

Arresting Dissent

State Repression and Post-Apartheid Social Movements

The resurgence of popular grassroots organisations - in the form of new social movements - since 1994 has profoundly altered the political landscape of South Africa and relations within civil society more generally. This research report demonstrates that the antagonism between the state and social movements is a direct result of the adoption of neoliberal strategies and policies, which have led to increasing levels of conflict around basic socio-economic issues. The return of such conflict in the context of a society that has historically experienced the trauma of politically motivated violence presents a major challenge to both the social and political cohesiveness of South Africa's still-fragile democracy.

The conflict that has ensued between poor communities and the post-apartheid state is explained and analysed through a reading of the historical roots of ANC politics and community resistance centred on basic socio-economic struggle, as well as the more contemporary effect and impact of notions and practices of democratic governance, accountability, the 'nation' and the developmental role of the state.

Three urban poor communities were studied in the compilation of this report: the community of Mandela Park in Khayelitsha (Greater Cape Town Metro), the communities of Bayview & Westcliff in Chatsworth (Greater Durban Metro), and the 'informal' community of Orange Farm in the Greater Johannesburg Metro. Each has experienced conflict with state authorities over a range of socio-economic issues and the forms of basic service 'delivery' enforced by the state.

*Destroy the meter,
enjoy the water*
(Orange Farm Water
Crisis Committee)

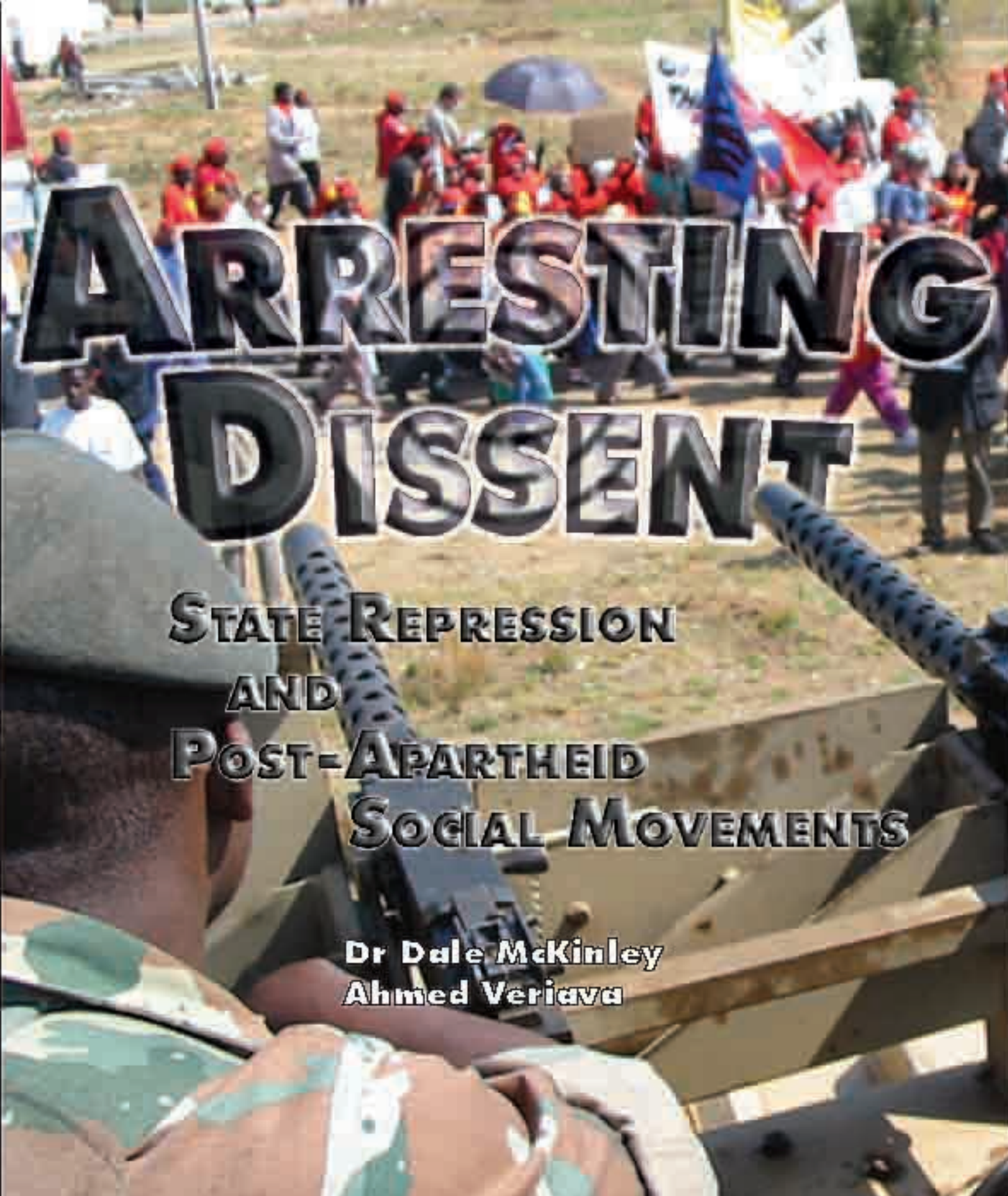
*Seize our homes,
seize our lives*
(Mandela Park Anti-
Eviction Campaign)

United to combat poverty
(Bayview Flats
Residents Association)

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Arresting Dissent

by Dr Dale McKinley & Ahmed Veriava



**Violence and
Transition
Project**



ARRESTING DISSENT

State Repression
and
Post-Apartheid
Social Movements

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CENTRE FOR THE STUDY OF VIOLENCE AND RECONCILIATION

VIOLENCE AND TRANSITION SERIES

The Violence and Transition Project seeks to examine the *nature and extent of violence* during South Africa's transition from apartheid rule to democracy (Phase 1) and within the new democracy itself (Phase 2) in order to inform a violence prevention agenda. This series comprises a set of self-contained, but interrelated reports, which explore violence within key social loci and areas, including:

Phase 1 (1999-2002)

- ✦ Revenge Violence and Vigilantism;
- ✦ Foreigners (immigrants and refugees);
- ✦ Hostels and Hostel Residents;
- ✦ Ex-combatants;
- ✦ State Security Forces (police and military), and
- ✦ Taxi Violence.

Phase 2 (2003-2005)

- ✦ The KwaZulu Natal Peace Process;
- ✦ Gun Control in Richmond, KwaZulu Natal;
- ✦ Katorus Youth in the aftermath of the 1990s;
- ✦ Community-State Conflict and Socio-Economic Struggles, and
- ✦ Trauma and Transition, with a focus on refugee women.

