northeastern province of Mpumalanga, the government warned that it

would not tolerate further violence. "We are not going to allow anybody to use illegal means to achieve their objectives," the national minister for local government, Sicelo Shiceka, told a radio station.

Protests over the lack of services are an ongoing phenomenon that periodically flares up on a larger scale, says analysts, who view them as a symptom of the widespread despair felt by those who remain mired in poverty 15 years after the formal end of apartheid. Last year's wave of xenophobic attacks, which left 62 people dead, were fueled by many of the same long-standing grievances over unemployment and lack of housing. While the ANC points to its record of building 3 million new houses and delivering electricity, water and sanitation to rural areas, unemployment - officially at 23.5%, though experts say it is actually much higher - is rising, and some 8 million people still live in shacks.

The mood among the poor hasn't been helped by the fact that wealthier South Africans have so far escaped the brunt of the recession. And the anger may have been fueled by the fact that many of the same politicians responsible for speeding up service delivery to the poor are conspicuously flaunting their own wealth. Two cabinet ministers have drawn fire in Parliament this month for splurging on luxury cars at taxpayers' expense.

Many of those starting to take to the streets now have voted for the ANC but feel that they have been forgotten by a government indifferent to their plight. And the government has allowed such sentiment to fester too long without adequately addressing it, says Hennie van Vuuren, head of the governance and corruption program at the Institute for Security Studies in Cape Town. "If anything, it was Thabo Mbeki's government that turned its back on these protests and did not address them," he told TIME. "You have this massive alienation taking place at the local level. People are taking to the streets because they feel there is no other way to get their voices heard." (See how South Africa is preparing for the 2010 World Cup.)

"The African National Congress has responded to the new surge in popular protest with the same patrician incomprehension under Jacob Zuma as it did under Thabo Mbeki," wrote Richard Pithouse, a politics lecturer at Rhodes University, in the Business Day newspaper. "It has not understood that people do not take to the streets against a police force as habitually brutal as ours without good cause. Government statements about the virtues of law and order, empty rhetoric about its willingness to engage, and threats to ensure zero tolerance of 'anarchy' only compound the distance between the state and the faction of its people engaged in open rebellion."

Where Mbeki suffered politically for maintaining the aloof bearing of a philosopher king, Zuma's man-of-the-people story and his common touch allowed him to trounce his rival - but it will only take him so far. "It will take real leadership to engage with the problems in these communities, and that has been sorely lacking," says van

Vuuren. "[Zuma] was the candidate who said he wanted to engage better with citizens, and that he is fundamentally pro-poor and a man of the people. This is the moment he needs to be doing it." But translating his promises into policies that can restore economic growth and deliver jobs and services to the millions who desperately need them will require a lot more than a common touch.

The Mercury

Appeal to Amafa thwarts market plans

July 29, 2009 Edition 1

Sinegugu Ndlovu

The eThekweni Municipality's intention to demolish Durban's Early Morning Market to make way for a multimillion-rand shopping mall is unlikely to go ahead at the beginning of next month as planned.

This is because KwaZulu-Natal heritage watchdog, Amafa's Built Environment Committee received the city's notice of appeal late on Monday, after the market traders had lodged objections against the demolition of the market - a national heritage site.

The municipality responded by appealing to Amafa's executive council. Should the Amafa council not grant the city permission to demolish the 99-year-old protected heritage site, the city can take the matter on appeal to KZN premier, Zweli Mkhize.

Amafa chairman Arthur Konigkramer said yesterday the city could not start work on the market site until it was given a permit by the council.

He said it would take about three weeks before the appeal process could start.

"How soon we start depends on getting the councillors together. That may take a couple of weeks," Konigkramer said.

Traders in final attempt to save historic market

Nivashni Nair Published: Jul 29, 2009

IN A last-ditch attempt to save Durban's Early Morning Market from demolition on Friday, traders will again approach the KwaZulu-Natal High Court in the city today.

About 8000 traders and street vendors, who stand to lose their livelihood if forced to make way for a R350-million mall at Durban's Warwick Junction, want the court to stop the demolition and renew their leases, which expire on Friday.

Romilla Chetty, secretary of the Early Morning Market Traders' Association, yesterday said the traders have not lost hope.

Despite opposition from traders, NGOs, academics and trade unions, the municipality is planning to demolish the 99-year-old market.

The 1860 Legacy Foundation was due to host a public meeting last night at which the progress of the team set up by KwaZulu-Natal Premier Zweli Mkhize to find a solution to the impasse between the traders and the city would be discussed.

An attorney at the Legal Resource Centre, Mahendra Chetty, said he would apply for a court order against the municipality today on behalf of the market's "barrow pullers", the informal workers who carry shoppers' purchases .

The Mercury

Workers leave trail of destruction

Deal follows strike rampage

July 31, 2009 Edition 1

GUGU MBONAMBI

After the countrywide strike by municipal workers had entered its fourth day, there was confusion last night as to whether or not an agreement had been reached between a union and the employers over their wage dispute.

The Independent Municipal and Allied Trade Union (Imatu) said it had accepted the employers' new offer of a 13 percent increase and an agreement was likely to be reached today, but the South African Municipal Workers Union (Samwu) said it was still locked in negotiations late last night.

The SA Local Government Association (Salga), which represents the employers, said a deal had been brokered with the unions. Salga executive Mzwanele Yawa said an announcement would be made today, adding that he expected all employees to be back at work on Monday.

Imatu regional manager Dempsey Perumal told The Mercury that the union had

been offered a 13 percent wage increase and had accepted it.

"The new wage offer will be implemented effectively as of July 1 and employees will receive their back pay next month," he said.

However, Samwu president Petrus Mashishi said nothing had changed and an announcement would be made after the union had consulted its members.

Meanwhile the Durban CBD was a sea of rubbish as a rampaging mob of striking municipal workers left a trail of destruction with filthy litter strewn all over the streets yesterday.

Armed policemen did little to contain the crowds as it trashed the city and tore bins from pavement moorings, hurling rubbish into the street.

On the North Coast, striking municipal workers sabotaged municipal property and smashed the main water supply pipe to Stanger and threatened to cut the electricity supply to other areas.

There were also reports of strikers taking to the streets near the Ballito Lifestyle Centre, north of Durban, and later breaking water meters outside homes there.

In Durban, shops along Dr Pixley KaSeme Street (West Street) were shut down and, in some cases, with customers locked inside for their safety as the strikers went on the rampage, overturning garbage bins. Vendors could not trade as the crowd marched by on its way to the city hall.

eThekweni Mayor Obed Mlaba urged the strikers to be calm and allow negotiations to continue.

"We know that when there's a strike there are certain war elements but there is no need to be violent. Everyone has the right to strike but do it responsibly because there are laws in the country and these will be applicable where the law is violated," he said.

Durban Tourism project executive Peter Bendheim regretted the trashing of the CBD, saying this created a negative impression for tourists.

"However, the entire country is facing a similar crisis. We hope our tourists understand that we are a young democracy and there are issues that still need to be resolved," he said.

Durban Chamber of Commerce and Industry chief executive officer Gugu Mazibuko decried the strike action, saying it had a negative impact on the city's economy.

The city's head of communication, Ntsiki Magwaza, condemned the destruction of

property, infrastructure, intimidation and disruption to business.

"The city is still assessing the damage caused during the march to the city hall and similar incidents within the municipality's jurisdiction. The city is also assessing the situation and the decision on whether to employ temporary labour has not been reached," she said.

Magwaza said the absenteeism figure since the beginning of the strike action by the two unions stood at 21 percent.

"Citizens were however asked at the beginning of the strike to pay for their municipal services at accredited shops and retail stores," she said.

Ilembe District Municipality has had to employ private contracting companies to help fix the waterpipe and valve, situated on a farm owned by Raj Bodasing, that supplies the town.

Ilembe District Mayor Welcome Mdabe said he had no problem with people who strike, provided that it did not affect ordinary citizens. "This can only be sabotage by municipal workers who knew where to go and what to do. Who else would do this?" he said.

Mdabe faced his second march in as many days when a crowd of striking workers walked into the offices of the district municipality to hand over another memorandum.

District municipal staff left the building as angry protesters forced their way into the building and starting threatening people inside.

Samwu branch secretary Nhlanhla Nyandeni denied that striking municipal workers had smashed the pipe and valve.

"Our strikes are known to be militant, however we do not destroy property," he said.

On Wednesday the water supply to St Andrews Hospital in Harding near Port Shepstone was cut off but Health Department spokesman Chris Maxon said he did not know if the incident was linked to the strike.

Plan to boycott stores signed for market mall

July 30, 2009 Edition 1

Sinegugu Ndlovu

CIVIL society groups and activists spearheading a campaign against the closure of Durban's Early Morning Market have vowed to do everything in their power to prevent the building's demolition, including calling a provincial and national boycott of the anchor tenant of the mall planned to take its place.

If construction of the proposed Warwick Mall went ahead at Warwick Junction, a boycott would be extended to retail outlets that opened shops there and to financial institutions that funded the development.

Traders at the market who are opposed to the planned development argue that the involvement of these institutions with the proposed mall has led indirectly to the loss of their livelihoods.

The resolution to embark on the boycott was adopted at a meeting on Tuesday attended by, among others, University of KwaZulu-Natal Professor Brij Maharaj, Durban attorney Ashwin Trikamjee, and Durban social activist Fatima Meer.

"The mass meeting resolved that if the market is demolished and the mall built on the ruins of the market, then we would consider initiating a boycott against the anchor tenant, which is a national chain store, and extend (the boycott) to all its national franchise stores," said Maharaj.

"With the support of Cosatu and the South African Communist Party, such a boycott would be very successful."

Meanwhile, at a press briefing given at the Diakonia Council of Churches centre yesterday, traders said they were optimistic that things would go their way.

This after the rejection by the province's heritage watchdog, Amafa, of the city's application to demolish the market, a national heritage site.

The city appealed this week to Amafa's council. The appeal process is to begin in about three weeks.

The city had planned to begin demolition at the beginning of next month.

"We addressed the traders a week ago about the legal process and the mood is optimistic," said Sagie Naidoo, a spokesman for the Market Traders Association.

Warwick Mall co-developer Themba Ngcobo said the developers were engaged in talks and commenting on a possible boycott would be premature.

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'nothing for people to fear'

Market stays open ... for now

July 30, 2009 Edition 1

Tania Broughton

DURBAN's Early Morning Market will not shut tomorrow after assurances by lawyers acting for the eThekweni Municipality that it would not resort to "unlawful action" to evict traders.

"There is nothing for people to fear," advocate Vinay Gajoo told Durban High Court Judge Herbert Msimang, who was hearing an application by the Early Morning Market Traders Association for an interim interdict, stopping evictions pending a review of the council's decision to lease the market to a private company.

It is intended that the historic building will be demolished to make way for a multi-million rand development of Warwick Junction, which will include a R400 million mall.

The case was adjourned yesterday to allow the private company, Warwick Mall Pty Ltd, to be joined to the application and to give time to Durban's Legal Resources Centre to file a similar review application on behalf of bovine head and chicken sellers who also operate from the market.

Both matters are then likely to be heard on the same day by the same judge and will be given preference on the court's roll.

Advocate Jay Naidoo, for the association, conceded in court that the private company should have been party to the application, but asked for interim relief, saying the traders were going to be evicted tomorrow, July 31.

However, Gajoo said this was not so.

"He is completely wrong about the 31st. The municipality and municipal manager Michael Sutcliffe have said they will not resort to unlawful or illegal action in seeking to evict people.

"If they (the traders) fail to leave on Friday, they will have to seek an order, possibly in this court, authorising eviction. There is no need for an interim interdict because the municipality has acknowledged that it has no right to evict without a court order."

Advocate Peter Olsen, representing the Legal Resources Centre, told the judge that

the papers in the second, separate application would be ready by Friday next week.

After a brief adjournment and discussions between the parties, an order was taken by consent, adjourning the traders' application.

"This is a such an important issue," the judge said.

"The sooner it is heard, the better. And all the applications should be heard at the same time."

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Stalwart trader celebrates 86th birthday

July 30, 2009 Edition 1

Jauhara Khan

Dressed in a mustard-coloured sari, Lutchmee Naidoo, one of the pioneer stallholders at Durban's Early Morning Market, celebrated her 86th birthday surrounded by fellow traders yesterday.

"I have all my friends here," she beamed at her fellow traders yesterday afternoon.

The stallholders celebrated the petite octogenarian's birthday and her years at the market with an emotional party at the market yesterday, many of them calling her "Aunty", "Gogo" and "Mother" as they embraced her and wished her the best.

Naidoo, of Phoenix, was 18 when she began working at the market 68 years ago with her late husband.

"I work here to keep myself fit," she said.

"Prayer keeps me healthy and protects me, and this has brought me to this age."

Her income at the market has seen her educate her children, and she has also used it to help those in need. A mother of four daughters and two sons, she shares a stall with tobacco salesman Asif Ismail, selling bananas, avocados and sweet potatoes.

Naidoo's birthday was in June, but plans to celebrate it were postponed when the eThekweni Municipality locked traders without permits out of the market. Police fired rubber bullets at protesting traders, and she was injured in the ensuing chaos.

The organiser of the party, former MP Loretta Rajkumar, was present during the

incident, and kept to her promise to celebrate Naidoo's birthday. "We had prepared everything for the special occasion and then the violence broke out. It was not fair to not celebrate because of what happened."

Roy Chetty, a member of the Early Morning Market Support Group, called Naidoo a "stalwart of the community", while trader Vinesh Singh hailed her as "the Mother India of the Early Morning Market".

Fellow trader Romilla Yeriah has worked with Naidoo for 43 years.

"She's a wonderful, talented woman who has built a life for herself from this market. God is keeping her strong; she will live 100 years more."

In the face of criticism, Warwick Junction developers put their side of the story

July 30, 2009 Edition 1

Themba Ngcobo

IN RECENT weeks the controversy over the relocation of traders from Durban's Early Morning Market has, understandably, attracted much publicity. In the process, a lot has been said about the proposed shopping centre planned for Warwick Junction. Regrettably, this does not always represent the facts.

To clear up the confusion, we the co-developers would like to present the facts.

The informal traders

We are responsible developers and proud of our track record of adding value to the areas we have invested in. So, we're gravely concerned at inflammatory accusations that our centre will drive informal traders out of the Warwick area.

In fact, the opposite is true. Informal traders will be an integral part of the centre, with some 270 traders having stalls in the new public space, Masigye Square, and be provided with ablution and lock-up facilities. Contrary to what some have suggested, we will not charge them a cent and they will continue to pay their licence fees to the city.

As for the Early Morning Market traders, we are unable to pre-empt talks between their representatives and the city, ahead of the work of the provincial task team, nor the outcome of any legal action. But we have indicated to the city our willingness to accommodate all traders, who will be selected in terms of city allocation criteria.

In all our discussions with the city, the relocation of the Early Morning Market

traders was to be a temporary solution, and never permanent. The alternatives were: an area for the trade of fresh produce in Masigye Square; to create opportunities within the new centre for fresh produce traders; and to establish within the Warwick Precinct a new fresh produce market with better trading and delivery facilities.

Why a shopping centre?

Some critics have questioned the need for a shopping centre and claimed that no research has been done on the subject.

As responsible developers contemplating a significant investment, we have done our homework. We commissioned a full feasibility study from the respected firm of development economists, Urban-Econ. The report indicated the need for a wider range of product offerings, and commercial and retail demand of approximately 31 000m² to serve the estimated 400 000 commuters who pass through Warwick daily. Our proposed centre is a conservative 21 000m².

Our tenant mix has been carefully matched to our anticipated customer profile on the basis of the study. Those who romanticise Warwick should note that just 5 percent of those interviewed found the area appealing at present.

Choice

Far from taking away choices from Warwick shoppers as has been suggested, the centre will provide extra choices. If customers wish to buy from informal traders, they will still be welcome to do so. We have no exclusivity clauses with our tenants forbidding informal trade in the centre or nearby. If customers prefer to buy from established, branded shops in a secure centre, that's their choice too.

Many, no doubt, will do both. At present they don't have that choice.

Support for the centre

In all the media coverage of this issue, much has been made of the opposition to the centre. Virtually nothing has been said about the overwhelming majority of Warwick stakeholders who support it. These include thousands of commuters and members of the public, the taxi industry, the Durban Chamber of Commerce and Industry, Warwick Street Traders Committee, ACHIB, eThekweni Informal Economy Forum (which includes all committees that represent traders in the eThekweni Municipality), and many more.

They back the development because of the many benefits it will bring in addition to a wider choice of retail offerings. Improved traffic flow will mean quicker journeys and shorter waits for taxis. The covered rank will provide security and protect commuters from the elements. Ablution facilities will provide hygiene and dignity.

Our track record

Critics of the proposed centre have alluded darkly to "faceless" developers and questioned our track record. Yet we have never made any secret of our identity.

As for our track record, individually and collectively, members of our development have been involved in numerous retail projects in underdeveloped areas around South Africa, including Orange Farm, Palm Springs, Sharpeville, Osizweni, KTC/Nyanga, Senaoane, KwaMashu, Richmond, Phuthaditjhaba, Tsakane and others.

More importantly, we have developed at intermodal precincts such as Park Central Station/Jack Minster Rank in Joburg and Noord Street, Pretoria. In both these CBD precincts, formal and informal traders operate side by side, reflecting the diversity of our country.

In all our developments we have always engaged with local communities, in the construction to the trading phases. All these projects have significantly improved the areas in which they were developed and we are confident we can use our experience and expertise to add similar value to Durban's busiest commuter hub.

The process with the city

Another common, but baseless, accusation is that the process that led to the city granting permission for the development was flawed.

We first approached Intersite, with a view to leasing air rights over the Berea Station in 2005. Intersite board approval was granted to us in May 2008.

In parallel and starting in 2007 we were involved in extensive consultation with the city's special project unit. The unit made it clear that any proposed retail development would need to include a fully serviced taxi rank and contribute to the city's goals of easing traffic congestion and providing easier, safer access for pedestrians.

It soon became clear that to accommodate all these needs our "air rights" would not be able to solve all these challenges and still deliver a financially viable development. Although we will continue to develop a portion of the "air rights", which is planned in the second phase, we asked the city to lease us an alternative site.

The unit was also very clear that all legal traders had to be accommodated as part of our development. These discussions were all part of the city's vision to rejuvenate the Warwick Precinct and, hopefully, serve as a catalyst for further investment.

All of this is clearly spelled out in the minutes of the council meetings at which the

development was discussed. These are public documents, available to anyone.

It should be clear from this that the process was neither "rushed" nor "secretive", as some have charged.

Heritage issues

We are extremely sensitive to the unique history of the Early Morning Market. We had planned all along to incorporate key elements of the market structure into the new development and we're open to suggestions on how we could do more in this regard and reflect the market's rich heritage as part of the overall development.

We hope this clarifies matters and puts an end to misinformed allegations surrounding our involvement in Warwick. We understand fully why emotions are running high. It's not our desire to see any honest, law-abiding trader's livelihood threatened.

We believe that a thriving, well-managed informal sector in Warwick is crucial for the success of our centre. To this end we will do everything in our power to ensure all legitimate traders are accommodated, either in the development or nearby.

Themba Ngcobo is a co-developer of the proposed Warwick Mall.

Yes to protest, no to vandals

July 31, 2009 Edition 1

AS THEY set off from Botha Gardens for city hall yesterday, marshals appealed to marching municipal workers not to trash Durban. Hats off to them for doing so - orderly protest and strikes are hard-won rights in this country, but vandalism and acts of destruction are not.

Sadly the hot-heads among the strikers did not listen, contaminating a legitimate demonstration for a better deal. Not content to make their point peacefully, almost as though they feared it was not sufficiently compelling, they wrought havoc by tipping bins and strewing refuse in their path.

It was done almost gleefully, inflicting disruption on others, flirting with thuggery, spreading the misery. While tossing about muck is less egregious than the arson, physical attacks and scale of intimidation we have seen elsewhere recently, it is a version of assault - criminal and unnecessary.

Union organisers have clearly realised it is counterproductive, and have been told so by the government. But their pleas for order have been ignored by a percentage of

strikers who persist in damaging their cause. Some did their worst in central Durban on Wednesday, and marchers scattered more health hazards and obstructions yesterday.

When confronted with this behaviour this week, residents of Underberg opted to act rather than the usual hisses of disapproval and shaking of heads. They picked up the garbage - only to have a repeat of the vandalism the next day.

Compared with other towns and cities, Durban's stoppages seem so far to have been less spiteful. This naturally wins a measure of sympathy with their quest for a decent wage.

However, other union officials who dither over the morality and legality of mayhem, murmuring about possible provocation, compound the injury to society. It is they who fail their members, and South Africa, by equivocating and failing to show clear leadership on the conduct of protest.

Subject: Press: Press Release: Response to Media Reports of a Racial Slur at Early Morning Market Meeting From: nselem@durban.gov.za Date: Mon, 3 Aug 2009 16:25:00 +0000 To: press@durban.gov.za

Press Release: Press Release: Response to Media Reports of a Racial Slur at Early Morning Market Meeting

This press release was emailed out at : 03 August, 2009 18:25

Media reports accusing the eThekweni Municipality Management and the Mayor, Cllr Obed Mlaba in particular for using racial slur at a meeting to discuss the Early Morning Market closure at the International Convention Centre are incorrect.

The Municipality would like to place on record that at no stage did the Mayor or Council Officials make racial remarks in any way at the meeting in question. Our assessment is that this is the work of peddlers who are desperately trying to politicise the Early Morning Market issue to accomplish their own agendas.

There are some reports that claim that the Municipality rented a crowd to fill the hall. This is very disturbing as members of the public, business people, community leaders, Durban Chamber of Commerce and SANCO Regional Office attended the meeting. More than 99 % people who were in attendance supported the Warwick precinct development.