While each report grapples with the dynamics of violence and transition in relation to its particular constituency all are underpinned by the broad objectives of the series, namely:

- ◆ To analyse the causes, extent and forms of violence in South Africa across a timeframe that starts before the political transition and moves through the period characterised by political transformation and reconciliation to the present;
- ◆ To investigate the role of perpetrators and victims of violence across this timeframe;
- ◆ To evaluate reconciliation, peacebuilding and transitional justice initiatives and institutions, such as the Truth and Reconciliation Commission, established to ameliorate future violence in South Africa;
- ◆ To develop a theory for understanding violence in countries moving from authoritarian to democratic rule, i.e. 'countries in transition', and
- ◆ To contribute to local and international debates about conflict, peacebuilding and democratisation.

Through the research, we have identified key thematic (and interconnected) 'indicators' that highlight the complex relationship between conflict, transition and democratisation. These include:

- ✦ Demilitarisation
- ✦ Institutional transformation
- ✦ Peace-building and reconciliation
- ✦ Justice and accountability
- ✦ Poverty, inequality and socio-economic factors
- ✦ Politics, crime and violence

It is an appreciation of these 'indicators' that underpins our understanding of the relationship between violence and transition, and how, in turn, they impact – positively or negatively – on

democratic consolidation. This series strives to understand their impact on the deepening of democracy in South Africa and their intersection with addressing the democratic deficits inherited from apartheid governance. The research also illustrates our limited understanding of the multifarious and evolving relationship between politics and crime, dispelling notions of a 'clean' shift from an era of political violence to one of criminal violence, and raising fundamental questions about the extent to which South Africa can be accurately described as a post-conflict society.

In order to understand – and prevent – violence in South Africa and elsewhere, an ongoing action-research agenda is required. Through this series the Centre for the Study of Violence and Reconciliation offers an exploratory, yet detailed, contribution to this process. The Violence and Transition Series aims to inform and benefit policy analysts; government departments; non-governmental, community-based and civic organisations; practitioners; and researchers working in the fields of:

- ✦ Violence Prevention;
- ✦ Transitional Justice;
- ✦ Victim Empowerment;
- ✦ Peace Building and Reconciliation;
- ✦ Human Rights, and
- ✦ Crime Prevention.

The views expressed in this publication are those of the authors and they do not necessarily reflect those of CSVR.

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Copies of the reports can be freely obtained from the CSVR website (www.csvr.org.za)

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CSVr's mission is to develop and implement innovative and integrated human security interventions based upon a commitment to social justice and fundamental rights for people who are vulnerable or excluded. CSVr pursues these goals as essential to our aspiration of preventing violence in all its forms and building sustainable peace and reconciliation in societies emerging from violent pasts – in South Africa, on the African continent and globally.

Contents

Acknowledgements.....	i
Executive Summary	1
Introduction	5
The Context of the Liberation Struggle.....	5
The political.....	5
The organisational	7
The economic	8
Embracing neoliberalism.....	9
Project objectives and methodology.....	11
Section One	
Neoliberalism and the Commons.....	13
Globalisation, Neoliberalism and the Master of the Universe.....	14
Neoliberalism and Primitive Accumulation.....	15
Apartheid, Accumulation and the Social Commons	16
A Neoliberal Transition.....	20
Resurgence: Redaiming the Commons.....	22
Section Two	
The Genesis and Evolution of Social Movements in three urban communities.....	24
Setting the scene for the rise of new community/social movements.....	24
Mandela Park (Khayelitsha, Cape Town)	26
Bayview (Chatsworth, Durban)	31
Orange Farm (South Johannesburg).....	37
Section Three	
Arresting Dissent.....	43
State Repression and Post-Apartheid Social Movements.....	44
Points of Conflict and Engagement	45
Khayelitsha	46
Orange Farm.....	48
Bayview.....	51
The Rule of Law	53
Public, Private, Partnerships: The management of dissent	55
A Repressive Cycle.....	56
The Effects of Conflict	58

Section Four

Social Movements and Democracy in South Africa's Transition.....	61
The Foundations of the Democratic Divide	61
Framing Democratic Space and Practice.....	63
What Kind of Governance and Accountability?	66
Extending Pluralism, Deepening Participation.....	71
Democracy and the State Under Capitalism.....	74

Section Five

Recommendations.....	77
For Community Organisations/Social Movements.....	78
For Progressive Organs of Civil Society.....	79
For the State.....	80
General.....	81

List of References82

Video Footage.....	87
--------------------	----

List of Interviews.....88

Cape Town (Khayelitsha-Mandela Park)	88
Durban (Chatsworth)	89
Johannesburg (Orange Farm)	91
Other interviews.....	93

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Executive Summary

Introduction

The emergence of post apartheid social movements in the first decade of democracy has been dramatically shaped by the context of the South African transition. At a political level, the 1980s saw the exiled African National Congress (ANC) emerge at the head of the people's struggle against the apartheid regime. Underpinned by the doctrine of the National Democratic Revolution (NDR), the broad 'church' strategy of the ANC ensured that the national struggle against apartheid would be prioritised over the class struggle against capitalism. In spite of the material location of people's struggles (situated in direct opposition to the interests of capitalism), once negotiations had begun in the early 1990s, the ANC used its position to manage (including the suspension of) bread and butter struggles. The effect of this process was to institutionalise a narrow post-apartheid vision of the ANC and a negotiations-centric polity. Organisationally, the political hegemony of the ANC was not without destructive consequences for political and ideological diversity, and much of the space for independent grassroots organisation was virtually closed down. The context of the economy would also see the ANC's commitment to the abandonment of an anti-capitalist front codified in the formal unveiling of the overtly neoliberal Growth, Employment and Redistribution (GEAR) macroeconomic programme in 1996, reinforcing class inequalities and social unevenness. Anticipating massive opposition to the policy within its own ranks the policy was dubbed 'non-negotiable'.

This context provides the background to more contemporary and emergent conflicts between the state and impoverished communities centred on basic socio-economic needs/services.

One: Neoliberalism and the Commons

Embedded in the crises experienced by capitalism in the late 1960s the process of globalisation is driven by the need to search for more markets and areas for investment. Thus it is often argued that the reforms grouped under the term neoliberalism are the primary means through which capital addresses the challenges to further accumulation. Theorists have also pointed out that neoliberalism involves the creation of 'new enclosures' in so far as the end result of these strategies aim to forcibly separate people from whatever access to social wealth they have which is not mediated or co-optable by the market. Thus it is through neoliberal restructuring that nation states have been forced to adopt policies aimed at bringing necessary resources such as water, housing, electricity, health care and education under the rule of the market.

The specific challenges faced by apartheid accumulation strategies saw the apartheid regime attempt a series of reforms that would eventually lead to the opening of a terrain of negotiations with the ANC. It was within this transitional negotiations framework that an accommodation between the ANC and big business emerged, including a 'distributional coalition' of white business and emerging black business premised on policies to promote globalisation and Black Economic Empowerment (BEE). In this sense, key outcomes of the negotiated settlement were designed to address the specific crisis of the South African accumulation strategy.

As a result, that which was envisaged as fundamental to the redress of apartheid inequalities by the liberation movement (from basic services to the nature and forms of governance that a new government would assume) would slowly be encroached on by the market. Symbolically this shift manifested itself through GEAR. Under GEAR, the role of local government shifted from a redistributive one to an 'enabling', or 'facilitating' one whereby real access has come to be determined by market forces, with the state becoming the facilitator of this logic.

At stake in the current conflict between the state and new social movements is thus the very vision of the struggle against apartheid. For the state, the reproductive demands of communities resisting apartheid (in particular the payment boycotts of the 1980s) were merely a means of leveraging the position of the liberation movement in relation to the apartheid state. For new social movements, strategies such as the payment boycotts were the key redistributive challenge of the new state and needed to be institutionalised. The clash of these narratives represents the conceptual basis for the contemporary conflict between the state and communities in relation to basic socio-economic services and their 'delivery'.

§ Two: The Genesis and Evolution of Social Movements in Three Urban Communities

As the practical consequences of GEAR began to bear down on the lives of workers and poor communities, groups of people organised at community level to resist the effects of the policies of cost recovery and privatisation, flexibilisation and casualisation of labour, cuts in social spending, and the general extension of the rule of the market into all aspects of people's lives.

In this study, three urban, poor communities that have experienced, and continue to experience, conflict with the state over basic socio-economic struggles are presented as case studies. These communities are Mandela Park (Khayelitsha), Bayview (Chatsworth) and Orange Farm (Johannesburg). Detailed histories leading to the formation of specific community organisations in each of these areas – namely, the Mandela Park Anti-Eviction Campaign, the Bayview Flats Residents Association, and the Orange Farm Water Crisis Committee – are provided. Through interviews, community organisation materials and qualitative research analysis, the various activities, organisational trajectories and emergent relationships with the state, private sector and other actors in civil society (local, national and international) are presented and analysed.

§ Three: Arresting Dissent

In all three communities, the closing down of any meaningful institutional space for the presentation of community grievances, combined with the generalised non-negotiability of the framework of the state's economic strategy, has meant that attempts to seek government intervention in addressing local demands has failed. On the one hand, this has forced local communities to adopt more antagonistic strategies such as marches and reconnections. On the other hand, the inability of the state to offer any meaningful concessions to these community movements has meant that the state's only recourse has been repression and the deployment of the various arms of the criminal justice

system and the private security sector in 'maintaining order'. In this respect our research has noted a number of trends and effects stemming from the conflict.

The local police, the council, and state service providers have come to represent for these communities the primary focus of social movement antagonism. In most cases, engagements between the communities and the state have taken on a conflictual character, mediated by the criminal justice system. However, the private sector, usually in the form of private security companies, has also played an important role in structuring perceptions of the state's responses to community resistance. The need for strategic management of social movement activity has also seen the formation of strategic partnerships between the relevant arms of the national and the local state.

The courts have played an extremely important role in the conflict. While the intervention of the judiciary in certain cases has had positive outcomes for social movements, for the most part, the courts have been used to distract the attention of local movements or used to deal out punitive measures and discipline activists. Local Alliance structures have also played an important role, based on a strategy of the ANC to facilitate counter mobilisation in areas where community organisations have begun to challenge their local hegemony.

The conflict between social movements and the state has often had dramatic and far-reaching consequences for both the movements and the communities in which they work. The greatest danger presented by the conflict is the manner in which its current terms structure a self-reproducing discourse of marginalisation and repression. On the one hand the extension of the logic of GEAR's non-negotiability has structured the state's refusal to engage with social movements. On the other, social movements have seen no option but to shift to increasingly antagonistic activity.

Four: Social Movements and Democracy in South Africa's Transition

The first phase of South Africa's 'transition' has witnessed the ANC's political and ideological acceptance of the broad framework of a globally dominant, neoliberal political and economic orthodoxy. In turn, this has led to the institutionalised (and false) separation between political and socio-economic change, such that democracy has come to be seen as synonymous with the capitalist market. The result has been a perpetual 'crisis of democracy' wherein institutionalised practices of representative democracy such as elections make little difference since the key societal decisions are taken by the 'market'. In this context the emergence of new social movements is a contestation of this narrow vision of democracy.

Given that the rhetorical core of governance, since 1994, has revolved around prioritising the 'delivery' of basic needs and services to South Africa's poor majority, the emergence of new social movements in this terrain is a practical manifestation of the very real impact of the ANC state's governance track record. Thus, the existence and activities of the new social movements are not only a direct result of the socio-economic realities that pertain in contemporary South Africa but also represent a more general and positive contribution to widening and deepening democracy.

The fact that most social movements are presently outside the mainstream of South Africa's institutional political framework indicates that an increasing number of poor South Africans no longer see active participation in the present institutional set-up of representative democracy as being in their political and/or socio-economic interests. The existing state, its institutionalised politics and its socio-economic policies are increasingly being seen, and treated, as a central target of a class struggle emanating from poor communities. What the state has failed to understand is that the 'democratic' character and content of such struggle cannot be managed, manufactured and/or imposed. Rather this will be created by those struggling to create new avenues of political expression, governance and accountability and to free themselves from the shackles of capitalism's 'democracy' – and that is precisely what new social movements are in the process of doing.

Recommendations

The resurgence of popular grassroots organisations in the last five years has profoundly altered the political landscape of South Africa. As a consequence of the antagonism between these organisations and the state, South Africa has experienced increased levels of conflict in relation to the delivery of basic services. In the interest of minimising the effects of this conflict it is necessary for all sectors and role players to actively seek out strategies that enhance democracy and facilitate meaningful dialogue. The various recommendations at the end of this report flesh out some possible avenues.

Introduction

PHOTO: www.unionsong.com



The Context of the Liberation Struggle

The political

By the mid-1980s, the exiled African National Congress (ANC) and its allies found themselves at the head of the people's struggles against the apartheid regime. This 'leading' position had come about not as a result of being at the practical forefront of the student, worker and community struggles that had erupted across the country but rather as a result of the ANC's ability to politically absorb these struggles within their broad-church strategy of the 'national democratic revolution' (NDR). The politics of the NDR was bound up in the argument that the liberation struggle could only realistically concentrate its energies on an anti-apartheid (as against an anti-capitalist) terrain, thus ensuring that the national struggle against apartheid would be prioritised over the class struggle against capitalism. This is important because, at the very time that the activities of the workers and poor were placing materially-located and radical anti-capitalist class politics at the forefront of the liberation struggle, the ANC chose to give primacy to the national component of that struggle, conceptualised as an all-inclusive, multi-class movement to defeat apartheid through a negotiated settlement.¹

The exiled ANC's success in asserting the primacy of its chosen political strategy within the grassroots struggles that were being waged inside the country during the mid-1980s rested on its ability to convince the majority of South Africans that, once in possession of political power (the first stage), it would set about dealing with the economic demands/needs of that majority (the second stage). That the ANC managed to do so (for the most part) is absolutely crucial in understanding the genesis of South Africa's social movements. Indeed, the roots of social movements were grounded in the exiled

¹ For a more extended treatment of this development see Dale T. McKinley (1997).