While racial remarks are raised in the media articles, it is interesting to note that

there is nowhere in these reports wherein the Mayor or any other Municipal Official is directly quoted using racial connotations.

These articles also accuse the Mayor of addressing the meeting in isiZulu. We find this strange, as isi Zulu is one of the official languages in South Africa and it is widely spoken in the City. The use of the language was not meant to exclude any race group in the meeting.

The meeting was delivered in both isiZulu and English, except for the opening by the Mayor due to the meeting starting late and he had to rush to another engagement.

We view the publication of this information as misleading in the extreme and only aimed at sowing divisions amongst our residents. We call upon media houses to refuse to be used as platforms for any misinformation campaign.

Temporary market reprieve

August 03, 2009 Edition 1

Lyse Comins

DURBAN's Early Morning Market will stay open until the legal dispute between traders, barrow pushers and the eThekweni Municipality has been resolved.

This emerged on Friday at two brief Durban High Court appearances in two cases involving the traders, barrow pushers and the municipality that are currently before the court.

In the first case, traders had in June lodged an urgent high court application to interdict the municipality from evicting legal traders from the market building after market officials had closed the market, on several occasions in June, preventing traders from occupying their stalls.

In the second case, barrow pushers had approached the court three weeks ago in an urgent application for an order allowing them to operate at the market, after municipal officials accompanied by Metro Police in riot gear had demanded permits and prevented them from operating at the market. Both orders were granted.

On Friday, Acting Judge Gardiner van Niekerk extended both orders until finalisation of the court cases.

In the third case before the court last Wednesday the municipality opposed an application by traders to stop the closure and demolition of the market to make way for a shopping mall and to prevent the leasing of the property to Warwick Mall (Pty)

Ltd.

In court papers Harry Ramlall, a trader and chairman of the Early Morning Market Traders Association, said the market was a heritage site and a landmark tourist attraction. He also said more than 2 700 people depended on the market for their incomes.

All three matters have been adjourned.

<http://copetown.org/2009/08/05/scrounging-for-patronage/>

Sipho Ngwema

Scrounging for Patronage

In Discussion on August 5, 2009 at 8:39 am

Although the eruption of sporadic community protests has become a permanent feature of South Africa's political landscape - listening to the assortment of mumbo jumbo churned out by the ruling party leaders as they hopelessly attempt to find the source, you would swear that they have been throwing bones lately.

Their response clearly suggests that they have abandoned reality for a good bout of fantasy. Amazingly, none of them have pointed internally for the "third force". There's two significant issues that have intriguingly been disregarded in the service delivery protests media reports: Firstly, the theme song is Mshini wam, and this includes last year's xenophobic attacks. Secondly, the chief agent provocateurs are ANC activists.

There may be compelling grounds for struggling ordinary people to take to the streets - 15 years into democracy but millions still live squalor, die from poverty diseases, no access to clean water, no sanitation, no electricity, deteriorating health care system and joblessness, amongst many others. However, the actual motive behind the current disruptions in the various townships has very little to do with non-delivery.

There are political opportunists who play politics with the plight of our people. The advent of democracy ushered immeasurable challenges for the ruling party. Among these was the emergence of a clumsy scramble for resources and patronage which, in turn, resulted in the formation various factions in the several provinces. There has hardly been any ideological contest at the centre of these rifts. At the heart of almost all of these tussles is the proximity to resources. Regrettably, for very many activists of the ANC - party membership and activism is a conduit to livelihood.

Unfortunately, over the past few years the over simplification of these clashes which portrayed them as mere Mbeki/Zuma contestations gave a somewhat misleading

picture. Whilst many of them indeed found sanctuary in the respective camps during the period leading up to Polokwane - historically very many of these groups fell into the relevant cliques by default.

In his quest for power, one leader pulled together all those that considered themselves out of favour. They entrenched themselves in the political structures while the others were busy with the business of government. A new popular slogan was coined: "Dedelabanye" (Give way to others). This immediately gave a picture of a revolving door with a long queue of patronage seeking ANC activists - each impatiently waiting for a turn.

For example, in Gauteng media reports suggests that the current premier will now purge those aligned with the "Alex Mafia". These reports indicate that an instruction has been issued for the removal of all the companies that had benefited from the "previous regime". Not a word is said about the delivery record of the said companies and the possible disruption of services.

This, therefore, suggests that - now is the time for others to benefit. Mind you, this all follows the unexpected demotion of their provincial chairman with media which the media attributes to the offensive against the "mafia".

Furthermore, in the period leading up to Polokwane various leaders of the ruling party condoned and justified these violent actions as political expediency reigned supreme. In places like Khotsofong, leaders of the various factions of the ruling party played prominent roles in that area's mayhem.

Although the government had extensively explained the controversial decision and subsequently won all the legal battles in this regard, the protesters case seemed too heavy on emotions and sentimental attachments to the more prestigious Gauteng. In the end, however, the protesters prevailed without any plausible explanation from the government. The new administration somersaulted after its political opponents were recalled.

The ANC generally did not do well during the elections and therefore its ability to dispense large scale patronage was seriously hampered. Whilst these may be the days of milk and honey for ANC activists in KZN who currently enjoy an unparalleled political harvesting season - the going is tougher for others elsewhere. This is why, perhaps, there's unlikely to be serious political unrests in KZN.

Despite other political considerations in the dishing of patronage, the unprecedented performance of the ruling party during the elections in KZN has brought more job opportunities for party loyalists and good prospects of success for the imminent local government elections. Elsewhere, however, the ANC seats were seriously reduced resulting in some losing jobs.

The protests are nothing but the spillages of internal strife and groundswell of

impatience from local community leaders who couldn't be accommodated after in the April 22 elections. One ANC leader has asked a valid question: "How come are these protests not detected by the local ANC structures?"

The past elections have proven that, for now, that the ANC is the strongest community based organisation in South Africa. During the April elections the ANC used its local infrastructure, political machinery and unlimited access to finance to violently drive out COPE.

This was mainly in the same townships. Again, there's no other destructive force that can organise these widespread actions throughout the country than the ANC. In almost all these protests councillors are the biggest casualties. Although they are at coal face of service delivery, they are policy makers - theirs is to make policies and monitor their implementation.

The assumption, therefore, is that these are ANC policies, not the individual councillor's positions. The councils employ functionaries to implement these policies. However, senior council officials are in many cases always under suspension because there's someone itching for the position.

If so, why are the protest not directed at the floundering ANC policies? For many of these community activists who have risen to prominence following the deployment of others to government - five years is too long a period. It is at this point that political mischief becomes a weapon of choice. The unemployed leaders of the ruling party no longer have patience as demonstrated in September 2008.

However, it will take the ruling party more than just charm, rhythmic dances and songs to get out of this situation. This shameful political culture was allowed to thrive for many years as the present leaders used it as a convenient weapon to smuggle the current leaders into power.

Our challenge as South Africans is to be cautious during this time and concentrate on building alternative structures. Furthermore, we must go back to the communities and expose this contemptuous political opportunism. We must put our people first not the ANC community activists who are scrounging for patronage.

Post Office strike over 'apartheid pay'

21 August 2009

Canaan Mdletshe and Getrude Makhafola

SOUTH Africans can expect delays with their postal deliveries as thousands of post office workers are on strike.

The strike by about 9000 workers affiliated to the Communications Workers Union (CWU) enters its second day today.

Workers picketed outside the post office gate near Durban station in KwaZulu-Natal, preventing post going out or coming in. Some carried placards demanding a 6percent wage increase.

CWU provincial chairperson Cecil Mokhantso said the workers were not disputing the salary negotiations that were under way, but the discrepancies between salaries of white and black workers.

"The Commission for Conciliation, Mediation and Arbitration gave us a certificate showing a big salary abnormality between black and white workers, which they said we must address."

He said some white workers earned twice as much as black colleagues doing the same job.

Post office officials were meeting union representatives and were not available for comment.

CWU spokesperson Gallant Roberts said the discrepancies in salaries had been going on for more than ten years.

"We have been raising this with the employer for a long time, and every time they told us there was no money."

He said workers were protesting outside their respective workplaces and marches would take place next week Wednesday.

TRADERS WON'T BUDGE

2009/8/21

By Sne Masuku

Traders at the Early Morning Market in Warwick Junction have refused to move to an alternative site.

The traders, who occupied the Early Morning Market for more than 90 years, are refusing to make way for a shopping mall and have threatened to bring Durban to a standstill next week.

Retrenched Remant Alton bus drivers, who have not been taken on by the city's new bus service operator, are expected to join the protest marches.

More than 26 trader organisations have signed on to the city's development plans, but organisations representing the market traders have vowed that they will not move from their historic site in the city centre.

Gaby Bikombo of the World Class Cities for All campaign said they would meet next Wednesday to discuss a way forward .

Traders walked out of a meeting at the Durban City Hall last week after city manager Mike Sutcliffe announced a new plan for the mall.

The traders are waiting for a ruling on their court application not to moved .

Developers cannot resume construction until the ruling is handed down.

Source: Sowetan

Daily News

Clairwood, Bluff residents march over trucking issue

August 21, 2009 Edition 2

ARTHI SANPATH

After years of fighting with authorities over the trucking menace in their south Durban community, Bluff and Clairwood residents today marched through the streets to voice their frustration and call for action.

Rishi Singh, chairman of the Clairwood Ratepayers' Association, said: "The Clairwood community is now totally fed up." Between 400 and 500 people, carrying a coffin to symbolise the deadly impact trucking has on the area, marched to the Metro Police reporting station in Flower Road to hand over a memorandum.

Community leaders said emotions were running high, and that there had been talk of some people wanting to take the "law into their own hands" over the deaths and serious injuries caused by speeding trucks.

The memorandum called on the city to give the communities an answer by October about what would be done to stop businesses and trucks operating in their community. Singh said he did not understand how the businesses were allowed to operate in the area, when Clairwood was still designated a special residential area.

Eyewitness News

Threats of stronger protest action as retailer wage deadlock continues

Imraan Karolia | 16 Hours Ago

The South Africa Commercial, Catering and Allied Workers Union (SACCAWU) confirmed that its wage deadlock with Massmart could result in intensified strike action by workers.

The union plans to mobilise support and is considering consumer boycotts while approaching COSATU for solidarity action from its affiliates.

Game and Dion workers have been on strike for five days and on Thursday the parties discussed picketing rules at the CCMA - following minor disruptions at some stores.

"The company has not given any willingness to give a revised offer and one would have thought that yesterday was a perfect opportunity for them to break the ice, which they never did, and that has mobilised our members to fight to the bitter end," said SACCAWU's Lucas Ramatlhodi.

Independent on Saturday

Now sabotage hits Telkom strike

22 August 2009, 07:25

Durban residents have been left without phone, fax and Internet lines after Telkom's phone networks were sabotaged during recent pay strikes.

The strike was resolved last week, with workers accepting a 7.5 percent general salary increase and a two-year moratorium on forced retrenchments but for many residents and business owners the effects of the strike are still being felt.

Mount Edgecombe resident Maureen Forbes said she and other residents had been without phone lines since last week.

She said after enquiring they were told the lines had been deliberately vandalised. Some lines were crossed.

Forbes's phone was ringing in somebody else's home and her fax line had been crossed with a fax line from a business in the nearby business park.

"People are using my ADSL (Internet) and my telephone and Telkom is doing nothing about it," she said.

Telkom said there were at least 17 acts of sabotage and vandalism with 15 of these in KwaZulu-Natal.

"An investigation is currently under way to determine the cause of the damage. Early indications are that this may have been the work of vandals," says Nombulelo Moholi, managing director of Telkom SA.

Telkom spokesman Pynee Chetty said any liability for loss of business was a matter of their customers' own risk.

It was also inconclusive that it was striking Telkom workers who had vandalised the network but Chetty said the conclusion of the investigation would reveal who was responsible.

Telkom urges the public and its staff to remain vigilant and to report any suspicious behaviour with regard to Telkom's infrastructure to TARPS's National Security Control Centre at 0800 041

* This article was originally published on page 2 of The Independent on Saturday on August 22, 2009

Herald

Social work moves into 'overload'

2009/08/29

Shaanaaz de Jager WEEKEND POST REPORTER

HUNDREDS of Eastern Cape social workers from non-government organisations picketed yesterday to demand an increase in state subsidies and staff payments.

Nicro area manager and Port Elizabeth protest organiser Zurena Abdulla said it was a "last resort".

"We've had numerous meetings with government regarding increases, but were unsuccessful.

"We struggle as NGOs. The low pay also makes it difficult for us to attract and retain staff. Due to staff shortages, social workers are overloaded, which means clients also suffer."

Social service workers in Port Elizabeth, East London, Bhisho, Durban, Johannesburg and Cape Town have taken a stand against inequalities that exist in salaries paid to them via a subsidy system, despite doing the same work as government workers.

This year's subsidy for social auxiliary workers in the Eastern Cape, including administration costs, is R4648 and R9958 for a social worker, said the National Welfare, Social Service and Development Forum.

The Western Cape's social auxiliary worker subsidy is around R3900, while in Gauteng it is R7542 a month and R8468 for social workers.

The National Welfare Forum's Maureen Andreka said the salary of a government social worker started at R9792 last year and that of an auxiliary worker at R5367. "We do not know what their increase for 2009 is."

The only province which did not march yesterday was Limpopo.

Limpopo Welfare Forum member Liza van der Merwe said they had no need to protest "as we receive a fair deal for the work we do". Limpopo subsidy rates per month for social auxiliary workers are R15000 and R19000 for social workers.

Equity participation for traders

Warwick investors committed to mall plan

August 31, 2009 Edition 1

Wendy Jasson da Costa

SHAREHOLDERS in the consortium behind the Warwick Mall development say they remain committed to the "investment" despite several delays in getting the project off the ground and a proposal that informal traders be given "equity participation" in the new development.

A spokesman for Warwick Mall (Pty) Ltd, Themba Ngcobo, said yesterday that they were still studying the recommendations of a provincial task team appointed by Premier Zweli Mkhize to mediate in a dispute between the traders - who are opposed to construction of the mall - and the eThekweni Municipality.

He said "it would be premature to comment on details of specific recommendations" at this stage, but added that "we have no problem in starting the development later than scheduled in order to address all the concerns that have been raised".

The development is already four months behind the original building programme, which had been scheduled to start in June this year, with plans for the shopping centre portion to be completed in November 2010.

The current time frames would obviously not be met, said Ngcobo, adding that they welcomed the offer by Economic Development MEC Mike Mabuyakhulu to expedite all outstanding administrative issues before the October 31 deadline set by the task team.

Deputy mayor Logie Naidoo, who heads the municipality's economic development committee, said Warwick Mall would have to replan the phases in which they did their construction because of changing deadlines and because, according to Fifa's requirements, no major construction work is allowed to take place between June 1, 2010 and the end of the soccer World Cup.

"We have to shut down all projects," said Naidoo.

He said Mabuyakhulu was hoping that work on the mall could start by November 1.

Court

While the shopping centre would not be finished in time for the World Cup, Naidoo said the aim was to complete all other infrastructure work by June 1, 2010.

Harry Ramlal, chairman of the Early Morning Market Association, the most vociferous opponents of the project, said they were taking the matter to court despite the task team's proposals.

He said the only "decent" proposal from the team had been that those trading without permits be issued with the documents immediately, but this had not happened by Friday.

"We can resolve the issue as long as the municipality wants to do it in good faith," he said.

Ramlal said the historic early morning market was the only facility left for the "poorest of the poor" and that the Warwick development could go ahead, but that the market - which was a heritage site - should be upgraded and not destroyed.

Protest in KZN over RDP houses

2009-08-28 17:07

Johannesburg - A group of residents angry over the allocation of RDP houses staged a protest outside the Lamontville council offices on Friday, said KwaZulu-Natal police.

"There have been no reports of violence. What we know is that the marchers barricaded one of the roads in that area," said Superintendent Daniela Veldhuizen.

She said police were at the scene monitoring the illegal strike.

- SAPA

Journo hurt in Dbn protest

2009-08-31 16:12

Durban - A Sunday Times photographer and five IFP Youth Brigade members were wounded when police fired rubber bullets to disperse protesting youth wing members in Durban on Monday.

Tepogo Letsie was one of the reporters who ducked for cover when police fired rubber bullets to disperse the crowd.

Letsie was hit with a rubber bullet in his abdomen and immediately went to hospital.

Two cars were damaged when protesters tried to avoid being shot at by rubber bullets.

"Police behaviour was unacceptable. They just fired rubber bullets without issuing a warning. More than five people including a journalist were injured for no apparent reason," said IFP Youth Brigade leader, Mbokodo Mbatha.

Illegal protest

He said they would lodge a formal complaint against the police.

Police spokesperson Superintendent Vincent Mdunge said the police had fired rubber bullets because the protest was illegal.

He said according to the Public Gathering Act, police were supposed to issue a warning either by using a loudhailer or by word of mouth to people gathering

illegally.

Two rival IFP youth camps were protesting outside the party's offices in Durban. Neither of them had permits to gather.

One group was demanding the reinstatement of three youth brigade leaders, Irvin Barnes, Kumbuzo Khanyeza and Simpiwe Buthelezi.

The IFP recently expelled the youth brigade leaders, after they led a protest calling for transformation in the party.

- SAPA

Meaningful engagement

Bringing government to the people?

S'bu Zikode

2009-09-03, Issue 446

<http://pambazuka.org/en/category/features/58454>

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© Abahlali baseMjondolo S'bu Zikode, elected head of South African shackdwellers' movement Abahlali baseMjondolo, looks at some of the barriers that prevent meaningful engagement between the state and the people, with reference to Abahlali's experiences in KwaZulu-Natal and in the Cape. Abahlali representatives Mnikelo Ndabankulu and Zodwa Nsibande will be speaking at public meetings in London, UK on 4-5 September 2009.

S'bu Zikode, elected head of South African shackdwellers' movement Abahlali baseMjondolo, presented the following paper at a colloquium on the topic of 'Meaningful Engagement' hosted by CALS (Centre for Applied Legal Studies) at the University of Witwatersrand.

It is a fact that may not be disputed that not all engagements between the state and the people are meant to be meaningful. What is called 'engagement' or 'public participation' is often just a kind of instruction, sometimes even a threat. Many times it is done in such a way that all possibilities for real discussion and understanding are closed from the start. In these cases what is called engagement is

really just a way for the state to pretend to be democratic, when in reality all decisions are already taken and taken far away from poor people.

However all purposes of engagement are meant to be meaningful by virtue of their intention. When you engage for a particular purpose you want the purpose itself to determine the nature of the engagement. The purpose therefore comes first. In each engagement we must be clear about who we are and what we want. This determines our tactics and what we can accept and not accept in each engagement.

It is one thing if we are beneficiaries who need delivery. It is another thing if we are citizens who want to shape the future of our cities, even our country. It is another thing if we are human beings who have decided that it is our duty to humanise the world.

THE STRUGGLE FOR RECOGNITION

Some problems are technical. Some problems are political. But we find that without our own political empowerment we cannot even resolve the technical problems. The solving of even very small technical problems, like a broken toilet, requires that we are first recognised as people that count. If you are not recognised they will just say 'who the hell are you?'

To be recognised requires struggle. It took Abahlali baseMjondolo in Durban three years of hard struggle - with many police attacks, many beatings and arrests - before we were even recognised as people who could negotiate with the state. Then there was another year of a different kind of struggle within the negotiations before we were properly recognised there.

Right now in Cape Town Abahlali baseMjondolo are still fighting the first struggle against repression. Right now communities all over the country are in rebellion. Many are still at the stage of demanding to be recognised as people that count. We are very much encouraged by many of these rebellions. We support the land occupations, the strikes and the eating of food in the big shops in Durban. Of course we condemn the new xenophobia in Mpumalanga. When the anger of the poor turns on the poor it is nothing but disaster. Terrible, terrible disaster.

The road is long. We have travelled far in Durban but it remains possible that we could be pushed back. Therefore we must always remain strong - we must remain many, we must remain active, we must continue to think and to debate all issues. This is the only way to ensure that we keep going forward.

RULES FOR ENGAGEMENT

There are some clear rules for meaningful engagement. Firstly the people that are suppose to participate in that engagement must be informed prior to the date of that engagement and they need to be aware of what is going to be discussed during that

engagement. The time, place, language and culture of that engagement must suit the people.

The leadership of the movement or community that will attend the engagement also has important responsibilities. They need to inform all of their members about the engagement in good time. They need to explain clearly what will be at stake. The organising and placing of notices should not only be limited to a leadership or organisational level but to ordinary people to avoid any form of exclusion. Women must be included on the same basis as men. The young and the old must be included on the same basis. The poor and the even poorer must be included on the same basis. There must be no distinction between people born here and people born in other countries.

The local leadership must use its relevant culture and the strategies that are often used in that particular community. It is important not to allow the NGOs to teach people ways of being 'professional' about development that separate people from the culture of a community.

Representatives must be elected and mandated. When there is ongoing engagement it is important that representatives are rotated and re-elected for each engagement. All decisions must be referred back to the movement or community before being finalised.

During the engagement the processes should be conducted in a way that all the parties that are involved in that engagement feel that their opinions are being heard. You cannot have a situation where one party controls the agenda and chairs the meeting without consultation. Everyone must be able to speak freely.

My experience in the past has been that some government officials would come up with a concluded decision with no room to accommodate views of the people and then organise an engagement. This is the experience of most communities and most movements. In these cases what is the point of engaging under these circumstances?

This was most evident to us when the KwaZulu-Natal Legislature introduced the KwaZulu-Natal Elimination and Prevention of Re-Emergence of Slums Bill 2007, in the Kennedy Road Settlement. They started with a police helicopter just above us, flying low over the settlement. There were police everywhere. We were not allowed to speak if we couldn't quote a section of Act. Those who did speak were dismissed without respect. Our concerns were treated as if they were ignorant or stupid.

It became clear that there was no reason for the legislature to hold this public meeting except that they were required by the law to do it. We organised many shack dwellers to attend this meeting. We prepared for it very carefully. We read that Bill together line by line. We discussed each point in that Bill. On the day the Kennedy Road Community Hall was fully packed. But our presence was turned to be used to justify the passing of the Bill into an Act on the basis that a lot of people

were present to endorse the Act! It is thus clear that the good move of holding public meetings can easily be monopolised and abused in order to justify the exclusion of the public from the discussions that really matter.

In such instances one can rightfully say that, such government officials see no need to engage ordinary people on policy formulation matters that affect them directly. This thinking goes with the idea that ordinary people should just become the passive receivers of services. They must just trust that everything that is done in their name and for them is an attempt to help them. Of course we cannot trust in this because people are being evicted everywhere. People are facing forced removals everywhere. People are being dumped in transit camps everywhere. People are being disconnected everywhere, burnt everywhere, arrested everywhere, beaten everywhere. We have good reason not to automatically trust the state. Where we have achieved trust with some officials, it has been after long struggle and long negotiation followed by the experience of learning to work together.

Active citizen participation is discouraged by those that hold the power. Sometimes it is discouraged with contempt. Sometimes it is discouraged with violence. Sometimes it is discouraged by making simple issues too complicated for ordinary people to understand. Sometimes it is discouraged by just making it too difficult to engage. How many shack dwellers can afford to be on hold on their cell-phones for twenty minutes?

We expressed our anger at the so-called 'public participation' meeting for the Slums Bill. Some members of Abahlali baseMjondolo were then invited to the KwaZulu-Natal parliament to participate in the discussions there. They prepared carefully. They had a written submission and we were ready for all debates. They travelled there on a work day. But the Act was passed in their presence without any opportunity given to them to say a word. The Act was passed against the will of the people.

Meaningful engagement will of course mean different things to different people. But it is clear that a reasonable service provider, stakeholder, leader or official should not be judged by how many public hearing meetings or izimbizos it conducts but by the number of people whom they manage to reach and listen to and to take into serious account during those meetings. Meaningful engagement should make sure that both parties involved will be able to benefit from that engagement. It can never be meaningful if it is just for the people to listen and to never be able to voice out their own thinking.

BRINGING GOVERNMENT TO THE PEOPLE

The government says that it wants to 'bring government to the people'. It is much better to 'bring government to the people' than to send in the police, the private security and the land invasions unit to evict and disconnect and to then call that

good governance. But bringing the government to the people is not enough. Meaningful engagement will only happen when we can, through our struggles, bring the people into government.

That does not mean that we want to replace one councillor with another or one party with another. It means that we want to bring the government, regardless of who is sitting on the comfy chairs there, under the control of the people.

That is why we also say that the struggle of our movements is a struggle to democratise the society from below. Yes we do want services. Services are needed by our lives. They are basic to life. We will always engage to try and get or to keep these services. These little struggles are important.

But we also want full recognition of our humanity. Things must be done with us and not for us or to us. Therefore the government must come under the people. This requires the current political system to be turned upside down. If each community and each movement builds its power by respecting its members fully so that as each individual grows in power each community and movement grows in its power then we can slowly achieve this step by step. That is our vision for meaningful engagement - a slow revolution from below, fought day by day across the country.

* S'bu Zikode is elected head of South African shackdwellers' movement Abahlali baseMjondolo.

* Abahlali representatives Mnikelo Ndabankulu and Zodwa Nsibande will be speaking at public meetings in London, UK on 4-5 September 2009.

<http://www.themercury.co.za/index.php?fArticleId=5166174>

'Poors of Chatsworth' take charge

September 16, 2009 Edition 1

Rebecca Hinely

CHILDREN dart in from the yard and flit about as rice bubbles on the stove in the flat Savatri Chetty shares with her grandson, Nolan, 13, granddaughter, Noleen, 11, and son Trevolyn, 10. The Westcliff flat in Chatsworth has been Chetty's home since she moved there in mid-1989 with her two eldest children.

After 20 years of living in the one-roomed flat with her family, there are many memories, but perhaps the most poignant is of the time it was almost taken from Chetty. In 1998, municipal officials came to evict Chetty, then six months pregnant with Trevolyn.

The arrears had been building since December 1989, just six months after Chetty moved to Westcliff, when she lost her job at a nearby clothing factory. The widow struggled to put food on the table, earning income with sporadic casual and odd jobs.

But casual labour, such as a job cleaning the beach near the Bluff, barely brought in enough to pay for bread after accounting for taxi fares and, as neighbours began feeling the pinch of factory retrenchments, the occasional domestic job became harder to secure.

Chetty's maintenance grant was cut by a third in the same month as rents went up. So the bills piled up. First, the electricity was cut. Then the water. With candles, open fires in the yard, and buckets of water brought from the neighbours, somehow Chetty managed for a short time.

Then word came - eviction was imminent.

Chetty recalls the details of that day, the events burned into her memory. The caretaker warned her that the eviction squad was on the march.

Not knowing where else to turn, she turned to the community. Local activists - Orlean, Pinkey, Sushila, Pam, Radha, Joyce, Patsy, Dion, Doll and others - came to stand with her.

All but two were women and, like thousands of battle-hardened community

activists across South Africa, as well as allies like Fatima Meer and Ashwin Desai, they stood strong and defended the flat as the dogs were unleashed and the riot police attacked.

When the tear gas cleared, they were still standing - the battle had been won. But the war was left to fight.

Chetty is not the only one who can recall the minutest detail of that day. Everyone who was there can, and as they retell the story it comes alive with an almost mythical air.

It is evident that something was born that day - a consciousness and a will to fight. Chetty's was the first attempted eviction, but her case was certainly not unique.

Woman-headed households, unemployment and poverty are not rare in Westcliff. At the time of Chetty's attempted eviction, 300 other families were slated for eviction in a community of just over 700.

Something had to be done to defend the flats and expose the plight of their residents.

Thus was born the Westcliff Flat Dwellers' Association at the turn of the 21st century when then-president Thabo Mbeki and Trevor Manuel's neoliberal policies were imposing harder times on citizens living in some of the most precarious situations.

In the face of evictions and water and electricity cut-offs, the neighbours banded together - spontaneously and in ways they had not done previously - to fight for each other and their personal and collective

rights. It was then that the "poors of Chatsworth", the term they coined for themselves, cut their political teeth.

They had imagined that during this era they would be reaping the benefits of a new democratic system.

Those at the forefront of the struggle in Chatsworth had spent the apartheid years not as activists but as factory workers, mothers and shopowners.

Slowly and after much organising and persistence, this new generation of protesters began to see the fruits of their labour.

At marches and campaigns, through lectures and municipal meetings, at functions and over the communal cooking pot, their strength grew. And those involved along the way, like Chetty, were empowered by the experiences.

She remembers fondly a week-long social movements indaba where, far from the pressures of housework and child care, she was able to stay up late at night sharing stories and experiences with comrades from all over South Africa, finding strength in common struggles.

For women like Chetty, whose lives had been circumscribed by the walls of a flat, community organising became an avenue for personal growth and empowerment.

Today, nearly 11 years after her attempted eviction, Chetty can reflect on the accomplishments of the organisation.

Being strong during the 2000s finally brought new fruits in the form of

somewhat greater municipal accountability, and new campaigns for a right to shelter and for better service delivery.

All households receive 9kl of free basic water a month, new water meters are being installed in the flats and the community is being trained to read the meters and its bills, which are no longer consolidated.

Instead of accepting the government's national policy of signing over ownership of rental properties to tenants, the residents of Westcliff pushed for their dilapidated flats to be upgraded first; work began last year.

The area began to take on a fresh new feel as cracking walls were plastered, dreary faded yellow paint was covered by lively peaches and blues, asbestos roofs were replaced, ceilings were installed and damp and water-damaged bathrooms were waterproofed.

Now the residents have homes to be proud of when the day comes to sign their sectional titles.

While the Westcliff Flat Residents' Association has much to celebrate, community activists like Chetty are not resting on their laurels. There are still too many battles to be fought.

Upgrading continues, and several flats, like Chetty's, are in such a state of disrepair that slight rehab will not do - the crumbling buildings will have to be rebuilt. And the new prepaid electricity meters are proving too expensive for many families.

Still unemployed, Chetty now spends Trevolyn's entire monthly child

support grant on electricity because at least R50 a week is needed to keep the stove warm and the lights on. Despite the hardships, she is not complaining.

With the rest of the community, she will be searching for solutions tonight at the weekly meeting at a school. Perhaps pushing for solar panels to solve the electricity woes?

The battle for a better Chatsworth rages on.

Rebecca Hinely, a Georgetown University postgraduate student, is a visiting scholar at UKZN's Centre for Civil Society.

Tow truck drivers on silent protest

Sep 17, 2009 5:17 PM | By MONICA LAGANPARSAD

About 150 disgruntled tow trucker drivers held a silent protest in Durban yesterday claiming they were losing their livelihood to a Johannesburg owned company who had muscled in and monopolised the industry.

Driving in convey through the streets of Durban, the tow trucks with flashing lights were escorted by police in a peaceful demonstration.

Cardboard posters stuck on their trucks read: "Cut out the middle man. Let Dbn be Dbn (sic)".

Spokesman for the KwaZulu-Natal Towing Fraternity Paul Poilly said I-Way Roadside Emergency, a subsidiary of the Sandton-based First Road Emergency (FRE) had muscled into Durban and had monopolised the towing and panel industry.

Poilly said FRE's Durban counterpart First Accident Management, held contracts with Telesure Investments, a holding group of the country's biggest insurance companies which include Auto & General.

Last week, I-Way were granted an interim interdict in the Durban High Court against eight Durban tow truck companies.

In its court papers I-Way claimed violence and intimidation were used in an orchestrated campaign to run them out of town.

Poilly said FAM dished out the work to its own subsidiaries which included panel beating shops, cutting out the smaller competitors and monopolising the industry.

The drivers handed a memorandum to Telesure's Durban office demanding that all existing contracts with towing companies be declared null and void.

The memorandum said "The local towing and panel industry has been experiencing financial problems in terms of the towing rates and volume of repairs, distribution and allocation of work and the monopolising of towing/call centres by major groups. This in turn has made a negative impact on the Panel Beating Industry as FAM directs tows to a common delivery point to the detriment of all other panel shops."

Poilly said they have been forced into a position to accept negotiated rates set by call centres.

"We will not entertain violence as this is not a war. All we expect is fair business, peace and harmony, shared amongst our industries," said the petition.

Later Poilly told the drivers to keep it clean on the roads.

He said:"No traffic jams,, no fighting no pulling out guns. We must be patient...we are pleading for you to play fair and straight. Keep it clean," he said.

Poilly told The Times that the petition had been accepted by a Telesure representative and they were awaiting a response.

The Times

Tow Truckers on the warpath

'We warned you yesterday. Today we're gonna f*****g kill you'

Sep 12, 2009 11:08 PM | By MONICA LAGANPARSAD

A violent tow-truck turf war involving beatings, death threats and a R400000 bounty on an executive's head has forced a Durban company to seek protection by resorting to the courts.

PROTECTION SOUGHT: An urgent interdict was granted to Durban towing company

I-Way on Thursday to prevent further attacks on its drivers. Accompanying I-Way's Craig Lipschitz, right, was Andre van der Merwe of the SA Towing and Recovery Association, which supported the interdict application

quote I-Way's director told the court that his competitors wanted to shut his company down quote

I-Way Roadside Emergency Services (which is contracted to the city's metro police, Auto & General Insurance, Volkswagen and Audi), was this week granted an interim interdict against eight Durban tow-truck companies and a towing association following alleged incidents of violence and intimidation.

As I-Way secured its interdict in the Durban High Court on Thursday, a Pinetown driver linked to the company was allegedly attacked by a competitor.

His leg was broken in two places and his truck was smashed with baseball bats and metal pipes.

The latest attack comes after a two-week turf war which forced the two-year-old company to temporarily close shop this week to protect its 36 employees.

Police this week arrested three members of the notorious TDK gang in Durban on suspicion of being involved in the violence.

In court papers, I-Way claimed competitors had:

I-Way director Sergio Costella told the court that because of his company's "inroads" into Durban, his competitors wanted to shut it down.

He said that on Tuesday morning an I-Way driver had been "blocked" by about 100 tow-truck drivers and told to get out of the vehicle.

"He refused to get out and telephoned me and while on the phone to me he got out of the car. He told me the van was being flipped over onto its roof," he said.

Costella said employees of the respondents had told the driver that I-Way "must go back to Johannesburg". The driver's keys and wallet were taken. Charges have been laid.

"Since then he has received a number of anonymous telephone calls to withdraw the charges. He is frightened for his safety, particularly as a couple of years ago drivers were killed in a tow-truck turf war."

Costella claimed that one of his other drivers was attacked by a driver from Galemore Breakdown with a hockey stick.

"While doing that, the hockey stick broke in half and he then tried to stab him through the window of the vehicle while he sat inside."

Costella said the driver escaped unhurt but was told: "We warned you yesterday. Today we're gonna f***ing kill you."

Before going to court, Costella said management had travelled from Sandton to Durban to meet disgruntled competitors. But despite efforts to resolve the matter, they were told to "leave town".

He said Craig Lipschitz, managing director of I-Way's Sandton-based holding company First Road Emergency, had then received an anonymous telephone call, telling him there was a R400000 bounty on his head.

In a second call to Lipschitz's cellphone, the caller asked: "Are your broekies wet yet?"

Costella said the respondents were conducting "an orchestrated campaign" to stop I-Way and "eliminate" it.

Etienne Pel, chairman of the United Towing Association of South Africa, named as a respondent, denied Costella's allegations. "We will oppose the interdict, we do not condone violence in any way. We are trying to regulate the industry with the departments of transport and trade and industry," he said.

Galemore Breakdown's Kuvén Reddy said there was a "dispute" with I-Way and the respondents were "only trying to protect their livelihood and their families".

Respondent Paul Poilly of Auto Collision Towing and Recovery in Pinetown accused I-Way of using the "Johannesburg way" to run Durban operators out of business.

Daily News

Mob attack sparks fear of xenophobic violence

28 September 2009, 14:24

By Dasen Thathiah

Tensions are running high after two men were murdered in a mob attack at the Kennedy Road informal settlement on Sunday, sparking fears of xenophobia and retaliation attacks.

A local community organisation claims the attacks were as a result of xenophobia - with Xhosas being told to leave the largely Zulu community.

Police, however, were adamant the murders were not xenophobia-related but could have been committed by vigilantes.

Transport, Community Safety and Liaison MEC Willies Mchunu was at the scene late last night trying to calm the community, and stopped the crowd from taking the law into their own hands.

Abahlali baseMjondolo (shack-dwellers' movement) (AbM) spokesperson Mzwakhe Mdlalose said: "The men were shouting, 'The AmaMpondo are taking over Kennedy. Kennedy is for the amaZulu'."

"Many people are also seriously injured. The attackers broke everything that they could, including the windows of the (Clare Estate Community) hall.

"They destroyed 15 houses before launching their attack. They were knocking on each door shouting, 'All the amaZulu must come out' and then destroying the shacks," he said.

Mthokozisi Ndlovu and Ndumiso Mnguni were killed after members of the Kennedy Road Development Committee were attacked by a group of about 40 armed men early on Sunday morning, according to AbM.

Eight suspects were arrested by police hours after the killings and police fired rubber bullets to settle the unruly crowd as they scoured the area for suspects.

Tension in the community flared up again late last night, forcing Mchunu, to step in to reassure the shack-dwellers.

Mchunu told those who had been displaced that he would arrange for them to sleep in the local community hall. Mchunu said if the key to the hall could not be found those who were seeking refuge should break in.

Police spokesperson Director Phindile Radebe said they suspected vigilantism because the people who were killed were suspected "to have been involved in other crimes and people were just taking the law into their own hands".

"The men were beaten and stabbed to death. We are still searching for more suspects," she said.

Mdlalose claimed the attack on members of the movement was not the first.

"Last year, both Mzonke Poni, head of AbM in the Western Cape, and S'bu Zikode, head of AbM in KwaZulu-Natal, were attacked and beaten up by groups of young

men.

"The men who attacked Zikode also said that he was selling Kennedy to the AmaMpondo," he said.

At least two shipping containers were set alight at about 7pm on Sunday night and members of the Sydenham SAPS, dog unit, Metro Police and the SAPS air wing kept a close watch on the situation.

By 9.30pm last night, Kennedy Road residents were still standing alongside the road, despite the cold and rainy weather.

Speaking to the Daily News after addressing the 300-strong crowd using a police car loud-hailer, Mchunu said it was believed the violence was a result of differences between two opposing factions within the settlement. He said that while provincial government and police were investigating the conflict, the safety of innocent people was paramount.

"We have arranged for the police to patrol tonight.

"These people must also be allowed access to the community hall so they can spend the night. I have tried to arrange to get the key tonight, but if we can't, then the residents can break in if they have to, just as long as they are safe," Mchunu said.

He said representatives from his department would visit the settlement on Monday to "hear both sides of the story" as he was due to fly to Pretoria on Monday.

* This article was originally published on page 1 of The Daily News on September 28, 2009

The Mercury

Shack people out in the cold after attack

October 02, 2009 Edition 1

NTOKOZO MFUSI

NEARLY 100 residents of the Kennedy Road informal settlement in

Sydenham, Durban, have been displaced after a mob attack which occurred on Saturday night.

The chairman of the KwaZulu-Natal Christian Council, Anglican Bishop Rubin Phillip, said the displaced included the Abahlali baseMjondolo - a shack dwellers' movement - president Sbu Zikode and vice-president Lindela Figlan.

"The people who have been affected are scattered all over Durban, but we do not want to reveal their whereabouts... Some are still out there and surviving the elements, which is really concerning."

Abahlali has accused ANC leaders of being behind the attack, saying its members have been targeted. The ANC has denied the allegation.

Phillips urged the public to assist those affected with shelter, clothing and food. Donations can be dropped off at the Anglican Church offices at 29 St Mary's Avenue, Greyville.

A statement posted on the Abahlali website yesterday revealed that the movement was planning to hold a meeting of members from 34 settlements in Durban and some from Cape Town at a secret location and date to develop a plan of action for the movement.

Meanwhile, KZN sociologist and violence monitor Mary de Haas has taken it upon herself to question the police on their handling of the mob attacks. She has sent a letter to Sydenham station commissioner Glen Nayager, asking how the police responded to the incident. Residents had accused the police of not responding timeously and standing by while they were attacked.

Nayager said he had not received De Haas's letter and could not comment.

Meanwhile, eight people have been charged with the murder of two people who died during the attack.

South Africa's Poor Targeted by Evictions, Attacks in Advance of 2010 World Cup

Nzimande-web

Thousands of South Africans are being displaced in preparation for the 2010 World Cup. While Durban completes the finishing touches on its new stadium, thousands of the city's poor who live in sprawling informal settlements are threatened with eviction. On Saturday, an armed gang of some forty men attacked an informal settlement on Durban's Kennedy Road, killing at least two people and destroying thirty shacks. We speak to two South African activists who are fighting back. [includes rush transcript]

Guests:

Mazwi Nzimande, president of the Shack Dwellers Movement's youth league. He has been displaced by this latest attack and is currently in hiding.

Reverend Mavuso Mbhekiseni, member of the Rural Network in South Africa.

Rush Transcript

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JUAN GONZALEZ: We end today with a look at South Africa, which is poised to host the World Cup, the premier international football competition, next year. While Durban completes the finishing touches on its new stadium, thousands of the city's poor who live in sprawling informal settlements are threatened with eviction by the ruling African National Congress's, or ANC's, slum clearance policies.

Late this Saturday night, an armed gang of some forty men attacked an informal settlement on [Durban's] Kennedy Road killing at least two people and destroying thirty shacks. A thousand people have reportedly been driven out of the settlement. Eyewitnesses say the attackers acted with the support of the local ANC structures. Members of the Durban Shack Dwellers Movement, which brings together tens of

thousands of shack dwellers to demand their right to fair housing in the city, were holding a youth camp when they were attacked.

AMY GOODMAN: Well, last month we interviewed a young leader from the Shack Dwellers Movement, eighteen-year-old Mazwi Nzimande. He is president of the movement's youth league. He has been displaced by this latest attack. He's currently in hiding. We also spoke with Reverend Mavuso Mbhekiseni from the Rural Network in South Africa. They were in the US speaking out against the anti-poor policies in post-apartheid South Africa.

I began by asking Mazwi to explain the Shack Dwellers Movement.

MAZWI NZIMANDE: The Shack Dwellers Movement is a movement that was made by the poor people, the people who were waiting for housing since 1994. It's the movement that is made out of poor people only, because the poor people are feeling betrayed, so they decided to join hands together and approach the government and make the government to be aware. They say there are still poor people in South Africa, because they feel that they are the forgotten citizens of the country. The only thing that is being remembered is to build stadiums for the 2010 World Cup. They don't talk about the poor people anymore. They're only talking about promoting the country, so the poor people decided to join hands together and approach the government and say, "Hey, we are still existing in the country, so we are still waiting for those houses."

JUAN GONZALEZ: What is the [Slums] Act? When was it passed? And what has been the impact of it on the poor communities of South Africa?

MAZWI NZIMANDE: The Slums Act was first a bill in 2006, when the Shack Dwellers Movement was invited at the provincial parliament in Pietermaritzburg, when it was still a bill, you know. So we were invited to come and observe while they were introducing the Slums Act. And it has not been good for the shack dwellers, because the Slums Act says you should not resist eviction. If you resist evictions, you might be fined

20,000 rand or being sentenced at five years. So, most of us cannot afford that, because we want to be in our shacks, we want to be close in the city. I mean, that's what we want. We want the government to provide houses where the people are, close to our working place, close to our schools, close to the hospital. Plus, we have a right to be close to the city.