ANC's call, in the mid-1980s, for the people to make South Africa 'ungovernable' by building 'organs of people's power' (i.e. through unions, in communities). As Mark Swilling has pointed out:

... black communities were drawn into a movement predicated on the notion that the transfer of political power to the representatives of the majority was the precondition for the realisation of basic economic demands such as decent shelter, cheap transport, proper health care, adequate education, the right to occupy land and the right to a decent and steady income. (quoted in Bond, 2003, p.9)

The character of the very struggles that were subsequently taken-up by the 'black communities' was clearly focused on politicising grassroots grievances (both class- and race-based) against the apartheid regime – i.e. rent hikes, exploitative labour conditions, lack of basic services, inadequate education and corrupt, state-appointed local councillors etc. In other words, they were grounded in direct opposition to the productive and reproductive oppression of apartheid-capitalism. However, the political – and symbolic – hegemony of the externalised liberation movement and its internal allies such as the United Democratic Front (UDF) ensured that these struggles served the purpose of fulfilling the (first stage of the) 'national democratic revolution'. This was practically evinced by, for example, the UDF taking on board the ANC's position of the strategic primacy of the unity of all South Africans (i.e. the blurring of class divisions) and welcoming anyone who opposed apartheid into its ranks.

Despite the ANC/UDF's claims that this kind of political approach was 'non-ideological', the reality was that they were taking a specific political/ideological position from which to conceptualise the 'nation' as well as opposition to those who were considered outside of it (McKinley, 1997). By the early 1990s, the rich political diversity of grassroots struggles that had included relevant and powerful notions of 'insurgency and counter-power' and that 'emerged outside nationalist organisations and wage relations' (Barchiesi, Desai & van Heusden, 2003) had been effectively enveloped by the now completely dominant (ANC) politics of anti-apartheid nationalism and deracialised capitalism.

The ANC's return from exile and entrance into political negotiations with the apartheid regime marked the opening up of a new terrain in its struggle for national liberation. From this point on, the ANC chose to use the mass struggles of workers and the poor only as a means of leveraging its position at the negotiating table. This required that the full weight of the liberation movement be given over to managing (and where necessary, suspending) bread and butter, class-based struggles that had continued to parallel the worsening crisis of both apartheid and capitalism in South Africa. Most community organisations became solely directed to the pacification of their members/sympathisers. What this produced, by the time an agreement had been reached for the handover of political power, was the institutionalisation of a negotiations-centric polity.

The end result was that the entire 'machinery' of the 'new' ANC-captured state and the liberation movement became hostage to the terrain of negotiation as an end in itself. In turn, this was framed by the enforced institutionalisation of the ANC's narrow, post-apartheid nationalist politics and a complementary approach to 'nation-building' that demanded (of 'the people') political obedience to both the 'new' state and the party that now controlled it.

The organisational

The historical legacy of late twentieth century South Africa reflects a double 'inheritance' dynamic. On the one hand, apartheid produced gross racial, class and gender inequalities that rendered the vast majority of the population politically, economically, socially, culturally and physically oppressed. On the other, the sustained 'people's' struggles (predominately in the form of worker and community organisations) waged against such oppression endowed the country and the majority of its people with a high degree of effective politicisation and participation, dynamic democratic social organisation and varied collective socio-economic solidarity.

The growth and variety of grassroots organisational forms that emerged during the internal resistance to apartheid-capitalism during the 1980s was however, accompanied by the increasing influence of the decidedly bureaucratic, centralised and hierarchical organisational form of the exiled ANC and its allies. While those forces associated with the ANC (both internally and externally) gained a dominant organisational and symbolic position by the late 1980s, the actual liberation struggle on the ground was replete with divergent, contradictory and often overtly hostile positions, locations, organisational and ideological traditions. The 'clash' of organisational cultures/practices played itself out right up until 1994. By that stage, the ANC and its allies were able to exert an organisational hegemony over the 'liberation forces', a 'victory' that was not without destructive consequences for organisational, political and ideological diversity. Indeed, by the late 1980s, the ANC/UDF's 'calls for unity increasingly referred only to those who accepted the leadership of the UDF and its exiled ANC allies ...' (Marx, 1992, p.171). While there certainly was a broad-based unity amongst the forces of liberation around getting rid of the apartheid system, the intolerance and fear of opposition that developed within the ranks of the ANC/Alliance represented a 'hidden' defeat for independent, grassroots organisation and politics.

By the time negotiations with the apartheid regime were in full swing, the ANC and its Alliance partners - the South African Communist party (SACP) and the Congress of South African Trade Unions (COSATU) - adopted the argument that there was no need for the kinds of militant grassroots struggles that had been taken up by those independent community-based organisations that still existed. The dominant position within the leadership of the ANC became one of enforced unity in the name of 'the people', wherein such organisations were no longer needed now that the liberation movement had effectively defeated apartheid and was on the verge of accessing political power. This development was rationalised under the rubric - 'From Resistance to Reconstruction'. What followed was the systematic dismemberment, or incorporation into the organisational framework of the ANC, of most all-independent and allied community organisations (historically known as 'civics') in South Africa. By the time the ANC was firmly in the seat of institutional (state) power, the vast majority of those community organisations that had been so central to the radicalisation of the anti-apartheid struggle and that had sustained the hope of millions for a more radical (and potentially anti-capitalist) transformation of South African society, had been swallowed by the ANC and, to a lesser extent by its Alliance partners.

The result was that the space for active, militant, radically democratic and independent grassroots organisation was virtually closed down. As the new ANC state began to ideologically shift to the right, any potential resistance from the workers and poor to its creeping neo-liberalism and elite deal making was thus effectively contained. In turn, this ensured (in the short-term at least) that the

possibilities for independent, mass-based and anti-capitalist organisation and struggle were severely curtailed. As had become clear from past practice, the last thing that a newly empowered ANC-Alliance leadership wanted was the rise of new social movements outside of their political, organisational and ideological control (McKinley, 2003b).

The economic

During the political negotiations in the early 1990s, the ANC (with critical assistance from its SACP Alliance partner) engaged in compromises that allowed for the inherited socio-economic system of apartheid capitalism to remain effectively divorced from the newly devised, institutional democratic framework. Thus, while agreements were instituted that allowed for the institutional affirmation of basic political, civic and socio-economic rights - through one-person, one-vote elections and the formalisation of a democratic Constitution (inclusive of a Bill of Rights) - there were no concomitant agreements that allowed for apartheid-capitalism's socio-economic relations to be fundamentally addressed. Two classic examples of this were the acceptance of *status quo* property relations and the in-place privatisation of key components of the public sector.