AMY GOODMAN: Isn't South Africa unusual in that it has housing as a human right written into the Constitution?

MAZWI NZIMANDE: It does, yes. But now, it seems like it's working for certain individuals, not for the poor people, because you will be surprised and shocked when you go to South Africa and see thousands and thousands of informal settlements. And then we just don't understand, because, I mean, since 1994, these

people are still on the waiting list. Each informal settlement has about 7,000 people. And in our movement in Durban only, we have fourteen settlements, and each of those have about 7,000, 5,000. And you will just find it so hard to understand why at this time of the year.

AMY GOODMAN: Mazwi mentioned the World Cup. It's almost the only way we talk about South Africa today in the United States. But what exactly is happening to people as a result of the World Cup, which is watched by over a billion people and is going to be in South Africa for the first time?

REV. MAVUSO MBHEKISENI: Our government is concerned about developing spaces, not population development. So, as they develop spaces, they move away people. They say people should move away, so to pave way for the development, to help it. So, by building these stadia, they are moving people away from the cities and away from their original places, even in rural areas, because they want to build malls, big malls. They want to build freeways, so that, to us, this World Cup is a mass eviction of poor people. So that's what is happening in South Africa. We are not going to live and stay in the stadia. We are not going to sleep there. So they are destroying our houses or our homes. Because we can afford those homes, so they say-they call them slums, and so we are evicted. So we are saying this World Cup is accompanied by evictions and destruction of our own-and demolishing of our own homes.

JUAN GONZALEZ: And when you say they are moved out, does the government-where are they being moved to? Is the government providing them adequate housing where they're being moved to?

REV. MAVUSO MBHEKISENI: Government is promising them that they are going to have houses about fifty kilometers away from the cities, only to find that there are no houses. You will be moved to transitional relocation camps, where they say you have to wait for some-it's ten years before you get housing.

AMY GOODMAN: Give us a historical perspective. Reverend Mavuso, you were there before the first democratically elected government of Nelson Mandela. You were there under apartheid. Compare that to today.

REV. MAVUSO MBHEKISENI: There is now a widening gap between the rich and the poor. During apartheid, it was the whites and blacks. So, now that is the type of apartheid that we see now, that people are getting more richer, and people are getting more poor.

AMY GOODMAN: Did you ever get a chance to meet Nelson Mandela? You're eighteen years old, but President Mandela is still alive.

MAZWI NZIMANDE: I mean, I didn't get a chance to see the days of Nelson Mandela,

but, I mean, I'm hearing things that he's such a wonderful man, he's such a good man. You know, he has that powerful voice. But I don't believe, because he is still alive, but there are informal-there are shack dwellers in South Africa, but he hasn't said anything. There is that huge gap. Mandela is up there, and the people are down there, so it's very hard to, like, get a chance to meet with Nelson Mandela. Even the current president, I haven't met him, you know, because those people are high up. The only time they come to the communities is when the elections are going to take place. And they come with bodyguards. So, for me, it's hard to understand why does a man that we must elect as a president come to our community, has bodyguard. That means he fear us, you know. So how can we access the man who comes with bodyguard in our communities? I don't understand.

JUAN GONZALEZ: And if it's true, as you say, that there's been so many problems in terms of the widening gap in the country, why is the ANC leadership still receiving such huge support at the polls?

REV. MAVUSO MBHEKISENI: People were educated, through what we call domestication, that they should love one party, because that party gave them-will give them freedom. This is a majority party of-and it is a black government, so they say if we vote for another party, then it means it will not be democracy. They think democracy comes with the ANC. So they think ANC is democracy.

AMY GOODMAN: Rev. Mavuso of the Rural Network in South Africa and eighteen-year-old Mazwi Nzimande, president of the Shack Dwellers Movement's youth league. We only have fifteen seconds, but he is now in hiding after a major attack on their shacks this weekend, Saturday night.

Mazwi, what happened? Very quickly, who did this? Who attacked people, killed two and hurt the shacks?

MAZWI NZIMANDE: Thank you. Firstly, we were not there, but on Sunday during the day, we went back to Kennedy Road to check on how things were, how the conditions were. I mean, it became clear when we saw the ANC guys who were there, you know, enjoying themselves, having that gathering. Even the [inaudible]-

AMY GOODMAN: We have five seconds. We have five seconds.

MAZWI NZIMANDE: Even, I mean, so clear, it's the ANC, because they have mentioned it, that they want the whole informal settlement to be known to the ANC [inaudible]-

AMY GOODMAN: Mazwi Nzimande, we have to leave it there.

Sunday Tribune

Dumpsite lifespan anger

September 27, 2009 Edition 1

Juggie Naran

Irate residents of Havenside, Chatsworth, have come out in protest over plans to increase the lifespan of a "putrid-smelling" 30-year-old dumpsite by another 20 years.

"Enough is enough," said an angry H B Singh of the Dumpsite Action Committee after the Wasteman Group started conducting an environment impact assessment for opening up two new phases of the Bul Bul Drive dump site, which would extend its life to 2021.

"For 30 years, we have suffered putrid smells emanating from the landfill site in Bul Bul Drive, and the vibrations and noise of heavy trucks carrying up to 30 tons of waste lumbering past our homes," he said.

"There have also been several mishaps in the form of spills, the collapse of the site, and degradation of the area, which became a dumpsite for all manner of illegal deposits along the road and open ground close to the landfill site," said Singh.

He said the committee had organised a placard demonstration along Higginson Highway, from Mobeni Heights to Havenside and Bayview, on Friday, October 2, between 4pm and 6pm.

He said about five years ago, Wasteman began storing hazardous chemical waste.

"A cause of concern is the absence of a hazchem disaster management plan for residents who may be affected by spillage of mercury or chromium," said Singh.

At previous meetings, he said, the company assured residents that 2012 had been set down for closure and rehabilitation.

A second scoping meeting will be held by Wasteman at Doorga Hall on Wednesday, October 7, at 6pm.

Wasteman KZN regional general manager Justin Bott said this includes the daily covering of waste disposed of on the landfill site and the refusal of entry by us of noxious waste streams. Bott said it was not general practice to develop a landfill site all at once, but rather in separate cells.

"The lifespan of any cell depends on the rate at which it is filled.

"The date of 2012 was merely an indication of when phase three was expected to be full," he said.

*** Tuesday, 06 October 2009

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

Our Movement is under Attack

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 from 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 Majozi 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 through 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:

o 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.

o The right of Abahlali baseMjondolo to work in the settlement without fear of attack or intimidation or slander.

o The restoration of our office to us and a guarantee that the office will be safe.

o 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

The Kennedy Road Development Committee

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Anton Zamisa: 079 380 1759

Bheki Simelane: 078 598 9491

Nokutula Manyawo: 083 949 1379

Abahlali baseMjondolo Leaders from Other Settlements in Durban

Alson Mkhize: 082 760 8429

Shamita Naidoo: 074 315 7962

Mnikelo Ndabankulu: 079 745 0653

Zodwa Nsibande: 082 830 2707

Mazwi Nzimande: 074 222 8601

Ma Shezi: 076 333 9386

The Poor People's Alliance

Abahlali baseMjondolo of the Western Cape - Mzonke Poni: 073 256 2036

The Landless People's Movement (Gauteng) - Maureen Mnisi: 082 337 4514

The Rural Network (KZN) - Reverend Mavuso: 072 279 2634

The Western Cape Anti-Eviction Campaign - Ashraf Cassiem: 076 186 1408

The Sowetan

How a poor people's movement was crushed

06 October 2008 - The Sowetan

BOLEKAJA! - Andile Mngxitama

"THE ANC has invaded Kennedy Road. We have been arrested, beaten, killed, jailed and made homeless by their armed wing."

These are the distressing words of Sbu Zikode, now in hiding. He is president of the squatter movement Abahlali baseMjondolo (AbM).

The AbM was formed in 2005 in Durban's Kennedy Road squatter camp. The people were tired of the empty promises from politicians. They started to demand and to organise - and now they are being punished.

Last month the youth wing of the AbM was holding a meeting when about 40 armed men attacked them, reportedly shouting "amaMpondo are taking over Kennedy. Kennedy is for the amaZulu".

The attack on the poor has now become a tribal one as we wait for the whirlwind brought about by our "democracy". The poor will increasingly be set against each other in the drive for political office and wealth.

The Kennedy attack left at least four people dead and thousands were forced to flee the settlement. The local ANC then apparently installed itself as the "sole authentic

authority" in Kennedy.

The provincial government and the police appear to be in cahoots with this violent ANC militia. How else do we explain that those arrested were AbM members, the very people who have been attacked, their houses and businesses burnt down?

It is reported that when the police arrived on the scene the marauding mobs continued their mayhem - without any police intervention.

Clearly, the AbM has become a nuisance. It questions, it exposes and it's cheeky. In the last elections they even had the gall to say: "No land, no houses, no water - no vote!"

The politicians are not going to rest until they have destroyed the voices of the poor who speak up and speak back.

Real democracy is under attack and we seem to be sleeping through it all. We can already see the heavy-handed responses of the police against service delivery protests.

It's as if our beloved Msholozzi is giving his children rubber bullets instead of the promised land of milk and honey.

The attack on the AbM moved Bishop Rubin Phillip, a friend of the late Steve Biko and now the Anglican Bishop of KwaZulu-Natal, to say: 'I was torn with anguish when I first heard of the unspeakable brutality that has raged down on to the Kennedy Road shack settlement.

"In recent years I have spent many hours in the Kennedy Road settlement. I've attended meetings, memorials, mass ecumenical prayers and marches.

"I have had the honour of meeting some truly remarkable people in the settlement and the work of Abahlali baseMjondolo has always nurtured my faith in the power and dignity of ordinary people. I have seen the best of our democracy here. I have tasted the joy of real social hope here."

It is this democracy of the ordinary people that is being murdered by local politicians, with the active support of the ANC and government.

The excuses by the local police used to justify the ANC takeover are laughable. They say the violence was caused by the AbM through the community safety initiatives they undertook, including the curfew on shebeens to stop trading after 10pm.

The truth is the police were first informed about these initiatives to curb violence exacerbated by alcohol abuse.

The truth is the poor have to take up their own initiatives after being abandoned by their government.

The Mercury

Platform for the poor

Worldwide support for shack dwellers' association

October 09, 2009 Edition 1

THE attacks on the Kennedy Road settlement in Durban have unleashed an international outcry with academics, church leaders and human rights lobbyists from around the world unanimous in their support for the shack dwellers and the Abahlali baseMjondolo (the shack dwellers') movement.

Two people have been killed and hundreds were evicted on September 26. Since then police have arrested eight members of the Abahlali movement.

How did this incident in a Durban shack settlement evoke such a global outrage and evolve into an international cause?

The controversial people's movement representing shack dwellers in South Africa was formed in 2005 after a road blockade organised by shack dwellers. This was in protest against the sale of land to a local industrialist, which had been promised to residents by the municipality for housing.

The shack dwellers' movement, representing 34 settlements in the province, was formally launched in 2006 when S'bu Zikode was elected as a president.

Its initial objectives were to create a platform for the poor to be able to engage and challenge the government about services and development. Over the years the movement has challenged the government on numerous issues such as illegal shack evictions, and the lack of services, but its most controversial challenge has been to the Slums Act which Abahlali took as far as the Constitutional Court.

With a strong national and international following and support, the movement has become one of the largest social movements in the country.

Commitment

Richard Pithouse, a long-standing supporter of the movement who now works at Rhodes University, said the movement had managed to acquire the support it had worldwide because it had sustained itself well and had shown commitment and

integrity in its leadership and because the "question of shacks is one of the major issues confronting the world today".

Pithouse said close to a billion people lived in shacks and this was a major challenge of the new century.

"People around the world are looking for solutions and AbM (Abahlali) has developed itself into one of the most important shack dwellers' movements in the world, certainly the most important in Africa."

The movement's main source of funding is from two international organisations; War on Want in London which supports movements such as the Anti Eviction Campaign and the Anti Privatisation Forum; and a Belgian organisation called Entraide et Fraternelle.

However, Pithouse said the organisation was not donor-dependent and always tried to find ways which did not involve the use of money to highlight its cause, and this was what had gained it so much respect. Most of its support from international organisations was in the form of solidarity, not funding, he added.

According to Patrick Bond of the Centre for Civil Society, the movement has performed an extremely important service by amplifying voices against poverty, degradation and local state failure.

"Abahlali and other movements have given their members a new-found dignity, and have raised their profile here at home and internationally. " He said the movement had succeeded in blocking evictions and protecting the poor.

KwaZulu-Natal Anglican Bishop Rubin Phillip, who has been working closely with the movement for at least five years, described it as a peaceful, non-aligned social movement fighting for the poor.

"It is a highly organised movement with a sense of organisation and a strong network even internationally consisting of intelligent people who do not need us to tell them what to do but who want people to work alongside them."

Misleading

But local ANC branch executive committee chairman Jackson Gumede said the movement was misleading people.

"Abahlali do not really have a plan on how they will assist people but we do as government." He said the movement did not want people to have development because it thrived and sustained itself from having people living in shacks.

In the same vein, in a contribution to Peter's WordPress Blog posted soon after the

attacks in Kennedy Road, lawyer Devanathan Pather said: "We must ask the hard questions of how shack-dweller movements became a media and academic creation that substituted newspaper headlines for real analysis of their nature, ideology and strengths and outside academics whose strident and self-serving writings in defence of their research subject, AbM, obscures wider and more ominous questions of why and how inter-community violence erupts."

Zikode said: "The shack dwellers have the right to associate with whomever they choose to be with. We are not going to confuse them because we are not a political party and that does not mean that we will stop advocating for human rights."

He said although the latest controversy on the attacks at Kennedy Road had dented the movement's image, it had at the same time strengthened its members. Asked what the movement would be if all shack settlements were eradicated, Zikode said: "The movement will carry on to protect the poor people living in those houses. We will continue to advocate for service delivery and the recognition of the poor people in the province and the country."

Kennedy Road shackland home to 10 000 people

October 09, 2009 Edition 1

REPORTS BY NTOKOZO MFUSI & NOMPUMELELO MAGWAZA

THE stench from the landfill next to the homes of thousands of people greets you as you enter the Kennedy Road informal settlement. It is exacerbated by the exposed sewage to which flies and rodents are drawn in large numbers.

This is home to about 10 000 people who have come from the KwaZulu-Natal Midlands, the northern parts of the province and the Eastern Cape to live in shacks erected amid the squalor, crammed together on a treacherous slope.

Children play among the mounds of rubbish strewn around the settlement.

Studies done by city engineers showed harmful gases emitted from the nearby Bisasar Road landfill site which made the area unsuitable for human occupation.

Jeannette Hlatshwayo, 28, a mother of three, was turning a communal tap from which water trickled down to a bucket.

Hlatshwayo, who is a domestic worker at nearby Clare Estate, said there were five taps for the settlement's water needs.

She said sanitation was the biggest problem in the settlement.

"Before the bucket toilet system we used nearby bushes and that was very unhygienic. But now we have toilets which we fight for especially in the morning."

Almost everyone she knew in the settlement suffered from a chest infection which was accompanied by a skin rash.

"Most of the children in the area have skin rashes and sores that are caused by the filth in the area. Although there is a clinic nearby we cannot take our children there every day. Basically we live in mud and we often feel that everyone has forgotten about us."

Another resident, who wished not be named, said he had been living at Kennedy Road since 1987.

"If you move out of this place you should consider yourself lucky. I have had no choice but to stick around here because I have a job in the area and I am happy with it.

"When I arrived here, there were few shacks. As more people occupied the land over the years, the place has become a human dump which has contributed to diseases, poverty and crime."

He said people in the shack settlement were used to living in such conditions and had given up on the dream of receiving housing.

Zinhle Mphanga, 28, said she had lived in Kennedy Road since she was 13, and had lost hope of moving out of the settlement.

"We have accepted that we live in shacks and the only thing we ask for is proper electricity and water. If we can have proper sanitation then we would not have diseases and the place will be much cleaner."

Like most of the residents there, they are tired of waiting for help for their lives to improve; for access to basic facilities.

"The only development around here is the shack numbers on our doors put in by the municipality as part of the housing unit project and the new toilets which stopped working a week after they were brought here," said 19-year-old Bongeka Mxosana who has lived for five years in a one-roomed shack with her sister.

The municipality's response is that the residents can get assistance if they are prepared to move to other areas more suitable for human habitation.

But the debate about whether development should take place on the site versus

people moving out to other areas has for long been a thorny issue between the municipality and the Abahlali baseMjondolo movement formed to represent the shack residents.

Nigel Gumede, head of the city's housing and infrastructure committee, said that central to the delay in building houses was people's insistence that houses be built on the site and their reluctance to move despite the area's being hazardous for human occupation.

Gumede charged that the reluctance of people to move was fuelled by shebeen owners and shack landlords who made money from the residents.

He added that there was a political dimension to the delays because of the involvement of Abahlali.

Gumede accused the leader of the Abahlali movement, S'bu Zikode, and the string of academics who have aligned themselves to the shack dwellers' struggle of not having the best interests of the community at heart but instead thriving on the community's being there because the residents and their living conditions were subjects of their research.

"Even if we wanted to develop the area you cannot accommodate all the people there. Some would have to be moved to either the Cornubia housing development near Gateway or Mount Moriah near Phoenix," Gumede said.

He said in February this year, the city and the residents had come to an agreement that 600 houses would be built in the area and the rest of the people would be moved elsewhere.

Weekender

Kennedy Road gets global response

Published: 2009/10/10 09:03:17 AM

OUTSIDE SUPPORT: The Kennedy Road settlement was attacked by a mob led by shebeen owners in protest against a curfew curtailing trading hours. So far, more than 1000 scholars, activists, supporters and veterans of the struggle have signed a petition to President Jacob Zuma in solidarity with the community. Picture: MHLABA MEMELA

ON FRIDAY, a group of protesters gathered outside the South African consulate in New York to protest against a "shack dwellers movement under attack in Durban". The protest, similar to gatherings outside the consulate during the '80s protesting

against apartheid, was organised by New York organisations Picture the Homeless, the Poverty Initiative, and Domestic Workers United.

The organisations had met representatives of the shack dwellers movement Abahlali baseMjondolo in New York in August.

"As Abahlali baseMjondolo faces attack and repression in Durban, poor and struggling people and our allies in New York City make common cause and stand with our friends in SA," the three organisations said in a statement.

On Tuesday, a small group picketed the South African embassy in London in support of the shack dwellers.

Around the world, millions of people are responding to recent events in a small informal settlement near Sydenham in Durban, known as Kennedy Road.

Residents of the settlement were shocked on September 26 when an armed mob went from house to house, forcing people to join their planned protest.

Abahlali baseMjondolo president Sibusiso Zikode says the mob was led by shebeen owners in the area who were protesting against a curfew that banned them from trading for 24 hours.

According to Zikode, the mob allegedly attacked the homes of local committee members of his organisation. In the 20-hour battle that ensued, about 27 shacks were destroyed, several people were killed and more than a thousand displaced.

Although many people have tried to politicise the incident, Zikode maintains it was sparked by the curfew imposed by local police and the safety and security committee in an attempt to curb crime in the settlement.

This was an incident that deserved front-page coverage in local newspapers and a lead place on radio news bulletins. But the news of the attack reached every corner of the world - and sparked condemnation and protests.

The community of Kennedy Road - under the leadership of Abahlali baseMjondolo, a civic organisation that fights for housing and basic services - received solidarity messages from human rights organisations, academics and churches across the globe.

The United Nations former special rapporteur on housing made himself available to the South African press for interviews. Miloon Kothari said he had visited Abahlali baseMjondolo in April 2007 and wrote a report on housing in SA in which he specifically commended their work.

Since the attack, 1164 scholars, activists, supporters and veterans of the anti-

apartheid struggle have signed a petition to President Jacob Zuma in solidarity with the Kennedy Road community.

It was drafted by Raj Patel, a British-born academic, journalist and activist who is based in San Francisco.

Like many people who have sent messages of support to the residents, Patel lived in Durban for two years and visited Kennedy Road several times.

Zikode says his organisation's mailing list of 1500 e-mail addresses was instrumental in spreading the news of the attack to the world.

People on the list include academics, students, human rights movements, businesses, journalists and "ordinary people".

Zikode says Abahlali baseMjondolo gained prominence in 2005 when it staged protests against forced evictions in Durban and clashed with police. "When the government banned our marches, that is when we gained our popularity."

The movement formed partnerships with other local, like-minded organisations such as the Anti-Privatisation Forum and the Landless People's Movement, which eventually came together in the Poor People's Alliance.

To date, Zikode claims Abahlali baseMjondolo has 50000 registered members in KwaZulu-Natal and more in Khayelitsha in the Western Cape.

He says the relationship with international universities was formed when foreign students visited informal settlements, including Kennedy Road. They wrote reports about conditions in the area and returned home to mobilise support.

Abahlali baseMjondolo leaders have been invited to seminars and workshops in the UK, US and other countries, where they have spoken about the struggle of the poor in SA.

"That is where we formed relationships with other human rights organisations such as Amnesty International, Dignity International, War on Want and many others," says Zikode.

"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.

"It is true we have supporters in other countries. Most of these people are the same people who supported the struggle against apartheid. They are supporting our struggle because our struggle is clearly just."

The movement uses new media tools such as Facebook and YouTube to great effect.

It has seven videos on YouTube and the Kennedy Road attack clip has been viewed more than 1800 times.