In effect then, the ANC made the choice to abandon the more radical economic demands that were part and parcel of worker and community struggles for meaningful redistribution of wealth and resources and for a new 'people's' state to prioritise the delivery of basic needs and services to the dispossessed and marginalized majority. As John Saul has elucidated, South Africa experienced a 'dual transition' in the early 1990s (2001, np.). On the one hand, a transition from racially driven, authoritarian rule to a more democratic (institutional) system of governance; on the other, a reintegration into the global capitalist economy along neoliberal lines. The former was a huge achievement made possible by the struggles of millions of South Africa's workers and poor, but the latter a serious barrier to the realisation of meaningful socio-economic change for that broad working class majority (Saul, 2001).

The ANC's political decision to turn its back on (past) stated commitments² (partially the result of the dominant global embrace of neoliberal policies) to its main constituency - i.e. organised workers and the unemployed poor - to implement more radical socio-economic policies was then institutionally codified with the formal unveiling of the overtly neoliberal *Growth, Employment and Redistribution* (GEAR) macroeconomic programme in 1996. Amongst other things, GEAR committed the ANC state to: slash government spending (as a means to reduce the budget deficit); keep inflation in single digits (through high real interest rates); provide tax holidays and other incentives for corporate capital; phase out exchange controls; create a more 'flexible' labour market; encourage 'wage restraint'; and, speed up the privatisation of state assets. When a few critical voices pointed out that GEAR was conceptualised and adopted without any participation from the ANC's own democratic base, the ANC leadership was quick to declare the policy 'non-negotiable' and to douse any potential flames of opposition from within its ranks (Makhanya, 1996).

Key to the future political role for, and economic impact on, the millions of workers and unemployed who continued to look to the ANC state to deliver the 'goods', was GEAR's choice of socio-political

² Mainly captured in the *Reconstruction & Development Programme* (RDP) that had emanated from popular and democratic discussions/debate amongst a wide range of progressive political and social organisations prior to the 1994 elections, and that had then taken on the form of the ANC's political manifesto for those elections.

'vehicles' for carrying through the much-anticipated transformation of South Africa's apartheid-capitalist inheritance. GEAR proffered that a combination of economic affirmative action (through land distribution to a new class of black commercial farmers and state assistance to emerging black industrial entrepreneurs) and new black economic empowerment initiatives through 'partnerships' with corporate capital, would best 'deliver' the desired outcomes of economic redistribution, equity and growth, job creation and delivery of basic services. In other words, GEAR was now rubbishing the ANC's oft-stated claim of the 'leading' role of its mass base – the millions of workers and unemployed – as the vehicle for meaningful political and socio-economic transformation of post-apartheid South Africa.

The subsequent implementation of GEAR has only served to reinforce the class inequalities and social unevenness that were a natural inheritance of South Africa's apartheid socio-economic relations. GEAR's practical results have had devastating effects on the lives of those South Africans most in need of socio-economic redress. Some examples include: massive job losses of the most vulnerable sectors of the working population; increasing income and class inequality; lack of access to, and affordability of, basic socio-economic services such as water, electricity, housing and education; lack of land redistribution; and, declining levels of social services as a result of privatisation of state assets. This has been the case precisely because the macro-policy chosen to ensure practical redress of apartheid's 'developmental deficit' is informed by an ideological disposition (i.e. neoliberalism) that seeks to realise people's fundamental socio-economic rights by relying on those existing social forces already in dominant possession of political and socio-economic power. Not surprisingly then, the macro-economic foundation for South Africa's transition, has provided the background to more contemporary and emergent conflicts between the state and impoverished communities centred around basic socio-economic needs/services.

Embracing neoliberalism

Around the same time (early-mid 1980s) that the liberation struggle in South Africa began to intensify and to throw-up possibilities for radical political and economic alternatives to racialised capitalism, a crucial shift in the dominant global developmental paradigm/economic orthodoxy was being consolidated. After decades of implementing social-democratic (Keynesian) policies that privileged the role of the national state, in conjunction with the distributive mechanism of the capitalist market, to achieve job-creating growth and development that encouraged greater socio-economic equity amongst their populations, the West began to embrace a neoliberal ideology. Underpinning this new ideology were two inter-related developments: the intellectual ascendancy of 'mono-economics' as the dominant paradigm for diagnosing socio-economic problems and prescribing solutions, in which the capitalist 'free market' is seen as the best and most efficient allocator of resources; and, a concerted political attack on 'big government' and/or the economic role of the state, referenced to the failure of bureaucratised (communist) centralism in the former Soviet Union and the 'success' of private sector capital as the guarantor of both political freedom and economic performance (Mkandawire and Soludo, 1999, p.41).

Led by the 'free market revolutions' of the Thatcher government in the United Kingdom and the Reagan administration in the USA, neoliberalism rapidly assumed global influence and impact. The

shift in economic orthodoxy amongst capitalist countries (first in the West and then, later in other parts of the 'developing' world) was predominately ideological in nature, taking place as it did within the context of a Cold War in which the 'choices' were consciously narrowed down to either neoliberalism or communism (however distorted both of these concepts, in practical terms, might have been). The application of a neo-liberal developmental/economic framework was thus borne out of a context in which the impetus was inherently politicised - as economic choices and policy decisions always are - and in which western countries had already gained a sustained measure of job-creating economic growth and had ensured that the majority of their own citizens were provided with basic socio-economic services.

The 'platform' for the introduction of neoliberalism in Africa was constructed, not surprisingly, by the World Bank through its structural adjustment programmes.³ The most fundamental assumption was that Africa's socio-economic problems were due to mistakes in economic policy-making. Three major policy actions for a 'growth programme' were put forward as non-negotiable (tied as they were to any future relationship with the powerful, western-dominated international financial institutions and western markets): implementing trade and exchange policies that were more 'suitable' to economic growth - i.e. policies that were acceptable to western powers and that did not impinge negatively on their own trade regimes; an 'increase' in efficiency of resource use in the public sector - i.e. lessening the role of the state in the economy through privatisation of state assets and bringing in the private sector to effectively manage the economy; and, an 'improvement' in agricultural policies - i.e. gearing the agricultural sector for involvement by capitalist enterprises and for the production of cash crops for export (Mkandawire and Soludo, 1999, p.42).

By the late 1980s, almost all countries on the African continent and throughout the 'developing world' had signed-on to the neoliberal structural adjustment programmes. By this stage in South Africa's liberation struggle, it had become clear that the exiled ANC and its internal allies had forsworn the possibilities of a revolutionary insurrection and forcible overthrow of the apartheid regime and had embraced the strategic path of a negotiated settlement for deracialised capitalism in South Africa.⁴ In doing so, the ANC was tacitly accepting that a post-apartheid state would have to play by the dominant 'economic/developmental rules' (i.e. neoliberalism). In other words, South Africa's new democracy would be umbilically twinned to the needs of the capitalist market and its associated neoliberal demands.

The ANC leadership and many academics/researchers have claimed that the turn to a negotiated settlement and the associated embrace of the neoliberal paradigm was simply representative of a pragmatic realism given the imbalances of global economic power relations and difficult objective conditions on the ground.⁵ Such an explanation is crudely structuralist for two reasons: it ignores the

³ The key document that outlined what would become the 'bible' for Africa's economic development over the ensuing decades was the World Bank's Berg Report of 1981.