Zikode says the Abahlali.org website gets 3000 hits a day. Photographs of international and local solidarity protests following the Kennedy Road attacks are posted daily on the site.

The movement also stars in a documentary film, *A Place in the City*, which has been screened at festivals and universities around the world. Director Jenny Morgan shot the film in settlements around Durban, asking residents about their daily lives and their hopes for the future.

"Many people have contacted us asking what they can do to support us," Zikode says. "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 Grahamstown."

Pong blamed for schoolkids getting sick

Oct 10, 2009 10:28 PM | By Santham Pillay

Disgruntled residents took to the streets in protest against a waste disposal company in Chatsworth on Friday.

Their action followed an incident on Thursday when about 180 pupils of Gitanjali Primary School - situated about 5km from the Wasteman disposal site in Bul Bul Drive - had to be evacuated after they fell ill from a powerful smell allegedly emanating from the landfill.

Around 30 protesters, mainly parents of children and other concerned members of the community, stood along Chatsworth's Higginson Highway holding placards, including one that read: "Wasteman is killing our children."

The children, aged between five and 12, as well 14 teachers, were taken to various hospitals in the Chatsworth area when they complained of headaches.

Some were vomiting and others fainted.

All the children responded to treatment and none needed to be hospitalised.

On Friday, only 15 children arrived at school but were sent home because the school is awaiting a certificate from the Department of Health to ensure that the area is safe.

A teacher who asked not to be named said representatives of the department would be assessing the school, but they believed the school would reopen and be operating as usual tomorrow.

Principal Rashid Ally said that he was alerted to the situation at around 10.30am on Thursday when pupils came to the office complaining of breathing problems and nausea.

He said the smell was very strong, adding it smelt like "sulphuric acid".

"I thought it was a burning cord. It just smelt like something was burning," he said.

Wasteman's general manager, Justin Bott, said that he had commissioned an independent investigation.

"None of our staff who work on the landfill in the area - and remember that we also have offices there - has had any symptoms or any complaints or anything," he said.

The Department of Agriculture, Environmental Affairs and Rural Development refused to comment on the matter.

It said that it was still investigating and that it would be "premature" to make any assumptions.

Student wounded in Umlazi protest

October 13 2009 at 04:10PM

A student was hit by a rubber bullet above his eye during a protest at the Mangosuthu University of Technology in Umlazi, KwaZulu-Natal police said on Tuesday.

"A student was shot by a member of a security company during a chaotic situation at the institution," Superintendent Buhle Ngidi said.

Ngidi said they were protesting after the student representative council election results were released.

"At the moment the situation is calm. Police have not fired any rubber bullets. We are monitoring the situation." - Sapa

Sunday Tribune

Public left powerless

October 18 2009 at 11:15AM

By Vivian Attwood and Matthew Savides

Cash-strapped South Africans will have to work even harder to reduce their electricity consumption and, somehow, prepare for proposed massive Eskom tariff hikes.

Power bills are set to triple in the next three years, and local ratepayer organisations are concerned that many people will face severe financial difficulties and could be forced to sell their homes or businesses amid the spiralling costs.

To counter this, homeowners will have to consider power-saving measures, including the use of solar power.

'People have to protest against Eskom'

Concerns have also been raised about how other costs, including essentials like clothing and food, could rise with electricity costs.

Despite receiving an electricity hike of 27 percent in 2007/08, followed by another of 31 percent in 2008/09, Eskom announced this week that it intended to drastically increase the price of electricity by the 2012/13 financial year.

The country's electricity distributor has asked the National Energy Regulator of South Africa (Nersa) to phase in the increases, giving two options:

First, that tariffs increase by 45 percent a year for three years, and

Second, that there will be an initial increase of 146 percent next year, followed by two consecutive years in which tariffs will be increased by 12 percent.

If either option is chosen, electricity charges in the 2012/13 year will be four times higher than they were in 2008, and triple what they are now. Apart from a general reduction in power usage, including switching off lights and unplugging non-essential appliances, many homeowners will have to consider investing in long-term power-saving products to counter the increases.

With geysers and swimming pool pumps considered among the biggest power guzzlers, linking these to solar panels - at a start-up cost of between R15 000 and R20 000 - could considerably reduce the monthly electricity bill, saving money in the long term. Converting indoor lights to run on solar power will cost in the region of R2 000, but will also result in monthly savings.

On the plus side, Eskom does subsidise between 15 percent and 30 percent of the costs to install solar powered geysers.

Lilian Develing of the Combined Ratepayers Association of Durban, said that the proposed increase was "simply untenable".

"Should the increases happen, many people are going to be put out of business and get rid of or downsize their homes.

"This will result in us having more and more poor people, who will have to be subsidised. The Eskom increase is just not sustainable," she said.

Clairwood Ratepayers and Residents Association chairman Rishi Singh agreed, saying that the increases would drive people into poverty.

"What will happen is that the poor will keep on getting poorer.

Electricity will become completely unaffordable, and this is wrong because it is a basic necessity," he said.

Singh added that the organisation would write to Nersa and the Minerals and Energy Department to oppose the increases. However, it was ordinary citizens who needed to make their voices heard.

"People have to protest against Eskom. The increases cannot be allowed to happen, and the people need to speak out against them," he said, urging residents to attend public hearings and write to the relevant bodies.

Develing said she wasn't only concerned about the electricity hikes, but also about other cost increases.

"My rates went up 100 percent last year, and again by 10 percent this year.

"Pensioners are having to dip into their capital to pay bills. Food is getting more and more expensive.

"If the only increases were electricity increases, people would be able to cope. But, as it stands, the situation is unsustainable," she said.

Head of the National Consumer Forum, Thami Bolani, said that the Eskom hikes would undoubtedly affect other products and services.

"If the hikes are approved, it would have a significant effect on inflation, ensuring that food and transport prices go up, that people would have to start compromising on children's education, what they eat

and how they live," he said.

Cosatu has also weighed in on the matter, describing Eskom's request as "outrageous and insensitive".

The union said if the trend of steep electricity hikes continued, many of the poor would not be able to afford electricity at all, and would turn to more dangerous sources of heat and light, such as paraffin and gas.

"As well as the direct blow to residential consumers, this proposed increase flies in the face of the government's efforts to create decent work through small and medium businesses, many of which will be unable to survive such increases...," Cosatu said.

matthew.savides@inl.co.za

This article was originally published on page 11 of Tribune on October 18, 2009

Sunday Tribune

Welcome relief

October 18, 2009 Edition 1

ALL people, whether fortunate enough to live in a comfortable suburban home or forced to eke out an existence in a ramshackle informal dwelling, desire the security, protection and warmth of a permanent roof over their heads. A home is, after all, what good, stable family life is all about.

Understanding this basic need among all families, the Constitutional

Court this week delivered a judgment that brought welcome relief to thousands of residents of informal settlements who feared that sections of a provincial law left them open to displacement through forced evictions. It was a victory worth celebrating. They have succeeded in staving off the threat of eviction for the time being, but their problems are far from over. More challenges remain, but at least the court decision gives hope to communities desperate for a better quality of life.

Landmark judgment in favour of poor

NIREN TOLSI | DURBAN, SOUTH AFRICA - Oct 18 2009 06:00

In a major legal victory for poor people's rights to housing and

shelter, the Constitutional Court this week struck down the

KwaZulu-Natal Slums Act. The court upheld shackdweller movement Abahlali base Mjondolo's (ABM) application that the Act was unconstitutional.

The KwaZulu-Natal Slums Act empowered municipalities to evict illegal occupants from state land and derelict buildings, and to force private landowners to do likewise or face fines or imprisonment -- all at the behest of the provincial housing minister.

The Act also empowered the minister to determine the time frames for all these actions and, via section 16, gave provincial housing ministers untrammelled powers to instigate eviction procedures against communities.

If ABM's Constitutional Court bid had been unsuccessful, the Act was to

be used as a blueprint around the country. ABM fought this legislation on two fronts. It argued in the Constitutional Court that the Act actually dealt with land and land tenure, and so was not within the ambit of the provincial legislature to implement.

And it contended that section 16 of the Act was in contravention of section 26 (2) of the Constitution, which requires the state to take "reasonable legislative and other measures ... to achieve the progressive realisation of [the Constitutional] right" of every South African to access to adequate housing.

The social movement further contended that section 16 was inconsistent with national legislation and instruments such as the Prevention of Illegal Eviction Act, the National Housing Act and the National Housing Code.

The full Bench of the Constitutional Court unanimously found that, despite ABM's argument, the Act did, in fact, deal with housing matters. Nevertheless, the court struck down the legislation because of section 16. Only Justice Zak Yacoob dissented with Deputy Chief Justice Dikgang Moseneke's majority judgment that "recognised the coercive import" of section 16 in the powers it gave to the housing minister.

Moseneke found that section 16 would lead "those in slums and informal settlements who wouldn't face eviction to now do so". He also found that the section "erodes and considerably undermines the protections against the arbitrary institution of eviction proceedings" safeguarded by

national legislation such as the Prevention of Illegal Eviction Act.

Moseneke further found that section 16 "was silent" on the National Housing Code and the National Housing Act's stipulations that unlawful occupiers must be ejected from their homes only as a last resort. The judgment also questioned whether the section permitted reasonable engagement between government and communities.

The deputy chief justice noted that while conflict between provincial and national legislation did not necessitate invalidation, the Act did not pass constitutional muster as set out by section 26 (2).

But it was parts of Yacoob's dissenting judgment -- when allied with the majority judgment's emphasis on engagement and that evictions were "a last resort" -- that broke new ground for the rights of illegal occupants of land when negotiating with government.

Yacoob noted that "all applications for eviction must comply with the requirements expressly stipulated in the Prevention of Illegal Eviction Act and the Constitution as well as with all other requirements that have been judicially stipulated".

The Constitutional Court had previously found that government can only evict after meaningful engagement (the Olivia Road judgment) and if it provides adequate housing alternatives to those affected (the Grootboom judgment).

In the ABM case, Yacoob went further: "If it appears as a result of the process of engagement, for example, that the property concerned can be

upgraded without the eviction of the unlawful occupiers, the municipality cannot institute eviction proceedings. This is because it would not be acting reasonably in the engagement process."

The majority did not find cause to differ on this.

Declaring the Act unconstitutional, the court ordered all costs for both this and ABM's high court application be carried by the KwaZulu-Natal government. Neither the province's department of housing nor Premier Zweli Mkhize had responded to the Mail & Guardian's requests for comment at the time of going to press.

ABM president Sbu Zikode said the judgment "had far-reaching consequences for all the poor people in the country and validated ABM's role as protector of the Constitution, and a champion of the rights of the ordinary people of South Africa".

He said: "Shackdwellers have been recognised as human by the Constitutional Court and its findings that there needs to be more engagement between government and the poor. Hopefully, this judgment will also see the end of forced removals to transit camps and temporary relocation areas."

Still in hiding after attacks on his Kennedy Road home, Zikode, responded to recent claims by eThekweni municipality officials that ABM's application to the Constitutional Court had stopped development in the settlement: "The judgment has proved that we are for development. We will now return to Kennedy Road with this message".

He added that the movement expected "more attacks, though".

Forum Lecture, S'bu Zikode, 22 October 2009

University Forum Lecture

Presenter: S'bu Zikode

Topic: Party politic vs living politic in Kennedy Road.

Venue: Shepstone 5, Howard College Campus, UKZN

Date: 22 October 2009

Time: 12:20

S'bu Zikode is president of Abahlali baseMjondolo, a 5 year old social movement of shack dwellers linked to 34 settlements in KZN and various affiliates around South Africa. Abahlali has been challenging the local and provincial government on issues such as evictions and housing delivery. They have been in the headlines for the last few weeks for two reasons. The first is the outbreak of violence at Kennedy Road shack settlement in which many Abahlali activists have been arrested or displaced and their shacks destroyed. The second is that they won their constitutional court appeal to have the KZN Slums Bill struck down. For more information see <http://www.abahlali.org/>

For those who can stay, there will be a screening of a new film called 'Dear Mandela' which includes footage of the events of the last few weeks. This will be screened after the forum lecture at about 13:20 in the same venue.

Abahlali baseMjondolo Press Update

This addendum to yesterday's press release was received late last night via cellphone text message from Reverend Mavuso Mbhekeseni. Please contact the Reverend for further details on the threats to the clergy, the chairperson of the AbM Women's League and others, at the court yesterday.

The ANC mob was swearing at us in court saying that we are corrupt church leaders who support criminals. They threatened to catch us and kill us in the city. They said that they would describe us to all their people by the clothes we were wearing. They also threatened the chairperson of the AbM women's league although she was not

present at the court. They threatened her by name, shouted and swore at her name, and said that she is a "a thief who wears pants bought with the money from Kennedy Road people." The ANC mob was armed with sticks and other sharp objects. They were highly intimidating and it was clear that their threats were serious - they meant what they were saying.

- Reverend Mavuso Mbhekeseni: 072 279 2634

We also need to note that some of the ANC mob threatened AbM people with knobkerries, that they also claimed to have bush knives in the bus and threatened to kill people leaving the court and that threatening sexual gestures were made against elderly AbM women. One of the mob also openly said that their plan, when they attacked the AbM Youth Camp at Kennedy Road, had been to kill S'bu Zikode.

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Abahlali baseMjondolo Press Update

Monday 19 October 2009

Kennedy Thirteen Bail Hearing Adjourned

The Kennedy Thirteen appeared in the Durban Magistrate's Court today for a bail hearing. Once again the ANC bussed in its supporters. Once again they were hostile and aggressive and openly threatened to kill the Kennedy Thirteen if they are given bail. The arguments were heard and the decision will be given on Monday 26 October. In the meantime the Kennedy Thirteen will be kept in the notorious Westville prison.

Our movement was vindicated in the case of the Kennedy Six - we will be vindicated in this case too.

For comment on today's bail hearing please contact:

Reverend Mavuso Mbhekeseni: 072 279 2634

Shamita Naidoo: 074 315 7962

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Eight More Arrests in Two More Settlements

On Thursday last week there were another eight arrests. Four people were arrested in the Foreman Road settlement and another four in the Arnett Drive settlement. This has extended the current wave of repression against the movement to 3 settlements and brought the total number of arrests to 21.

The police first descended on the Foreman Road settlement where they kicked in doors and arrested 4 people for Operation Khanyisa (i.e. connecting themselves to electricity in a city where shack dwellers have been officially denied access to electricity since 2001). They then went to the Arnett Drive settlement where they also kicked in doors and arrested 4 people for 'drinking in public'. In the previous wave of repression - from 2005 till late 2007 - this charge was often used against the movement. The police act as if a shack is not a private space and then arrest people having a beer in their own homes. This is a very dirty trick aimed at making being poor a criminal offence.

The politics of the poor developed by our movement was criminalised from 2005 till late 2007. Our movement came out of that phrase of repression stronger than we were when it began. We did not give up our struggle. We kept going. And after the March on Mlaba the City realised that it had to negotiate with us. From late 2007 until last month things were much easier in Durban (although not elsewhere) - we were negotiating with the City and making all kinds of progress. But now a decision has been taken to return to repression. We survived the first attempt to criminalise our movement and we will survive this attempt. Every arrest makes the real nature of the state more clear to more people. Every arrest makes the real nature of our democracy more clear to more people. We have no choice but to keep going forward with our struggle. Without struggle there is no hope for us or our children. We cannot accept that. Therefore we will not be defeated.

For comment on the arrests in Foreman Road and Arnett Drive please contact:

Philani Dlamini: 078 583 5451

Mama Nxumalo: 076 579 6198

KZN's service problems

Our worst municipalities

October 21, 2009 Edition 2

WENDY JASSON DA COSTA & GUGU MBONAMBI

MSINGA in KwaZulu-Natal has been rated South Africa's worst local municipality in which to live while the eThekweni Municipality was last in terms of actual service provision for the six metropolitan

municipalities.

A study released by independent research group Empowerdex yesterday showed that KZN ranked seventh out of the nine provinces overall but was fifth in terms of improvement in service provision.

The countrywide assessment included all 231 local municipalities, 46 district municipalities and six metropolitan municipalities, which were scored on the provision of housing, water, electricity, waste removal and sanitation.

The release of the findings coincided with President Jacob Zuma's meeting with mayors and municipal managers in Cape Town, and agreement that a national effort was required to improve local government, amid service protests in several centres around the country.

Nama khoi in the Northern Cape was the highest ranking municipality, where 94 percent of the population had basic services, whereas Nkandla, in rural KZN, only provides basic services to 32 percent of its population but its improvement index is higher than the national average.

Project developer Suhail Mohamed said they had used the census results of 2001 and a community survey of 2007 to reach their findings.

Msinga was rated the worst performing local municipality because only 18.6 percent of its households received basic services. KZN municipalities Ingwe and Impendle were in the bottom three for housing provision, with less than 15 percent of residents living in formal dwellings.

Msinga had the fewest households with piped water (2.2 percent) but Nkandla, Zuma's birthplace, had the biggest increase (51.6 percent) in the number of households with potable water.

KZN municipalities Ndwedwe, Mandeni and Umdoni fared badly for households with formal sanitation, with less than 3 percent of residents using formal toilets.

Overall, the Eastern Cape and KZN accounted for eight of the 10 lowest scoring municipalities with Vulamehlo and KwaMaphumulo the lowest scorers. Like Msinga they are rural and made up of tribal areas with no major towns.

KZN district municipalities also made up three of the bottom five in their category.

The Empowerdex report says that the eThekweni Municipality is ranked last overall out of the six metro municipalities, but is fifth in terms of improvement of service provision.

KZN ranked seventh overall and in terms of service provision across the country.

The head of research at Empowerdex, Steven Hawes, said an understanding of the weaknesses in local government came with many benefits.

"It provides insight into whether recent protests reflect genuine community concerns of manipulation of information by community and political leaders."

He said of particular concern was the low level of service provision to

communities within former homelands in the Eastern Cape, North West and Limpopo, and rural areas of KZN.

"Basic services are the fundamental building blocks to economic empowerment in South Africa. In addition to providing municipal insights for government structures, we hope that political parties, ratepayers' associations and community action groups will find the report valuable as a benchmark to assess their current situation and determine a forward-looking plan to further empower themselves," said Hawes.

KZN Local Government Department spokesman Vernon Mchunu said the lack of capacity in human resources, skills and income was the cause of poor service provision in most municipalities, according to the department's recent assessment of municipalities in the province.

"Financial mismanagement will always adversely affect the coffers of municipalities, and a lack of technical skills also affects their ability to deliver," he said.

According to Mchunu, some municipalities did not have staff capable of producing proper integrated development plans (frameworks for development) while others failed to obey the Municipal Finance Management Act because they lacked people who could interpret the law correctly.

Press Release: Our Worst Municipalities

This press release was emailed out at : 21 October, 2009 18:15

This is in response to an article in The Mercury dated 21 October 2009 titled "Our Worst Municipalities" The eThekweni Municipality is very disappointed with the above article which conveys the incorrect impression that the eThekweni Municipality is the worst performing Metro in terms of a municipal service delivery index (MUNIDEX) arrived at through a study undertaken by Empowerdex. Firstly, to calculate the overall index, municipalities that experienced an increase in households greater than the national average of 11.56% received bonus points, whilst those that experienced lower increases were penalized. The increase or decrease was up to 20 points. In this regard, the percentage increase in households in eThekweni was the lowest amongst Metros with 5.99%. Accordingly, in terms of the calculation of the overall index, the eThekweni Municipality was penalized for being below the national average. We consider this to be unfair and cannot fully appreciate why an arbitrary factor such as the increase in households was used to influence and weight scores in the calculation of this index. Basically, half the overall score is dependent on the improvement index. Accordingly, the index has a bias for improvement. Hence, as the eThekweni base is already high due to excellent work done in the recent past, we believe we have been prejudiced. Municipalities with a lower base would have had more room for improvement. MUNIDEX compares the 2001 Census with the 2007 Community Survey, which are out of date. The 2007 Community Survey has a lower level of statistical reliability than the 2001 Census, which besides being out of date, calls into question the degree of accuracy in comparing the two sets of data. The MUNIDEX report does not take into account the scale of basic service delivery but reports on percentage change within each Municipality. This type of reporting could result in one Municipality delivering more basic services between 2001 and 2007 than another but getting a lower percentage improvement score than a second municipality which has in fact delivered fewer basic service units. MUNIDEX is a composite index comprising a status index, an improvement index and an overall score adjustment based on household increases. The improvement index is problematic as it compares the increase in service delivery of a municipality against the national average, rather than comparing the service delivery levels in each municipality between 2001 and 2007. Being able to reach the same results is a basic tenant of scientific work and unfortunately the calculation of the overall final score is not replicable, given the information provided in the report. Accordingly, more current and reliable information would certainly have been from documentation from National Treasury and the Office of the Auditor-General on the performance of municipalities. As you would undoubtedly appreciate, both are independent and reliable sources. In this regard, the eThekweni Municipality has always received a clean, unqualified audit report from the Auditor-General. Further, National Treasury as part of the assessment of the Municipality's budget commended the Municipality on its "impressive and significant growth in the capital budget, 50 percent, between

2007/08 and 2008/09 and annual growth at an average of 4.7% over the MTREF

(Medium Term Revenue & Expenditure Framework), reflects an attempt by the municipality to accelerate service delivery and address backlogs." In addition, amongst several awards won by the Municipality in recent years is the Govan Mbeki Award for the best housing delivery in the country where we are producing 16 000 new houses per annum on fully serviced sites. The study must also be read within the context of the huge rural challenge in the eThekweni Municipality. In this regard, throughout the world there are different levels of services for urban and rural areas which has been accepted politically. However, services in rural areas do not meet basic health standards. In addition, neither the report on the study nor the newspaper article have been contextualized in terms of the following key issues that emanate in the main from the credit rating report of the Municipality which is another independent and reliable source that the study omitted to refer to :- The eThekweni Municipality has the highest capital spend in the country due to the rollout of the biggest infrastructural programme. Lastly, the Municipality has the highest maintenance spend in the country. The eThekweni municipal region recorded a GDP of R137.6bn in 2008, or

6.7% of national GDP, and has witnessed an average GDP growth rate of

5.2% over the period 2004 to 2008, above the national average of 4.6%. In addition, an expectation of continued above average growth is favourably viewed.