⁴ Despite ongoing calls by the exiled ANC to the internal forces of liberation to intensify the grassroots struggles for a 'people's insurrection', a reading of both the ANC's Constitutional Guidelines (1988) and Harare Declaration (1989) as well as the various international statements made by ANC leaders from 1987 onwards, gives clear confirmation of the ANC's strategic choice for a negotiated settlement.

⁵ For examples see Francis Meli (1988), South Africa Belongs to Us: A history of the ANC (Harare: Zimbabwe Publishing House); Heidi Holland (1989), The Struggle: A History of the African National Congress (London: Grafton Books); and Bernard Magubane (1989), South Africa: From Soweto to Uitenhage (Trenton, N.J.: Africa World Press).

possibilities that radical mass struggle, centred on the core socio-economic needs of the broad working class, had already created for fundamentally altering the balance of forces; and, it creates the false impression that the actions and strategies of the ANC had nothing to do with ideological/political choices made. The ANC leadership made a definitive strategic choice about class power and in so doing set the scene for a renewed, but differentially located, class-based struggle and conflict in the post-apartheid transition.

As this research report will clearly reveal, the conflict that has ensued between poor communities and the post-apartheid state can only be fully understood and explained by addressing the historical roots of ANC politics and community resistance centred on basic socio-economic struggle, as well as the more contemporary (i.e. transitional) effect and impact of enforced notions and practices of democratic governance, accountability, the 'nation' and the developmental role of the state.

Project objectives and methodology

The research report that follows is divided into five main sections. The following key objectives form the basis for each section respectively:

- To explore and analyse the relationship between international and domestic macro-economic policy, processes of globalisation and community resistance and conflict. In this regard, there will be a specific focus analysing the nexus between the 'delivery' of basic services, government's macro-economic policies and community resistance and conflict.
- To document, evaluate and analyse the genesis and evolution of social movements in three communities in South Africa's three main urban areas, namely: Cape Town, Johannesburg and Durban.
- To document, assess and analyse the practical responses of the state to community resistance and opposition and the consequent political and socio-economic effects of these responses on individuals within the affected communities and community organisations involved in resistance and opposition. A specific focus on the role of policing agencies, both public and private, will be included.
- To explore and analyse the relationship between community social movements and concepts/practices of democratic governance and accountability within the context of South Africa's political transition.
- In light of the above, to offer recommendations that speak directly to the role/character of the activities of community organisations/social movements, the state, the private sector, and progressive organs of civil society such as NGOs in addressing ongoing conflict and violence and the impact of socio-economic struggles.

The methodological approach used to compile this research report consisted of the following:

- An examination and analytical review of CSVR's Violence & Transition Project to draw out key questions and issues that have relevance for the specific research focus of this project.
- A reading and analysis of: a) archival materials that include government, ANC-Alliance and social movement documents; b) research/academic literature on globalisation, South African political economy, security and violence studies as well as work on the new social movements in South Africa (and elsewhere); c) media articles in South African and international papers and journals on and/or by social movements, government officials and other relevant civil society stakeholders.
- Research visits to three urban poor communities as follows: a) the community of Mandela Park in Khayelitsha (Greater Cape Town Metro), which has experienced sustained and high-levels of conflict/violence with state authorities, particularly around issues of housing, over the last several years; b) the communities of Bayview & Westcliff in Chatsworth (Greater Durban Metro), where there has been extensive and intensive conflict between the state and the communities over a range of socio-economic issues and forms of basic service 'delivery'; c) the 'informal' community of Orange Farm in the Greater Johannesburg Metro, where there has been an upsurge in conflict over the last two years as a direct result of the state's attempts to enforce particular forms of service delivery (particularly water) onto the community.
- In depth, transcribed interviews with the following: a) politicians and criminal justice system personnel in the chosen communities and, where possible and relevant, with the same at the provincial and national levels of government; b) with leaders and members of the community organisations/social movements in the three communities as well as with non-affiliated individual community members in these areas.
- Collective feedback discussions with community members/activists in the three communities as a means of sharing initial findings and receiving input and refinement.



Neoliberalism and the Commons

The South African transition is one of the great tales of global neoliberalism. From the restructuring of apartheid in the 1980s, to the changing character of the post-apartheid economy and state in the last decade, neoliberalism's logic has helped shape the character of the most important aspects of the modern polity. In this section, we follow the paths of global economic transformation, through dramatic shifts in organisation of production, to the restructuring of the local state under neoliberalism. In so doing we demonstrate the manner in which the 'local' has become the staging point for the emergence of new social movements resisting the worst effects of this new economic order and the conflict it foments.

This section is divided into five parts. The first part briefly outlines the contours of the global neoliberal economic order, demonstrating how the set of principles and market reforms grouped under this term have come to characterise modern political economy. Part two offers a characterisation of neoliberalism's accumulation strategy. In the third part we turn to South Africa under apartheid and highlight the continuities between the global restructuring of capital and the various state reforms and specific struggles of communities resisting apartheid. This is followed by a discussion/analysis of the specific contexts of the transition and the reinvention of the post-apartheid state under the tutelage of the market and GEAR (the neoliberal macro-economic framework adopted by the ANC government in 1996). The final part focuses on the local state and resurgence of popular struggles, demonstrating the continuity between the struggle against apartheid and that of communities resisting neoliberalism.

Globalisation, Neoliberalism and the Master of the Universe

The term 'globalisation' has become widely used in the last two decades, with various meanings and concerns suggested by different theorists. Changes in the world order over the last thirty or so years, however, have resulted in increasing poverty and hardship for the world's poor majority.⁶ While the positive aspects of 'globalisation' (greater 'opportunities' for wealth in a 'global village' where time and space are reconfigured through the development of technology and information systems) have been heralded by the rich and powerful as a new golden age, many people have argued that these changes must be understood within the context of the changing needs of the global capitalist system.⁷

From this perspective, globalisation is not the neutral presencing of a new spirit of global cooperation, but the extension and intensification of the rule of the market over all spheres of life. So profound is the effect of these changes that many theorists have come to see the core principles structuring this process as the 'defining political economic paradigm of our time – it refers to the policies and processes whereby a relative handful of private interests are permitted to control as much as possible of social life in order to maximise their personal profit' (McChesney quoted in Chomsky, 1999, p.7).

Since the late 1960s, capitalism's crises, precipitated through worker struggles, declining profits, and overproduction and accumulation, presented the need to search for more markets and areas for investment. In response to these crises, capital instituted a range of reforms, aimed at removing obstacles to further accumulation. Through capital's various strategies of coercion and co-option (in which the World Bank, International Monetary Fund and World Trade Organisation play a central role), nation-states have allowed or facilitated: the introduction of trade liberalisation; fiscal austerity measures including cuts in social spending and cuts in public sector spending (resulting in job losses); privatisation; and changes in the nature of work (resulting in retrenchments, casualisation and flexibilisation). These reforms within the global financial architecture have generally been grouped under the term neoliberalism, which is aimed at removing obstacles to the rule of the market over all aspects of production processes. As such, neoliberalism limits the role that nation-states can play in relation to the improvement of the lives of their populations and addressing the problem of people's vulnerability to the fluctuations of the global market.

Globally, the effects of these policies have been felt in the form of increasing poverty, unemployment, lack of access to basic services such as water, electricity and housing, lack of access to education, health and social welfare, and the general deterioration of social relations between people. Under neoliberalism all life is commodified and the market is the final arbiter of value. For capital, however, these changes have meant increased profit and mobility.

⁶ 1.3 billion people survive on less than US\$1 a day; 340 million people in Africa (half the total population) survive on less than US\$1 a day; the income gap between the richest fifth of the world's population living in the North and the poorest fifth in the South has changed from 30:1 in 1960 to 74:1 in 1997; while the combined wealth of the world's 200 richest people is US\$1 trillion, that of the 582 million people living in the 43 least developed countries is just US\$146 billion (Research & Education in Development, 2002, p.7).

⁷ For instance Marais characterises globalisation as 'transactional production, freer passage of commodities, the dominance of finance capital, the increasing authority of supra national organisations and the rapid development and deployment of new labour-saving or labour-replacing technologies'. (1998, p.105)

With the majority of people worldwide feeling the effects of these policies directly as attacks on their life strategies, there have emerged a whole range of responses, ranging from non-payment for basic services, illegal occupation of land and buildings and illegal connections of water and electricity, to legal attempts at demanding adherence to international principles of human rights and dignity of life as well as campaigns directed at changing the international financial architecture and United Nations (UN) system more generally. In many cases, individual attempts have come together in campaigns, coalitions, community groups and projects, non-governmental organisations (NGOs), and other interest groups. Internationally, these have collectively come to be known as the 'anti-globalisation' or 'global social justice' movement.

Neoliberalism and Primitive Accumulation

In his essay, 'Towards A Theory Of Globalisation As Strategy', Massimo De Angelis offers a means for characterising aspects of neoliberal restructuring within the broader narrative of capitalist strategies of accumulation (De Angelis, 1998a). Following Perelman, De Angelis argues that the notion of primitive accumulation, used by Marx to describe the emergence of the preconditions for capitalist production, may be understood, not simply as a particular historical phase of capitalism, but as a 'continuous phenomenon within the capitalist mode of production' (np.). The term primitive accumulation was used by Marx to describe the process of separation and dispossession of people in relation to the social means of production and reproduction, creating a section of the population with no means of survival but their labour power. De Angelis argues that in contrast to the accumulation strategies associated with, for instance, factory production, primitive accumulation does not rely on the 'silent compulsion of economic relations', but is instead imposed through 'direct extra economic forces' such as the state (De Angelis, 1998b, np.).

An important element of this analysis is its demonstration of the relationship between strategies of primitive accumulation and worker struggles. De Angelis, building on the work of Polanyi, argues that capitalism is characterised by a double movement of the market and struggle:

On the one side there is the historical movement of the market, a movement that has no inherent limits and therefore threatens society's very existence. On the other, there is society's natural propensity to defend itself, and therefore to create institutions for its protection. (De Angelis, 1998b, np.)

For De Angelis the second movement often involves processes of commoning, which may be characterised as the creation of 'social spheres of life' aimed at providing various degrees of protection from the market (De Angelis, 1998a, np.).

The commodification of all life and the dismantling of the protections won through worker struggles may therefore be understood as the creation of 'new enclosures' in so far as the process implies the 'enclosure' of what would otherwise be held in common. In other words, such 'enclosures' bring about

a *separation* between people and their conditions of life, through the dismantlement of rights, entitlements, etc ... The aimed end result of these strategies of enclosures share the same substance: *to forcibly separate people from whatever access to social wealth they have which is not mediated or co-optable by the market* ... New enclosures thus are directed towards the fragmentation and destruction of 'commons' (De Angelis, 1998b, np. emphasis added).

Under neoliberalism, people have been separated from those basic resources considered essential for all life, such as water, housing, electricity, health care, education, and so on, that have been made into areas for greater accumulation by a few. Whereas people previously had unlimited access to a naturally occurring resource such as water, today water has become big business with individuals having to now pay for it as a commodity. In this way, people have been forced to hand over the control of their individual and collective lives to the rule of profit and the market.

In the context of neoliberalism and the crises in capitalism referred to above, primitive accumulation strategies become the primary means by which neoliberalism addresses the limits posed to accumulation by the successive protections won by workers and communities. It is through these strategies that capital's peripheries, whether in the developing world or in the form of welfare state protections in the North, are integrated into the logic of the market.

Apartheid, Accumulation and the Social Commons

In South Africa, the peculiar political, economic and social engineering strategies of the apartheid state articulated a complex system of social security and protections for a minority white population based on the dispossession of the black majority. These would eventually crumble under the pressure of various social forces. While resistance and the activities of the liberation movement were an important factor in the demise of apartheid, the character and purpose/s of responses to resistance were profoundly influenced by the market and the particular challenges faced by domestic capital.

Under the Nationalist Party (NP) government, the notion of 'an activist state' was put into play – a state that would 'actively and often forcibly intervene in social and economic affairs' (Marais, 1998, p.20). This worked both to consolidate and protect the interests of white citizens, and to entrench the racial divisions and inequalities that ensured the continued production of a cheap, black servile labour class consigned to the margins of the mainstream South African political economy. Policies, such as the expansion of legislation relating to influx control of African workers, the pass laws, and the banning of organisations working in the interests of the African majority (e.g. trade unions and the Communist Party of South Africa), entrenched deep divisions in society on which the common interests of the white population depended, in particular the production of a racially divided labour force. The apartheid state also intervened to assist with the survival and creation of new Afrikaner-owned businesses, and to support the growth of Afrikaner interests generally.

Through a concerted affirmative action programme it augmented the Afrikaner capitalist class and advanced Afrikaners in all spheres of life. Government bank accounts were moved to an Afrikaner-controlled bank, government contracts were

handed to Afrikaner-owned firms, Afrikaners were appointed to serve in and head scores of state department, top bureaucratic and military posts, official boards and commissions. Cultural production by Afrikaners was encouraged and widely disseminated through a range of cultural bodies, festivals and publishers. (Marais, 1998, p.36)

In carving out a 'post-war accumulation strategy' favourable to white minority interests, two significant priorities were chosen for the economy by the apartheid state – 'an industrialisation strategy based on import substitution and the ongoing dependency on cheap African labour' (Marais, 1998, p.38). On the one hand strong state intervention protected a flourishing manufacturing sector against foreign imports, in the context of the growing consumer power of the white population and in particular, that of white workers. In addition, large parastatal corporations such as ISCOR, ESKOM and SASOL, were set up; high tariff and non-tariff protective walls were adopted around vulnerable industries; and transport and telecommunications infrastructure was upgraded. On the other hand the mining industry, pivotal to the development of capitalism in South Africa, and agriculture were further supported through the intensification of exclusionary labour practices designed to limit black people to the status of cheap labour only to be allowed access to urban white areas and farms to work.