It must also be stated that at no stage did Empowerdex liaise with us regarding their study to validate any information or conclusions they had reached. Accordingly, we question the objectivity and validity of this study. Further, it is also disappointing to note that the reporters in question, namely Wendy Jasson Da Costa and Gugu Mbonambi, made no attempt to elicit a response from the eThekweni Municipality regarding this study which would have ensured a far more balanced view in their article. In view of the above, we certainly do not believe that the study undertaken by Empowerdex is reflective of the level of service delivery by the eThekweni Municipality. Issued by eThekweni Municipality, Communications Unit., Contact Themba Nyathikazi on 031-311 2286 or e-mail nyathikazit@durban.gov.za

The Mercury

City accused of buying off traders

October 21, 2009 Edition 1

SIPHILILE SHELEMBE

THE chairman of the Early Morning Market Association has accused the

eThekwini Municipality of buying off certain traders who are part of the Unicity Informal Sector Forum to support the development of a mall in Durban's Warwick precinct.

Harry Ramlal claimed that the municipality had manipulated certain people so that the development would appear to be of benefit to all traders. The association's members are opposed to the construction of the mall, saying it would destroy their livelihoods.

"The municipality is not concerned about poor people and is undermining informal traders. None of the informal traders in the precinct support the development, which will benefit large businesses and not the informal traders," he said.

Ramlal said the association would pursue its court applications against the mall development.

A spokesman for the forum's working committee said that all monies used to sustain the forum were raised from its members and businessmen.

Philip Sithole, head of the eThekwini Municipality's business support and markets unit, said: "The sooner the association accepts that not everyone is against the mall development, the better. It's an insult to think that the municipality would do something corrupt."

Sithole questioned whether Ramlal represented the poor at all times in conversations with the city.

The Mercury

Time is perfect for rethink on housing policy

October 21, 2009 Edition 1

Imraan Buccus

THE Constitutional Court has ruled in favour of the application brought by Abahlali baseMjondolo (ABM) and declared a section of the KwaZulu-Natal Slums Act, introduced with much fanfare in 2007, to be unconstitutional.

The judgment means the Act will now not be reproduced in the other provinces, as mandated by the Polokwane resolutions. And, perhaps more importantly, the whole policy of eradicating slums by forcibly removing shack dwellers to peripheral transit camps lies in tatters.

In 2004 the government introduced the Breaking New Ground (BNG) housing policy in the wake of a widespread realisation that post-apartheid housing policy was replicating apartheid social planning.

The new policy allowed for shack settlements to be upgraded on site via participatory development techniques. It was a major break with the tendency to seek the eradication of shack settlements via forced removal to the urban periphery. The policy was welcomed across civil society as a major advance over the first decade of post-apartheid housing planning. However, with the exception of the innovative deal signed between ABM and the eThekweni Municipality in early 2009, the new policy was never implemented.

The state ignored its progressive new policy and instead returned to the

apartheid language of "slum eradication" and the apartheid strategy of forcibly removing shack dwellers to peripheral transit camps.

This was often undertaken with considerable violence on the part of the state.

Shack dwellers' organisations across the country have opposed the return to apartheid-style urban planning and have often successfully appealed to the courts to stop evictions.

The KZN Slums Act was an attempt by the state to legalise its return to repressive urban planning practices.

The Constitutional Court has now ruled that the act is illegal and made it impossible for the state to legitimate its turn to repressive practices.

The government now has to rethink its housing policy. The obvious solution would be to actually implement the BNG policy.

The deal negotiated between the eThekweni Municipality and ABM between September, 2007 and February 2009 shows that it can be made to work if there is enough political will.

This deal provides for services to be provided to 14 settlements and for the upgrade of three, including the Kennedy Road settlement, via BNG.

ABM's achievement in stopping the Slums Act in the Constitutional Court and, simultaneously, working out viable alternatives in negotiations with the eThekweni Municipality is a remarkable achievement.

The movement has, like the Treatment Action Campaign (TAC), achieved a fundamental challenge to bad policy and practice.

It has also, again like the TAC, found and perhaps even developed progressive forces within the state to realise its objectives.

Organisations such as the TAC and ABM are precious resources for our democracy. They are both, in different ways, able to speak and act with great effect for groups of people marginalised from mainstream society. They have, justly, both been celebrated here and around the world for their contribution to human rights. We should all, therefore, be deeply concerned about those who think that the ABM had no right to question authority and to take the government to court.

As the many democrats within the ANC will certainly agree, the kind of engagement that ABM has engaged in is the very stuff of democracy and is the right of any citizen, organisation or movement.

Open debate and judicial overview of key decisions enrich our democracy and are always to be welcomed.

There was also a time when the TAC was under attack from the state. TAC protests were violently attacked by the police in Queenstown and here in Durban and all kinds of slander was circulated about the movement - including the bizarre allegation that a movement that began its work by campaigning against the drug companies was being funded by the same drug companies.

But there is now a broad recognition that the TAC's challenge to the ANC has resulted in a deep improvement in the ANC's response to the Aids pandemic.

As the government, hopefully in partnership with civil society, reconsiders its housing policy in the wake of the judgment against the Slums Act, there needs to be a similar recognition of the enormous social value of the work undertaken by ABM.

In recent weeks there has been an incredible outpouring of civil support for ABM across South Africa and around the world.

No doubt this support will step up in the wake of the organisation's achievement in the Constitutional Court.

Democrats in the ANC need to affirm the right of civil society organisations to freely advance the interests of their members even when this brings them into disagreement with the government of the day.

Imraan Buccus is attached to the School of Politics at UKZN and to Nijmegen University in the Netherlands.

***November 2009

(FROM: WDF and SDCEA)

MARCHING FOR SERVICE DELIVERY

The Wentworth community will no longer sit idle while its fundamental rights are compromised. Like other communities, we have rights to decent housing, redevelopment, affordable electricity rates, ownership of long rented and paid for units, affordable rent, proper recreational facilities, a pollution free environment and a right to be listened to when we voice our views. The Barracks community is strongly concerned with the type of housing being built for this community in Lansdowne Road and more worried with the fact that members of the community are being pitted against one another over this project which is intended for the Barracks community.

On 6 November 2009, the WDF together with sister organizations will lead a march to the City Hall after which it will proceed to the offices of the provincial housing

department to issues memorandums to both these government structures. We will also be sending a letter to the Department of Social Welfare and Development demanding that all pensioners be exempt from paying tax and bank charges. After the march to the city we will take transport back to the community where after we will proceed to Engen where we will also be presenting a set of demands regarding the proposed rezoning to allow more pollution. Our list of demands to the provincial and metro governments is the following:

- Reduction of high electricity bill
- Redevelopment of Austerville
- Upgrading of flats
- Transfer of units
- Ownership or Rental of units
- The Lansdowne Project
- Provide Basic Service

Amongst us there will be members of other communities like Clairwood, part of Umlazi, Phoenix, Newlands East, Bluff and Merebank.

POWER TO THE COMMUNITIES OF SOUTH DURBAN

The UKZN Centre for Civil Society welcomes you to an afternoon of sharing:

CCS EVENT: Solidarity with Durban's oppressed: Bottom-up resistance strategies of shackdwellers, pollution victims and labour-brokered workers

Wednesday, 4 November: 5-6:30pm Courtyard of the Memorial Tower Building, Howard College Campus

Chair: Trevor Ngwane, Centre for Civil Society (and Soweto Electricity Crisis Committee)

* Mazwi Nzimande, President of Abahlali baseMjondolo Youth League

* REPRESENTATIVE, South Durban Community Environmental Alliance

* Zama Hlatshwayo, UKZN Workers Forum leader

* And a word on fighting oppression globally, by Professor Immanuel Wallerstein, Yale University

(Admission free, refreshments served, donations - including blankets, clothing, nonperishable food - are encouraged. For more information and to RSVP contact Lungi at 031 260 3195.)

Protest turns into political stand-off

02 Nov 2009

Sandile Waka-Zamisa

A SERVICE delivery protest turned into a stand-off between ANC supporters and protesters in Mpumalanga township in Hammarsdale on Saturday.

The residents of Phumlani Area in Mpumalanga's Ward 6 were marching to Ethekwini Metro offices in the township when more than 200 ANC supporters wearing ANC and SA Communist Party T-shirts, started toyi-toying inside the metro offices gate and blocking the entrance.

About 100 marchers led by an IFP leader in the area, Victor Dladla, could not enter the metro offices to deliver their memorandum. Dladla said the march was not a political party protest, but a protest by concerned residents.

"We came here to raise our concerns as a community about the lack of service delivery. We applied for this march and were given permission. What the ANC is doing in standing in our way is against the law. Firstly, they do not have permission to hold a protest, and they are preventing residents from exercising their right to protest." Dladla said the ANC supporters were transported to the metro offices earlier in the day to disrupt the march.

The Phumlani residents said the local councillor has failed to provide them with basic services. "About six years have elapsed and the residents of Phumlani have no electricity, water and toilets, despite the promises that were made to them," said Dladla.

Democracy is on the Brink of Catastrophe

Submitted by Abahlali_3 on Sun, 2009-11-01 17:42. S'bu Zikode | Speech

Shamita Naidoo and S'bu Zikode spoke to the topic of 'Democracy is on the Brink of

Catastrophe' at a seminar held at Rhodes University by the Faculty of Humanities and the Women's Academic Solidarity Association on Friday 30 October. Not everyone could be accommodated in the room and a number of people had to be turned away. S'bu's talk is below. Shamita did not bring a written version of her contribution but a transcription was typed up and will be available shortly. Abahlali baseMjondolo were joined at the talk by the Unemployed People's Movement from Grahamstown and spent Friday afternoon with the movement in the Vukani settlement where they saw the atrocious conditions there including pre-fabricated houses that have rotting floors after less than a year; RDP houses, also less than a year old, built (like in Durban) on a slab and without any foundation, with asbestos roofs (many of which have blown off in full or in part), walls with cracks so big that you can put your fist in them, large gaps between walls and roofs, walls that have blown over the in the wind and walls that shake when you bump them. People will die in these houses in the winter and it is inevitable that people will also be killed when these houses collapse on to them. For comment on the situation in Vukani or the work of the Unemployed People's Movement in Grahamstown contact Ayanda Kota on 07825 6462.

Rhodes University, 30 October 2009

Democracy is on the Brink of Catastrophe

The road to real democracy has not been easy to those who are still searching for the truth in it. It is like the long road of Abahlali baseMjondolo to the Constitutional Court. Democracy means different things to different people. To some leaders democracy means that they are the only ones who must exercise authority upon others. For some government officials democracy means accepting anything that is said about ordinary men and women. With the attack on Abahlali baseMjondolo in Kennedy Road we have now seen that this technocratic thinking will be supported with violence when ordinary men and women insist on their right to speak and to be heard on the matters that concern their daily lives. On the one side there is a consultant with a laptop. On the other side there is a drunk young man with a bush knife or a gun. As much as they might look very different they serve the same system - a system in which ordinary men and women must be good boys and girls and know that their place is not to think and speak for themselves.

It must be remembered that we have no world without families, without neighbourhoods and without nations. If democracy is to be a living force it must be a reality in the real world of our lives. Therefore there is no democracy in settlements like Kennedy Road if residents are forced to take instruction from party politicians, while those who refuse to take such instructions are attacked and killed. The attack on Abahlali in Kennedy Road was an attack on our democracy.

We must be clear that our democracy is not perfect. It is a democracy of the few, for the few and by the few - a democracy for the rich and by the rich. It is a class democracy, a democracy that criminalises our believable movement and most

movements of the poor and by the poor. It is a democracy that does not only protect the interests of its champions but leaves its ordinary members to rot in jondolo (shacks), substandard housing and the life threatening conditions that are found in places like the Kennedy Road settlement.

Our democracy has failed the poor. Therefore it is our responsibility to make it work for the poor - to turn it into a living force in the lives of the poor by building the power of the poor and reducing the power of the rich. We need to struggle to democratise all the places where we live, work, organise, study and pray. The solution to the fact that our democracy has failed the poor is not to attack democracy from above.

The attack on Abahlali members, its leaders and its offices in the Kennedy Road settlement on the 26th of September 2009 has been a wakening call that our democracy is on the brink of catastrophe. A catastrophe in which no man or woman may be able to rebuild or connect the spirit and soul of our humanity.

Abahlali have been attacked because it has organised the unorganised, it has educated the so called uneducated, it has given voice to the voiceless. Our movement has forced the senior officials to investigate their own employees on all allegations of misallocation, mismanagement and corruption in the delivery of housing and in tender issuing processes. Abahlali have stopped most eviction in the cities where we have members by protesting and taking some municipalities and some government departments to court. We have taken the provincial government of KwaZulu-Natal to the Constitutional Court.

Our attackers are very rich and are using the tax payer's money to carry out the attack. They even remote the attack from a distance so that the poor can be seen to be fighting amongst themselves. We have seen in the past how the poor have been made to turn their anger against their fellow brothers and sisters without sound and able reasons. This is catastrophic and must be stopped now.

The poor must be allowed to seriously engage on the issues that make them poor. They must be supported in all efforts and methods by which they intend to liberate themselves. Everyone has a role to play, be they rich or poor, in shaping this country in to one that immediately begins to respect and look after its poor of the poorest as we move to an end to poverty. The land and all other resources must be shared equally; the laws must apply to everyone including those who make them. The concerns of the poor must be raised loud enough to be heard without fear or fever. The poor must be allowed to determine their own future without allowing party politic to mislead our generation.

The Constitutional Court ruling in favour of Abahlali means that a people's democracy will not be undermined at every turn. It means that forced removal to transit camps can no longer be considered as the delivery of adequate and alternative housing as was a provision of the already buried Slums Act. Abahlali

have always been open to free discussion and have always promised to return every meaningful engagement by the state with a meaningful contribution from below. Despite all the attacks on our movement and the long road to the Constitutional Court the ruling of the Constitutional Court in favour of Abahlali means that while party politic is trying to bring our democracy to the brink of catastrophe the Constitutional Court recognises our humanity and it recognises that the poor have the same right as everyone else to shape the future of the country. We encourage everyone who believes in real equality before the law and all democrats to refuse any form of attack on our democracy -a democracy fought very hard to be won. Let us do whatever it takes to protect our children, our nation and our world.

I take this opportunity to share with you how disturbing and difficult it is to be forced to exile in your own country. I and many leaders of our movement have been made refugees in our own country, in our own province, in our own city, in our own settlement. Our families, including our children, are going through a very difficult time. Some of them have been admitted in hospitals because they cannot cope with the trauma. The state has not responded with any relief for those whose homes were burnt down and who were made homeless by this attack. The state has not condemned our attackers. The state has not arrested anyone from our attackers but continues to threaten our members in the courts and outside the courts. We continue to receive death threats. We are even threatened with death in court whenever we attend the bail hearing for our members. On behalf of Abahlali I also take this opportunity to express my deepest gratitude to all of you who have supported our movement in this difficult time, through writing solidarity statements, through demonstrations, through the collection of donations etc. I thank all those of you who have made written submissions to oppose the already buried Slums Act. A celebration of our victory is starting on Sunday, 01 November 2009 by slaughtering of a cow. You are all invited to join us in our celebration of this important victory on the long road to land and freedom. You are all welcomed.

I thank you all.

S'bu Zikode

Daily News

South Durban residents in service delivery march

November 06, 2009 Edition 2

MPUME MADLALA

More than 250 South Durban residents and Abahlali baseMjondolo supporters marched down Pixley Kasema (West) Street to Durban City Hall to protest against

poor service delivery.

The marchers, mostly dressed in white Wentworth Development Forum T-shirts, shouted slogans like: "Down with Eskom's high rates" and carried banners reading "Dear mayor, please fire Sutcliffe", "Logie Naidoo, please bring Clairwood back to former glory" and "Stop the talk implement the upgrade of Wentworth".

The residents said they had a right to decent housing, redevelopment, affordable electricity rates and a pollution-free environment.

South Durban Community Environmental Alliance co-ordinator Desmond D'Sa said residents were concerned about the lack of housing delivery.

"They are worried about the fact that the flats they live in are not upgraded and maintained, yet the municipality and provincial housing wants to transfer ownership (to tenants)," D'Sa said.

D'Sa said Eskom and the eThekweni Municipality had recently increased electricity and water tariffs to an unaffordable rate. "Since then we have seen communities deprived of water and lights. Further tariff increases by Eskom will affect the poor and marginalised which will result in an increase in electricity cut-offs to their homes," he said.

D'Sa said the marchers would proceed to the City Hall and then to the offices of the provincial Housing Department where memorandums will be handed over to officials.

"We will also be sending a letter to the Department of Social Welfare and Development demanding that all pensioners be exempt from paying tax and bank charges," he said.

Residents tell of rats and snakes

November 09, 2009 Edition 1

SIPHILILE SHELEMBE

FRUSTRATED residents living in government units in Wentworth, Durban, say that with all the rats, snakes and woodlice they share their homes with, they may as well be living in Jurassic Park (a fictitious jungle of dinosaurs in the movies of the same name).

Caesar Goldstone, who has lived in a government unit since 1989, said residents were tired of living in the "rotten" places, which had rodent infestations, woodborer

and collapsing ceilings.

"We were promised better living conditions by the eThekweni municipality earlier this year, but until now there's not even one bag of cement. We constantly have to replace our doors, which are eaten away by woodborer," he said.

Goldstone said residents also struggled with toilets built outside their homes and which were not lit.

The Khan family had the shock of their lives when a python fell through their ceiling late last year. "We also have a rat problem... we are living in Jurassic Park," said Larene Khan.

Hettie Fynn said they had extended their home to include the toilet outside after her son was badly beaten up when visiting it late one night last year.

On Friday, Wentworth and Clairwood residents marched to the Durban City Hall to hand over memorandums of grievances including the lack of basic services, and increases in water and electricity tariffs.

Wentworth Development Forum spokesman Patrick Mkhize said it was hoped to establish a committee, excluding councillors, that would address the problems.

Derrick Naidoo, of eThekweni municipality, said the memorandum would be presented to the council's executive committee.

'Committee to address high electricity rates'

November 06 2009 at 02:33PM Get IOL on your

mobile at m.iol.co.za

By Siphilile Shelembe

Frustrated members of the South Durban communities took part in a protest march to the Durban City Hall on Friday morning to highlight various grievances, including the state of their housing.

In a memorandum handed to the deputy city manager, Derrick Naidoo, they also complained about the lack of public services, including refuse removal and street cleaning, the increase in water and electricity tariffs, and the proposed rezoning of residential land.

A spokesman for the Wentworth Development Forum, Patrick Mkhize, said they

hoped to create a committee of residents, excluding councillors, to address their housing plight, which had been ignored.

"We would like to establish a committee of metro representatives and community representatives which will address the lack of upgrading of government units, the high electricity rates and redevelopment," said Mkhize.

The residents also want ownership of long-rented and paid-for units, proper recreational facilities and a pollution-free environment.

"The South Durban community are strongly concerned with the lack of housing delivery for the overcrowded community," said one resident.

"They are worried with the fact that the flats they currently live in are not upgraded and maintained, yet the municipality and the provincial housing department wants to transfer the ownership."

This breaking news flash was supplied exclusively to iol.co.za by the news desk at our sister title, Cape Times.

The Mercury

Protest over deaths of babies

10 November 2009

Canaan Mdletshe

ANGER: Phoenix residents protest outside Mahatma Gandhi Memorial Hospital over poor conditions and the alleged deaths of babies at the institution. PHOTO: MHLABA MEMELA

ABOUT 100 Phoenix community members staged a protest outside Mahatma Gandhi Memorial Hospital in KwaZulu-Natal yesterday.

The disgruntled residents were protesting over poor conditions at the hospital - dubbed the "hospital of death".

The protesters, mainly pensioners, waved placards painting a bleak picture of conditions at the hospital.

One read: "Clean up our dirty hospital, 407 babies have died in 12 months at this hospital."

Community leader and DA MPL George Mari said the residents had also informed former MEC for health Peggy Nkonyeni about the conditions at the hospital but nothing was done.

"The extreme high number of deaths at the hospital is appalling. In the past two years approximately 4500 deaths have been reported.

"In the period January to December 2008, 407 babies have died in this hospital, leaving many mothers-to-be traumatised and heartbroken. And this year alone, 154 babies have died up to September," said Mari.

He said the maternity ward was understaffed, with only six midwives servicing nearly 20 beds, and delivering more than 700 babies a month.

Mari said there was a shortage of doctors and nurses at the hospital.

The residents demanded that urgent attention be given to the maternity section and that more doctors and nurses be deployed at the hospital.

They also demanded that the task team's findings into the problems at the hospital be made known.

They further demanded that MEC for health Sibongiseni Dhlomo should indicate what action would be taken.

Accepting the memorandum, Mandla Mhlongo, Area 1 regional manager, said: "We will address the challenges raised and contained in the memorandum."

Departmental spokesperson Desmond Motha could neither confirm nor deny the allegations of deaths at the hospital.

The Mercury

Protesters call for firing of management

Durban hospital 'loses' patient

November 10, 2009 Edition 1

Nompumelelo Magwaza & LATOYA NEWMAN

AN NTUZUMA family is seeking answers from the Mahatma Gandhi Memorial Hospital, in Phoenix, Durban, after their daughter went missing from the facility while waiting to be admitted a month ago.

Simangele Shibe, 24, was taken to the hospital by her mother, Bhungeni Shibe, on October 9. She had been suffering from dehydration.

Shibe said Simangele was very weak and could not walk or talk.

The hospital had been busy and the family had waited several hours in a queue before Simangele was attended to.

"I was later told by a nurse that she had been moved to Ward 1," said Shibe.

But when Shibe went to visit her daughter the following day, she said there was no sign of Simangele.

"The hospital officials were unaware that my daughter was missing. I had to tell them," said Shibe. She added that her daughter had been put on a drip when she last saw her.

"It has been a month now and I still do not know what happened to my daughter. All I hope is that we can find her."

She said that hospital officials had helped the family look for Simangele but she still held the hospital accountable for her daughter's disappearance.

Mahatma Gandhi Hospital spokeswoman Mpume Mokoena said hospital staff had done their best to help the family find Simangele.

The hospital's investigations had revealed that Simangele had disappeared from the casualty department while awaiting admission.

"On that day the casualty department was extremely busy with 35 patients waiting to be admitted, hence patients were being sent to wards whenever a bed was available."

Mokoena said it was difficult to monitor the movement of patients in the trauma department.

"It is only in the ward that a patient gets a hospital band and attire, and is allocated a bed. In casualty, it is difficult to control the movements of patients."

She said the hospital had been in contact with the Shibe family and had searched mortuaries and other hospitals, and had asked the police to search using sniffer dogs. However, there had been no sign of Simangele.

Meanwhile, about 200 people protested outside Mahatma Gandhi Hospital yesterday, calling for its management to be fired.

Durban widower Samuel Naidoo said the deaths of his wife, Soraya, and their unborn baby at the hospital in April were due to negligence. His attorneys were investigating the matter on his behalf.

"I brought my wife here on a Saturday morning. She was full term, she was bleeding and in pain... They only attended to her late that afternoon. Our baby was stillborn, but just two days earlier I had seen our baby moving during a scan... They transferred my wife to King Edward VIII Hospital after she had a Caesarean section (at Mahatma Gandhi Hospital). She died a few days later. They (Mahatma Gandhi staff) did not stop her bleeding and I believe it was their negligence that caused my wife and baby to die," he said.

In another case, the family of Rhoda Pillay, 19, said they were arranging to meet with lawyers after a nurse forgot to remove a swab from inside her body after the teen gave birth last month, causing her to fall ill.

Pillay's aunt, June Haripersad, said while the hospital had apologised for the incident, staff had continued to mistreat Pillay during follow-up visits.

"They have still not organised counselling for the trauma they caused her. This is why we are taking this further," she said. Pillay said she still had nightmares over the incident. "I cannot forget the pain. I thought I was okay, but I am not, I will never forget that incident."

Reading out a memorandum of demands at the protest, DA MPL George Mari asked Health MEC Sibongiseni Dhlomo to look into alleged fraud, negligence, staff shortages and other concerns at the hospital.

He said the party would take legal action if there was not a favourable response from the government.

The acting chief operations officer in the KZN Health Department, Mandla Mhlongo, received the memorandum. "We want to acknowledge that there are challenges at the hospital. We will get the memorandum to the MEC and we will respond," he said.

WCCA Campaign - news update

<http://www.streetnet.org.za/WCCAcampaignnews.htm>

18th November, 2009: Memorandum to Mike Mabuyakhulu

Today a protest mass march was held by Street traders organisations and committees that do not support a Mall development in Warwick as the City is

planning. Below is a copy of a memorandum that was presented to the MEC for the Economic and Tourism, Mike Mabuyakhulu. This memorandum was accepted and signed by Leonard Mabaso, Speaker from the office of the minister.

+ - 3000 traders marched and demonstrated from Curries Fountain to outside the City Hall.

MEMORANDUM

presented to Mike Mabuyakhulu, MEC for the Economic and Tourism, Provincial office on Wednesday 18th November 2009

Unique Warwick precinct informal traders' community

With more than 2,1 million working people and turnover exceeding R32 billion, the "second economy" is a force to be reckoned with. The Early Morning Market and Warwick Junction precinct consists of 7000 - 10000 traders, porters and other informal workers in a unique market community with a 99-year heritage, serving hundreds of thousands of the low-income consumers in the eThekweni municipality.

We, as members of the affected community, object to the eThekweni Municipality's plans to destroy this unique community and to replace it with yet another monstrous large retailers' mall. Recent developments have seen huge shopping complexes mushroom in every corner including townships, accommodating large retailers such as Pick & Pay, Shoprite, Spar, who are all able to purchase products in bulk directly from manufacturers and producers, and whose goods are affordable to higher-income consumers.

We and other members of the disadvantaged communities of eThekweni have sustained our livelihoods in the Warwick Junction precinct and made a significant contribution to the economy during the troubled political past, while our political resistance played a meaningful role for our democratic government. The market vendors and street vendors are a large community of poor people, whose livelihoods will not survive being replaced by this kind of private capitalist venture.

Lack of consultation and forced removal

We object to the manner in which the eThekweni Municipality has treated street and market traders and the organizations who fight for the rights of poor people. The eThekweni Municipality has taken unilateral decisions which affect our lives negatively, without consulting us. Comrades who serve in the eThekweni Municipality are not following the mandate of the people, i.e. "South Africa belongs to all who live in it, black or white, and no government can justly claim authority unless it is based on the will of the people." The administration and the approach on this matter constitute the same forced removal for which the Apartheid government was famous.

We are in full agreement with the need to regulate informal trade. However, this must be done in a humane way which respects human rights, including our rights to our livelihoods. We voted for you not only to beautify the City, but also to serve the needs of the people.

We the various Street vendors associations feel that the MEC for the Economic and Tourism, provincial office, Mr. Mike Mabyakhulu and his team has been undermined by the eThekweni Municipality to such an extent that Business and Markets Support Unit has arranged marches, talk shows, media conferences and picketing outside the High Court not respecting the provincial task team recommendations that issues concerning the Warwick precinct development need to be resolved amicably and transparently.

We therefore demand:

1. Business and Markets Support Unit should be dissolved because it is only supporting major businesses and not small, medium or micro enterprises. It is the duty of the Business and Markets Support Unit to upgrade and develop Informal Traders and small markets;
2. eThekweni Municipality must preserve, promote and support the sustainability of our unique informal trading community in the Warwick Junction precinct, and find somewhere else to build their mall;
3. eThekweni Municipality to upgrade and extend the market in order to accommodate all informal traders under shelter;
4. if eThekweni Municipality genuinely wishes to upgrade the economic activities of informal traders, this should be done by means of cooperative wholesale and bulk purchase initiatives owned and controlled collectively by informal traders, enabling them to eliminate "middlemen" and increase their earned income;
5. Street trading by laws need to be revisited - there should be no impounding of goods;
6. Police harassment to stop - there should be intimidation by police for contact show of permits;
7. eThekweni Municipality must reform informal traders' permit system in agreement with informal traders and their elected representatives, temporary permits to be scrapped - permanent permits should be given to informal traders;
8. Mr Phillip Sithole should be removed from his position as the Head of the Business and Markets Support Unit as he has no vision for the poor informal traders, he supports only the rich capitalist;

9. Full access to the I-Trump Hall as this is a community hall, no informal traders should be denied access to this facility;

10. eThekweni Municipality to get their act together and stop bussing in traders from other areas who have no direct interest in Warwick development to be used as pawns in agreeing with their plans. This is a clear misuse of public funds and resources.

11. A fully fledged Police station to be deployment with a large number of permanent police to the Warwick precinct which are visible to ensure reduced crime in the area. Metro Police must wear full uniforms when they are on duty and street traders can longer be expected to do the duties of the police in this area.

12. eThekweni Municipality must enter into serious formal consultation in good faith with all organizations of informal traders;

13. eThekweni Municipality must guarantee either a traders' permit or a job for every adult earning a livelihood from informal trade;

14. eThekweni Municipality must commit to the demands of the World Class Cities for All (WCCA) campaign, to ensure that informal traders have equal access to opportunities to benefit from the 2010 FIFA World Cup.

Presented by:

Masibambisane Traders Organization (MATO)

Traders Against Crime (TAC)

Early Morning Market Association (EMMA)

South African Self-Employed Women's Association (SASEWA)

Siyagunda Association

Warwick Informal traders' interim committee

Warwick residence committee

Stanger Informal traders committee

Verilum Informal traders committee

Tongaat Informal traders committee

Bester Informal traders committee

Pinetown Informal traders committee

Isipingo Informal traders committee

Umlazi Emaweleni Informal traders committee

Umlazi Megacity Mall Informal traders committee

Durban station Informal traders committee

Bovine Head traders committee

Herb market traders committee

World Class City for All (WCCA) campaign task team - Durban

Phumzile Xulu WCCA Co-ordinator Durban

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16th November, 2009: World Class Cities FOR ALL (WCCA) Campaign launches in Nelson Mandela Bay

The World Class Cities For All Campaign launch in Nelson Mandela Bay is being held on Tuesday 17th of November, 2009, from 2pm -4pm at City Hall.

The WCCA Campaign launch is making a public call for the WCCA Campaign demands to the municipality on the preparations for 2010 FIFA World Cup that no evictions of street vendors and the urban poor take place without alternatives being provided, as well as for social dialogue and negotiations to take place.

A reportback will be given on the meetings that have been held so far held between WCCA Campaign and the Nelson Mandela Bay municipality.

The following organisations have been invited to speak at the launch:

StreetNet International and WCCA Campaign

SANCO

SAMWU

ACHIB

Representative from Nelson Mandela Bay Municipality

Nelson Mandela Bay WCCA Campaign partners are:

Informal traders' organisations, COSATU, SANCO, SAMWU, SACP, Taxi Associations.

The Nelson Mandela Bay WCCA Campaign launch follows the launch of the Campaign in Cape Town on 12th October, 2009.

For more information contact:

Paul Shambira: WCCA Campaign organiser 073-6245389

23rd October, 2009: Cape Town Mayor accepts Western Cape Informal Traders Coalition (WCITC) submission

In what is seen as a major breakthrough, the Mayor instructed Mr. Mohamed (Director economic development and Tourism) to facilitate a day long workshop between all role-players as soon as possible. This he intimated might be held at the Good Hope Centre and possibly within weeks rather than months. The coalition welcomes this development and views it as an opportunity to better convey our concerns. We congratulate the Mayor on this bold step, one which we had hoped might have been implemented a while ago by the responsible City officials.

The lines of communication are once again open and the coalition shall use them to the advantage of its constituency. The Mayor accepted our submission and promised to investigate further. (From reportback by WCITC on meeting, 23 October, 2009)

23rd October, 2009: Durban - Residents were moved to toxic landfill to make way for Umlazi Stadium for 2010 Games

At a Hearing on Poverty and Climate Change in South Durban on August 20 2009, former residents reported that their houses in Umlazi D Section were demolished to make way for the expansion of the Umlazi Stadium for 2010 FIFA Games. The residents were removed to live in temporary shacks on a toxic landfill site with no services, far away from hospitals and clinics - in an area where ambulance services are not willing to venture.

The WCCA Campaign Task Team is taking up the issue. (Report from StreetNet News No 17)

23rd October, 2009: Cape Town - Molo Songololo holds Round Table on Child prostitution & 2010 FWC & beyond

Molo Songololo received various report of children being prostituted in Cape Town and surrounding area. Report also alleges that brothels, gangs, pimps, individuals, family members and even 'children' are recruiting teenagers to meet that perceived demands for sexual services during 2010 FWC. The roundtable will discuss and verify these concerns and identify possible responses to combat child sexual exploitation. Click here for Molo Songolo Meeting invitation

23rd October, 2009: FIFA's games are not so sporting

Transparency International reports that journalist Andrew Jennings has investigated allegations of ticket racketeering, vote fixing and corrupt marketing deals in FIFA hosted games and FIFA President Sepp Blatter is in the centre of it.

See

http://www.transparency.org/news_room/in_focus/2006/corruption_sports/jennings_review

Please note Streetnet has new e-mail addresses:

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Press Release: Traders Against Development In The Early Morning Market

This press release was emailed out at : 18 November, 2009 18:04

Today's march by informal traders, against the City's multi-million rand Warwick Development development, is in total contrast to the numerous consultative meetings that were held by the Municipality and the street traders, Head of City's Business Support & Markets Unit, Philip Sithole has said.

Less than 200 informal traders staged a march today, 18 November 2009, chanting slogans and hoisting posters denouncing the Municipality in its endeavour to upgrade the Early Morning Market area, ahead of the

2010 Fifa World Cup.

They demanded that the City's by-laws be reviewed so that they could also enjoy the benefits of the World Cup during 2010. Philip Sithole says, "informal trade by-laws are derived from the Business Act and if they want them to be changed, the Municipality should be told about such clauses and proper deliberations should take place to address such. Furthermore, traders can only continue operating in designated areas only. He says only those who have shops within the Moses Mabhida Stadium precinct will be allowed to trade and no informal trading will be allowed around the stadium during 2010.

Themba Duma, the chairperson of Masibambane Traders Organisation, was speaking on behalf of the traders said that the Municipality has failed the traders and barred them from 'open' engagement and consultation processes pertaining to Early Morning Market development. Responding to such allegations, Philip Sithole, says that "the Municipality has always had an open door policy and consultation has been on top of his agenda.

He adds that Themba Duma and his group of traders are always invited to meetings organised by the Municipality and in many instances he distances himself from such meetings organised by the City. He says Duma has always been vocal in supporting development initially, and even moved the motion supporting development and that the Unicity Informal Economy Forum, which he was part of, can confirm that. I am surprised by his about turn since he knows everything about the proposed development and the developers plans were presented in his presence.

It should be clearly pointed out that the Municipality cannot issue permanent permits to traders at this stage since these are renewable and only given to deserving individuals. "I would also like to dispute that street traders are bussed to Council meetings in order to support development in Warwick Avenue but would like to clarify that arrangements can only be made if such meeting are called to clarify the position of the Municipality only.

The Municipality is at an advanced stage with traders and will always assist them in

organising a wholesale distribution network that will ease the burden of street traders who have to buy and sell at a profit. Some of them are already on board and we are pursuing this initiative as it is," says Sithole.

Many people support this development. This year in August, about 35 traders organizations signed a Memorandum Of Understanding (MOU), where they declared that they are in support of the development. The proposed new R400-million shopping mall development would help "alleviate traders' sufferings" and pave opportunities for struggling traders, while creating much-needed job opportunities and economic growth for the sector.

Lennox Mabaso, on behalf of the MEC for Economic Development & Tourism, Michael Mabuyakhulu, received the memorandum from the street traders.

Issued by eThekweni Municipality, Communications Unit. Contact Themba Nyathikazi on 031- 311 2286 or e-mail nyathikazit@durban.gov.za

Grave Concerns about the Detention without Trial

of the Kennedy Thirteen:

This Travesty Must End

18 November 2009

After their 6th inconclusive bail hearing today, it is now abundantly clear that the legal process for the Kennedy 13 is a complete travesty of justice. They are scheduled to appear again on the 27th November. By that time, some of accused will have been in prison for 2 months without trial - two months in prison without any evidence being presented to a court and without a decision on bail. This is a moral and legal outrage that amounts to detention without trial by means of delay. In our view, it borders on unlawful detention. I am, tonight, issuing a call for their immediate release - justice has been delayed far beyond the point at which it was clear that it had been denied.

Ordinarily in a case with such serious charges as those put to the Kennedy 13, it is in fact extremely easy for bail to be denied. Usually all that is required is that the prosecution provide the court with some evidence showing that they have, at least, a prima facie case to make in the trial itself. That the prosecution has still not presented any such evidence, despite the magistrate's repeated concessions to give them more time to do so, indicates to us that the police simply have no case to make. What is being pursued in our courts in this instance is a political agenda against Abahlali baseMjondolo.

The Kennedy Thirteen were arrested in the aftermath of the September attack on Abahlali baseMjondolo in the Kennedy Road settlement. Abahlali baseMjondolo is highly respected for its courageous commitment to the equality of all human beings irrespective of their origins or position in society. Their recognition of the spark of the divine in every human being has been a prophetic voice calling us to conscience and grace in the moral wilderness of a country that is losing its way.

In April 2007 I visited the Kennedy Six in Westville prison where they held to a hunger strike for 14 days before the murder charges that had been trumped up against them were dropped. In November that year I, along with other church leaders, witnessed and denounced shocking police violence against Abahlali baseMjondolo.

In 2007 I had to put aside some of my exuberant faith in our new democracy as I came to understand that the days of police violence,

police lies and wrongful arrest were still being used to silence those with the temerity to speak truth to power. I realised, with a heavy heart, that the days of the political prisoner were not yet over in our country.

The attack on Abahlali baseMjondolo, and the response to the attack by the police and some figures in the eThekweni Municipality and the Provincial Government of KwaZulu-Natal, have been met with grave concern across South Africa and abroad. It is patently clear that there was a political dimension to the attack and that the response of the police has been to pursue that political agenda rather than justice.

I, along with many other church leaders as well as academics and human rights organisations, have called for a genuinely independent and credible inquiry into the attack on Kennedy Road. That call has not been heeded. It has become abundantly clear that the state has taken a political position on the attack and that it has forfeited any claim to neutrality in this matter.

The Kennedy Thirteen have come to court on six occasions to ask for bail. On each occasion a group of people, sometimes wearing ANC colours, some drunk and some armed, have been at the court to demand that bail be denied. The behaviour of these people has been appalling. They have openly made all kinds of threats including death threats. Clergy are amongst those who have been threatened and the apparatus of justice has been allowed to degenerate into what looks to all intents and purposes

like a kangaroo court.

On six separate occasions the magistrate has postponed the bail hearing to give the police another chance to gather some evidence that could link the Kennedy Thirteen to a crime. On each of those six occasions the police have failed to produce any evidence linking the Kennedy Thirteen to any crime. Today the bail hearing for the Kennedy Road Thirteen was postponed until the 27th of November.

There were between thirty and forty clergy present at court today, all of us deeply disturbed by this travesty. We are all committed to see this matter through.

I am, tonight, issuing a call for the immediate release of the Kennedy Thirteen from prison on the grounds that justice has been delayed far beyond the point at which it was clear that it had been denied.

In light of the fact that this is quite clearly a political trial in which the rules that govern the practice of justice are not being followed, I am now calling for people of conscience outside of the state to join us as we set up an independent inquiry into the attack on Kennedy Road on 26 September; the subsequent demolition of the houses of Abahlali baseMjondolo members, the ongoing threats to Abahlali baseMjondolo members, the role of the police, politicians and courts in this matter.

Remember those who are in prison, as though in prison with them, and those who are mistreated, since you also are in the body. (Hebrews 13:3)

The Lord will respond to the prayer of the destitute; he will not despise their plea. Let this be written for a future generation, that a people not yet created may praise the LORD: "The LORD looked down from his sanctuary on high, from heaven he viewed the earth, to hear the groans of the prisoners and release those condemned to death." (Psalm 102: 16 - 20)

Bishop Rubin Phillip

Diocese of Natal, Anglican Church of Southern Africa

Chairperson, KwaZulu Natal Christian Council

500 traders protest against new Durban market Comments

November 18, 2009

Submit your comment

Over 500 traders marched in Durban on Wednesday opposing the controversial Early Morning Market development.

Dancing and singing, carrying sticks and knobkerries, they marched along Durban's West street (Pixley KaSeme) to the City Hall to hand over a memorandum. Police had to stop some of them from trying to snatch goods from street vendors.

"Save the market", "No work no food", "Council robs people of food", some of the slogans on their placards read.

When the plan to give Durban's Early Morning Market a facelift was announced, traders fiercely opposed it, fearing it would threaten their

livelihoods.

The municipality wants to put a multi-million rand development, which would include a shopping centre, on the site.

In their memorandum the traders demand the eThekweni Municipality preserve, promote and support the market's sustainability.

"eThekweni Municipality must upgrade and extend the market in order to accommodate all informal traders," the document reads.

It was received by Lennox Mabaso from the provincial department of tourism and economic development.

In September another group of market traders took to Durban streets demanding that the project to go ahead immediately.

Million Phehlukwayo of the Early Morning Market Traders Association said demolishing the market would see an increase in the number of poor people in Durban.

"All malls that have been recently built around Durban do not cater for informal traders."

Phehlukwayo criticised the group that wanted the development to continue.

"All those people that were marching in September were not from the market they came from other areas. This issue does not affect them," he said.

The traders called for the city council's head of business support Phillip Mhlongo to be removed from his position, claiming that he only supported the rich. - Sapa

iSolezwe

(Translated by Faith ka Manzi)

The office of a local councillor in Mayville was destroyed by fire in Mayville, outside Durban, within 24 hours after the community of the area had complained about him.

The community which is shackdwellers, said that they never wanted to see Mr Richard Ngema who is an ANC Councillor.

Yesterday iSolezwe reported about a meeting which took place at the local playground in Mayville on Sunday where a decision to chase Ngema was taken as they felt that he has failed to deliver community services and that his committee is selling RDP houses.

This community also burnt down a bulldozer in one of the building sites, they burnt tyres and had spread rubbish in the streets. Ngema said that everything in his office was burnt down including his computer, fax and a printing machine. He said that the culprits had opened a window in his office and threw a burning device which had burnt everything in his office.

"I was called by the security officers late at night who said they saw a mob of people in the playground and then I had called the Cato Manor police who had then rushed to the scene", said Ngema.

He said one of the suspects who was part of the mob had called him telling him that there were people planning to attack his house that evening.

"I can see that my life is in danger but I will not run away from the area because of them", said Ngema.

Speaking on behalf of the local Cato Manor Police Station, Inspector Nkanyiso Mkhize said that they heard about the burning of the councillor's office but a case was yet to be opened.

Church and state collide at Kennedy road

Paul Trehwela

20 November 2009

Paul Trewhela on how the clergy are once more speaking truth to power

Something wonderful took place in Durban/eThekweni on Wednesday 18 November.

Continuing a tradition well over 50 years old in South Africa, the Church spoke truth to power.

The point is: that power was no longer the party/state governed by the National Party but the party/state governed by the African National Congress, its successor. This is the only difference, but it has great implications for the present and the future.

True, the ANC won three by-elections in KwaZulu-Natal the same day from the Inkatha Freedom Party, consolidating its position as the principal repository of the vote among isiZulu-speakers.

But in the provincial capital of KwaZulu-Natal, the political authority of the state - as represented by the courts, the police and the governing political apparatus - was confronted outside Durban Magistrate's Court by a far older and universal authority, the authority of Christian conscience.

At the time of writing, there are still no readers' comments at the foot of the publication on Politicsweb of the Order of Service held outside the court, when 13 members of the shackdwellers organisation, Abahlali baseMjondolo, appeared before a magistrate.

More than six weeks after an armed pogrom mob burst in upon them, killed four, wrecked homes, seized property and threw hundreds into flight - when all the while the police stood idly by, presenting themselves only after the event to seize innocent victims of the party/state - it is still too early for most people to recognise what is happening in the society.

Firstly, operating with what it perceives to be total impunity, the party/state acted with lethal violence at Kennedy Road in Durban through its auxiliaries, in defiance of law and constitution and the moral law.

Secondly, its constitutional instruments - the police, the prosecutorial service - then acted to conceal a crime of first degree through recourse to the forms of law and constitution, by arraigning the victims.

Thirdly, this act of despotism and abuse of law and constitution was then confronted yesterday outside Pilate's seat by the Christian conscience, spoken by spiritual authority of the diocese of Natal of the Church of the Province of South Africa, in association with representatives of the Methodist Church and the Evangelical Lutheran Church of Southern Africa, and carrying with it the spiritual and moral

authority of the Catholic Bishops' conference and the South African Council of Churches.

Church made representation to State.

State, as so often before in the political history of South Africa, declined the voice of Church. Church, represented in living memory most powerfully by the witness of Archbishop Desmond Tutu, then summoned up the deep well of Christian moral conscience in the society - and well beyond that - in holding unaccountable State to account.

The statement issued immediately after the latest court hearing by Bishop Rubin Phillip, the most senior voice of the Anglican Church in KwaZulu-Natal and chairperson of the KwaZulu Natal Christian Council, continues in that magnificent tradition. It speaks across race, class, party, tribe, religion and all forms of division in a society increasingly fragmented, demoralised by greed and the lust for power - as Bishop Phillip says, "in the moral wilderness of a country that is losing its way".

This is moral witness in a heritage that reaches back beyond the Revd W S Gawe (tried for treason), Archbishop Trevor Huddleston, Bishop Ambrose Reeves (author, Shooting at Sharpeville, 1960), Archbishop Joost de Blank and Cardinal Owen McCann (former Catholic Archbishop of Cape Town), to the very formation of the Native Native Congress by Revd Walter Rubusana and Revd John Langalibalele Dube and others in 1912, and to the outrage in the mid-19th century of Sobantu (Bishop John William Colenso, the first Anglican Bishop of Natal) at the state's trampling on the lives of human beings.

Bishop Phillip, Bishop Barry Wood (chairperson of the Diakonia Council of Churches), Revd Sikhumbuzo Goge (Evangelical Lutheran Church of Southern Africa) and over 30 other members of clergy who were present at the court are deeply conscious of their place in this heritage in South Africa, just as they are conscious of the Christian outrage at massacre and human rights abuses in Zimbabwe of the Catholic Commission for Justice and Peace.

From its own history, the ANC and its government and provincial authorities should know that no power, in the end, withstands this authority of conscience in South Africa. It may take a long time. Innocent blood might flow like water.

Yet, while the holders of a little brief authority might engrave the features and the methods of their predecessors upon their own tenure of office, the end has already begun for their reign of abuse when a voice like that of Bishop Phillip arises against them.

There should be all support for Bishop Phillip's call for the "immediate release of the Kennedy Thirteen from prison, on the grounds that justice has been delayed far beyond the point at which it was clear that it had been denied."

Further, "in light of the fact that this is quite clearly a political trial in which the rules that govern the practice of justice are not being followed", there should be support for his call "for people of conscience outside of the state" to join him and his colleagues in setting up "an independent inquiry into the attack on Kennedy Road on 26 September; the subsequent demolition of the houses of Abahlali baseMjondolo members, the ongoing threats to Abahlali baseMjondolo members, [and] the role of the police, politicians and courts in this matter."

This is an historic moment.

"Five minutes to pray - and then leave".

Paul Trehwela

23 November 2009

Paul Trehwela on the Diakonia Council of Churches and the Kennedy 13

"Five minutes to pray - and then leave".

This was the order of the station commander of Sydenham Police Station in Durban, Senior Superintendent Nayager, to the Diakonia Council of Churches last week, when it requested permission to visit 13 impoverished members of the shackdwellers' movement, Abahlali baseMjondolo (AbM), to pray with them.

The Diakonia Council accuses the Sydenham police of having stood idly by when a xenophobic pogrom gang associated with local ANC political authorities in the Durban area attacked the AbM community at Kennedy Road on 26 and 27 September, killing four people, destroying houses, causing thousands to flee in terror, seizing property and setting themselves up as unelected dictator over the residents.

Police from Sydenham Police Station allowed the murderers to flee unscathed, and then arrested 13 of the residents who had been attacked.

In a subsequent statement, issued on Saturday 21 November, the Council accused Sydenham police of having once again stood idly by last Friday when the same semi-fascistic gang - reminiscent of Hitler's Brownshirts - was permitted freely to attack and demolish houses of AbM residents at Kennedy Road all over again.

The Kennedy Road 13 have been refused bail at the Durban Magistrate's Court on six separate occasions, most recently on Wednesday 18th November, when more than 30 clergy, headed by Bishop Rubin Phillip, Anglican Bishop of Natal, held a

prayer service outside the court to stand by the detainees. (See "Church and state collide at Kennedy Road", here).

Describing the incarceration of the 13 as amounting to "detention without trial", the trial itself as a "political trial" and the court a "kangaroo court", Bishop Phillip called for "people of conscience outside of the state" to join him and fellow clergy in setting up "an independent inquiry into the attack on Kennedy Road on 26 September; the subsequent demolition of the houses of Abahlali baseMjondolo members, the ongoing threats to Abahlali baseMjondolo members, [and] the role of the police, politicians and courts in this matter."

The Diakonia Council of Churches described Superintendent Nayager's attitude in limiting access to pray with the 13 in his police station to five minutes as "hard and callous", reflecting a "blatant disregard for human rights".

In its statement of 21 November, the Council said that despite many phone calls to the Sydenham Police Station to intervene, not one person had been arrested for last Friday's attacks.

The Diakonia Council of Churches states that it "condemns these ongoing attacks in the strongest possible terms. The Council furthermore condemns the inaction of the police, and the silence from our government on this issue."

The silence of the government of President Jacob Zuma on this basic issue of constitutional governance suggests at least toleration of these criminal attacks on what ANC political structures in KwaZulu-Natal clearly view as an intolerable affront: the successful mobilisation of the poor by what they view as a rival source of authority.

With justice, the Council believes that what is at stake is "the preservation of our democracy".

The Council began in the 1970s when the late Archbishop Denis Hurley sought an ecumenical organisation to work for justice in the Greater Durban Area. He was motivated by awareness that the church should have been doing much more about apartheid: but how could churches which were themselves divided have any impact on the problem, unless they first overcame some of their own barriers? Archbishop Hurley looked to Durban to take the lead in setting up an inter-church structure that would concentrate on the sufferings of ordinary people: "Working together to alleviate suffering and to humanise society is perhaps the most promising and exciting opportunity for ecumenism", he said.

Archbishop Hurley started discussions with the other church leaders in Durban, looked for the right person to head up this work, and founded Diakonia - using a Greek word which means serving the people. This was in March 1976 and the person was Paddy Kearney, who continued to serve Diakonia until 2004.

Since the first democratic elections in 1994, the work of the Council has increasingly focused on poverty.

Membership of the Diakonia Council includes:

- * Anglican Church of Southern Africa (ACSA)
- * Dutch Reformed Church (DRC)
- * Ethiopian Episcopal Church
- * Evangelical Lutheran Church in Southern Africa (ELCSA)
- * Evangelical Lutheran Church in Southern Africa (Natal-Transvaal)
- * Orthodox Church
- * Methodist Church of Southern Africa (MCSA)
- * Reformed Church in Africa (Observer Status)
- * Religious Society of Friends
- * Roman Catholic Church
- * Salvation Army
- * United Apostolic Church (UAC)
- * United Congregational Church of Southern Africa (UCCSA)
- * United Methodist Church
- * Uniting Presbyterian Church in Southern Africa
- * Uniting Reformed Church in Southern Africa

All political parties, civic organisations, law associations and academic institutions should take up this issue, following the lead set by the Diakonia Council.

Citing a "severe threat to the credibility of South African democracy", a seminar was held at the premises of the South African Human Rights Commission (SAHRC) in Johannesburg on 4 November, under the heading: 'Democracy under threat? What attacks on grassroots activists mean for our politics'. Organised by the Centre for the Study of Democracy, based at Rhodes University and the University of

Johannesburg, the seminar was addressed by Steven Friedman (CSD), Pregs Govender (SAHRC) and Andile Mngxitama (Foundation for Human Rights), as well as by representatives of AbM including its chairman, S'bu Zikode, who had to go into hiding after his house was wrecked and looted in the attacks on 26/27 September.

The silence of most of the mainstream press is, however, a scandal.

The two statements of the Diakonia Council appear below.

Diakonia Council of Churches voices strongest disappointment at restricted access to Kennedy 13.

Diakonia Council of Churches Press Statement

Diakonia Council of Churches wishes to express its deepest dismay at the decision by the Sydenham Police Station Commissioner Nayager to restrict pastoral access to the Kennedy Road 13.

Immediately after the sixth postponement of the bail application of the Kennedy Road 13, on Wednesday 18 November, and upon hearing they were to be removed from Westville Prison and further incarcerated at Sydenham Police Station, a group consisting of clergy, representatives of Diakonia Council of Churches, and Abahlali baseMjondolo, visited the police station and met with the Station Commissioner, Senior Superintendent Nayager. The purpose of the visit was to plead with the Station Commissioner for adequate visitation times for clergy, friends and family to visit the Kennedy Road 13.

Nayager responded by granting no more than 5 minutes per day for pastoral visits with the Kennedy Road 13, which could only be availed of between 12pm and 1pm or 5pm and 6pm. "When pastors come and pray with my policemen, they are done and gone in two minutes. How much longer does one need to pray?" he responded.

When asked whether he considered the needs of free police officers to be different to those of the Kennedy Road 13 who have been detained without trial for two months, and who have been subjected to extreme violence and stress, he refused to be drawn into further debate.

The Kennedy Road 13 have made it clear that they refuse to eat food served to them at this station, and when asked whether they would be allowed food from friends and family, Station Commissioner Nayager responded that all food would be examined and searched for drugs and weapons.

In response to Nayager's statements, S'bu Zikode, Chairperson of Abahlali baseMjondolo noted that "I am not surprised by the response from Nayager. He has never viewed us as human beings and continues to be satisfied in ensuring that we live in sub-human conditions. Like others he is happy for us to remain in squalor

and filth and be satisfied with the least possible."

Diakonia Council of Churches expresses its deepest concern for the spiritual and mental welfare of the Kennedy Road 13, and is deeply saddened by the hard and callous attitude of the South African Police Services, as displayed by the Station Commissioner of Sydenham Police Station.

Bishop Barry Wood, the Chairperson of Diakonia Council of Churches, said, "We believe that our request was made in good faith and we remain disappointed and disturbed by this response. We call on all people of faith to pray and protest against this blatant disregard for human rights - our need for prayer and communion with our Higher Power and one another, are at the core of our common humanity."

Diakonia Council of Churches

19 November 2009

...

Diakonia Council of Churches condemns the ongoing attacks and targeting of homes, property and lives of members of Abahlali baseMjondolo

Last night, the homes of members of Abahlali baseMjondolo (AbM), two of the original Kennedy Six, were attacked and demolished by the same mob of people who continuously and repeatedly perpetrate these deeds on known members of the organisation.

Despite many phone calls to the Sydenham Police Station to intervene, not one person has been arrested for the attacks.

Diakonia Council of Churches condemns these ongoing attacks in the strongest possible terms. The Council furthermore condemns the inaction of the police, and the silence from our government on this issue.

The Council, along with numerous church leaders, activists, academics, other faith groups and partner organisations, and sympathetic voices around the world, have repeatedly called for an independent judicial inquiry to be established into the events around 26 September when members of AbM were attacked and thousands displaced. This call has, to date, not been heeded by government.

The Council now calls upon our elected leaders to immediately intervene and to halt all further targeting of AbM; to immediately establish a judicial inquiry comprising independent voices, including representatives of the faith community and other civil organisations; and to immediately commence with investigations and the prosecutions of those who continue to harass, attack and threaten the lives and property of members of AbM.

The Council notes with deepest dismay the silence and inaction of government, of our city officials and of the local ANC leadership, and remain unconvinced that the same are not complicit in the orchestration and execution of the ongoing terrorisation, eviction and destruction which is being perpetrated in our informal settlements, including Kennedy Road, Motala Heights, Amaoti and Pema Ridge, where AbM have established themselves democratically.

The Council is committed to the preservation of our democracy, for the sake of all South Africans.

Diakonia Council of Churches

21 November 2009

Guards demolish shacks

26 November 2009, 22:47

By Nompumelelo Magwaza

Residents of Mpola informal settlement at Marrianridge, near Pinetown, spent Thursday rebuilding and repairing their shacks.

This was after a group of armed municipal security guards had ransacked and demolished more than 20 shacks, leaving about 100 people homeless.

The guards were acting on the orders of ward councillor Derrick Dimba.

The residents said that the evictions were illegal because the guards did not have an eviction court order.

One, Lindiwe Ndlovu, said the guards ordered people out of their shacks before breaking them down.

Sipho Hlambisa said he had to take time off from work to rebuild his shack.

"If they want to evict us, they must be prepared to take us somewhere else.

"They should not just remove our furniture and demolish our shacks."

Dimba said he had sent the guards to demolish the shacks because the residents were occupying the land illegally.

"The people invaded that land.

"The area is not designed to be a residential area - the place is steep and it is near a stream.

"The municipality has no plans to build houses or for any projects in that area."

Dimba said eviction orders were necessary only where people had built proper houses.

Centre for Applied Legal Studies researcher Kate Tissington said, however, that an eviction without a court order was illegal, "and this most definitely is".

"The occupiers of Mpola informal settlement are protected by the Prevention of Illegal Eviction Act and if the municipality wants to evict those living there, it needs to go through the eviction application process and get an order of court."

Tissington said the city had acted illegally by bypassing the act's provisions.

The eThekweni council speaker, James Nxumalo, said he understood that the city had to obtain a court order to evict people. He said although councillors acted as the eyes of the municipality, they did not have the right to evict people.

This breaking news article was supplied exclusively to www.iol.co.za

by the news desk at our sister publication, The Mercury.

[http://www.witness.co.za/index.php?showcontent&global\[_id\]=31645](http://www.witness.co.za/index.php?showcontent&global[_id]=31645)

UKZN labour conditions are 'appalling'

25 Nov 2009

Chris Ndaliso

CLEANERS and security guards at the University of KwaZulu-Natal (UKZN) are working under appalling labour conditions.

This was revealed at a seminar organised by the Centre for Civil Society (CCS), together with the UKZN Workers' Forum at the university's Pietermaritzburg campus yesterday.

Cleaners, security guards, students and National Education, Health and Allied Workers' Union (NEHAWU) representatives attended the seminar.

UKZN Worker's Forum representative Zama Hlatshwayo said they have engaged the university management in an attempt to find middle ground on the issue of labour brokers at the institution.

"In August, we met with university top officials and employees to say we want employees to be brought back under the institution's pay-roll. That meeting has not yielded any positive results," Hlatshwayo said.

A study report conducted by Caroline Skinner in August reveals that cleaners are paid between R8,50 and R8,76 per hour. This amounts to between R1 067 and R1 175 per month.

Security guards get an average R10,30 per hour, which comes to between R1 944 and R2 100 after deductions. The study incorporated areas around all the UKZN campuses.

The report estimates that a household in these areas survives on a minimum amount of R3?157,64 per month.

CCS's Trevor Ngwane said many of the workers have served and were on the university pay-roll since the late 1980s. In a cost-cutting measure in 1998, the university decided to give workers early retirement, enlisting the services of contractors instead.

Abolishment of outsourcing services enjoys the support of the students.

In yesterday's seminar student representative Mlungisi Manana urged workers to unite against exploitation by contractors.

"This is the time to fight labour brokers to the core. We as students cannot stand aside and watch while our mothers, fathers, brothers and sisters are exploited by those whose main goal is to line their own pockets at the expense of the poor," Manana said.

By I-Net, www.inet.co.za, Updated: 2009/12/09

Planned strike against Pick n Pay on

Trade union Saccawu says its planned strike action against Pick n Pay would continue on Friday.

Planned strike against Pick n Pay on

Trade union Saccawu on Tuesday said that its planned strike action against Pick n Pay would continue on Friday.

"After more than 500 workers appeared outside the Labour Court in Braamfontein today to protest the company's intention to interdict Saccawu and our members in an attempt to stop the planned strike against racism in the workplace, the company decided to withdraw its interdict which was going to be heard in the Labour Court tomorrow," said Saccawu.

The union said the strike action planned for Friday December 11 2009 was expected to see more than 25 000 Saccawu members taking to the streets.

"Mass marches will be staged in Port Elizabeth, Bloemfontein, Johannesburg and Durban. "The protest in Cape Town has been postponed to 18 December 2009 due to the refusal by SAPS to grant permission for this action on the day," it said.

"The key issues the workers want changed is the continuing racism experienced by our members at the hands of the company and its managers in the workplace.

"This include amongst others the tendency to fast track the promotion of white staff from 'casual' employees to management position despite full-time employed black staff with decades of experience not being trained to fill such positions as well as racial utterances against black by the CEO Nick Badminton while he still headed Pick

'n Pay Western Cape," it said.

It added that the company also tended to treat white management staff differently from black staff for in disciplinary hearings facing similar charges.

STATEMENT

CENTRE FOR THE STUDY OF DEMOCRACY

CALL ON THE STATE PRESIDENT TO RESTORE THE CREDIBILITY OF OUR DEMOCRACY BY ESTABLISHING AN INDEPENDENT COMMISSION OF INQUIRY INTO VIOLENCE AGAINST SHACKDWELLERS IN DURBAN

THE credibility of our democracy will remain under a cloud unless an independent Commission of Inquiry into the recent violence at Durban's Kennedy Road informal settlement is appointed. This was the unanimous view of participants at a meeting of citizens' organisations and academics held in Johannesburg this week and convened by the Centre for the Study of Democracy at Rhodes University and the University of Johannesburg.

The Centre called the meeting out of a concern that the violence, directed at leaders and members of the Abahlali baseMjondolo (AbM) shackdwellers' movement, was politically motivated and designed to drive the movement out of the informal settlement because it was seen as a rival to the African National Congress (ANC) in the area, and because it had launched a Constitutional Court challenge to provincial legislation which gives the provincial government wide powers to force landowners and municipalities to evict informal occupiers. The Centre is particularly concerned that the attacks on an independent and peaceful citizens' organisation have been effectively endorsed by the KwaZulu-Natal MEC for Community Safety, Mr Willies Mchunu, and by senior officials of the provincial government. This reinforces the impression that a provincial government is attempting to silence a critical voice in violation of core democratic values.

Discussion at the meeting heightened this concern. The president of AbM, Mr Sbu Zikode, and other leaders of the movement, described how they had been driven into hiding and were now forced to conduct their entirely lawful activities in Kennedy Road in secrecy. AbM leaders told the meeting that they were now forced to operate much as underground anti-apartheid activists had been forced to do before South Africa became a democracy. While our Constitution guarantees every citizen freedom of speech and association and the right to use the courts, AbM appears to have been denied the first and to have been punished for exercising the second. Further, AbM argued that those who have been arrested for their alleged involvement in the attacks and denied bail, are actually victims and are, in effect, political prisoners.

Academic analysts who delivered presentations pointed out that democracy is meant for all citizens, not simply for those who are well-heeled and well-connected. If basic democratic rights are denied to shackdwellers, they warned, South African democracy is in great danger. If citizens in the suburbs are allowed to speak their mind and criticise government actions and policies but those in the shack settlements are not, our country will, they suggested, lapse back into what it was pre-1994, a state in which some enjoy the right to speak but others do not. The allegations raised about the Kennedy Road violence are therefore extremely serious because they suggest that the democracy which so many fought so hard to achieve is now in danger because some political power-holders are not prepared to tolerate peaceful and legal citizen action if they feel threatened by it.

Participants were obviously aware that the allegations about events at Kennedy Road remain untested. But all agreed that, given their seriousness, they need urgently to be tested. They added that the best way to ensure that this happened would be support AbM's call for an independent and neutral inquiry into the events. At present, a Task Team comprising those who are alleged to be complicit in the attacks has been given the official mandate to investigate. This is obviously unacceptable. The inquiry must be entirely independent and its impartiality should be beyond reproach.

We therefore urge the State President to demonstrate his and government's commitment to democracy and concern to protect the rights of citizens by urgently appointing such an inquiry.

Prof Steven Friedman

Director

Centre for the Study of Democracy

Rhodes University/University of Johannesburg