Protection of white interests was facilitated by 'an exclusionary regime of accumulation, barricading the labour surplus on a periphery which took economic, social, political and geographic forms' (Marais, 1998, p.22). The majority of the African population was consigned to the homelands, a system that allowed the apartheid state to 'deflect the social and economic costs of reproducing African labour and absorbing unemployment onto a literal periphery' (Marais, 1998, p.22). Influx control, the pass laws, forced removals, and the replacement of the labour tenant system with the contract labour system sought to ensure the production of a docile, cheap, 'seen only when needed and never heard' African labour force. An additional factor is that the inequalities of the system were distributed unevenly amongst the black population (Africans, Indians and Coloureds), with state spending on different racial groups indicating this clearly. Indian and Coloured workers also had greater and easier access to the resources necessary for enhanced mobility within the system, resulting in growing middle classes in both these groups by the 1970s.

Such measures might have produced several immediate benefits for white citizens, but they were matched by worsening hardship for the majority of the black population. While the contentment of white citizens would ensure the NP's continued electoral victories, the growing discontent and dissent amongst black people could not be contained in the old ways any longer. In addition, while the South African economy had experienced substantial growth during the 1960s, the 1970s brought with it structural changes wreaked by global changes in capitalism that would significantly alter the growth path of the apartheid state.

Structural changes within the global capitalist economy, as well as the effects of local struggles by black workers, students, youth, and communities were to result in a number of reforms on the part of the apartheid state. Significant as well in this respect were the respective challenges facing the key areas of the economy, mining and manufacturing. For mining, the strategies that had underpinned the apartheid labour market had limited competition in the sector, increasing the cost of labour and

reducing profit. For manufacturing, the small white (and Indian and Coloured) consumer base was becoming insufficient as a market for locally produced commodities limiting further growth in the industry (Marais, 1998).

Researchers and critics have argued that the 1970s saw South Africa experience an 'organic crisis', located within international developments, such as the oil shock of 1973, the collapse of the Bretton Woods system and global recession, with the local effects of stalled growth, falling investment, capital flight and labour militancy (Gelb, Natrass and Seekings quoted in Bundy, 2004, np). According to Marais,

such analyses stressed the increasing dysfunctionality of the government's apartheid policies to the economy, policies which were said to limit the natural workings of the free market and to invite external distorting factors like sanctions (particularly in 1976 and 1985), and drops in the price of gold. (Marais, 1998, p.58)

In response, the apartheid state introduced a number of 'reforms' that made several 'political and economic concessions to urban Africans: raising domestic demand and productivity, while achieving political stability' (Marais, 1998, p.4). These reforms were to span the next few decades, culminating in the political attempt at resolving the crisis in the early 1990s with the onset of negotiations between the apartheid government and the liberation movement:

At their most basic level, they (the reforms) were aimed at shoring up the two fundamental foundations of state power in capitalist society – coercion and consent – and at reshaping the spheres of production, distribution and consumption in order to resuscitate faltering economic growth. (Marais, 1998, p.41)

In the late 1970s and early 1980s, reforms targeted the increasing of security measures against the growing liberation movement, as well as labour and urbanisation policies. A strategy of 'total onslaught' against the liberation movement and any form of resistance was adopted by the state. The Riekert Commission (1979) investigated urbanisation and proposed that Africans be assessed as to whether they 'qualified' for urban residence. While this created the impression that influx controls were being relaxed and greater opportunities were being created for black people, in fact greater divisions were being sown within black communities, with the apartheid state's 'political hope (being) that a layer of comparatively privileged urban Africans would emerge to douse the ardour of the masses' (Marais, 1998, p.42). Additionally, control and revenue generation in the townships were decentralised, with the tasks and responsibilities of white apartheid officials being performed by local, elected township councils. The Wiehahn Commission investigated black labour with the aim of restructuring approaches to the control of black labour in the workplace, and designing ways of 'increasing productivity and spending power of a well-trained, skilled African urban workforce' (Marais, 1998, p.43). Its immediate outcome was the 1981 Labour Relations Amendment Act that gave black trade unions the right to register and negotiate and to participate in the Industrial Council system while simultaneously abolishing job reservation for whites.

From 1982-1987 reforms included: the removal of influx control through the abolition of the pass laws; increasing state security in response to the increasing levels of resistance in townships and workplaces; and the targeted upgrading of those townships and areas considered to be potential

security problems, for example black education in general and the electrification of certain areas of Soweto.

The intention was to undermine political mobilisation by removing some of the most distressing material sources of discontent. Again, one of the consequences was to redefine and deepen the divisions between insiders and outsiders, divisions which exploded violently in the late 1980s. (Marais, 1998, p.48)

This was also a period in which the apartheid state continued to cut back on its spending, and in which certain aspects of social life began to be deracialised - e.g. the recognition of non-racial trade unions and the introduction of the tricameral system⁸ of parliament.

However, due to the near-insurrectionary activities of workers and communities, the apartheid state suspended processes of 'democratisation' in an attempt to ensure 'stability'. The National Security Management System (NSMS) - set up in 1979 as part of the strategy of 'total onslaught' - became fully activated and 'became a parallel system of state power which vested massive repressive and administrative powers in the hands of the military and police' (Marais, 1998, p.55). In the battles that emerged between the state security forces and people in townships, schools, and so on, the stage was set for the completion of the processes of 'democratisation' embarked on earlier in the form of CODESA and the process of negotiations towards the establishment of the Government of National Unity in 1994.

This period was, however, also significant in the manner in which the struggles of communities worked to create various protections against the market. While these struggles were largely concentrated in townships, they had a significant effect in de-legitimising the apartheid regime and profoundly affected the life strategies of communities. With respect to the latter, township resistance of the 1980s articulated strategies, in particular service payment and rent boycotts, that would contribute to the augmenting of household social income. However, unlike the institutional arrangements of the welfare state enjoyed by the working class in the North, the payment boycotts articulated a social common held and reproduced in struggle. It was, however, equally limiting in relation to neoliberal accumulation strategies.⁹

Significant in this trajectory of reforms is the fact that the apartheid state was forced to implement economic, political and social policy changes in response both to structural crises experienced by capitalism (with its specific manifestations locally under apartheid) as well as to growing resistance from black workers and communities organised under the banner of the United Democratic Front (UDF). Importantly, this trajectory evinced a slow, but systematic move towards policies and interventions that revealed a neoliberal character. Seekings and Nattrass argue that, 'during two

⁸ In 1988, in an attempt to regain some measure of legitimacy within Indian and Coloured areas, the Apartheid state introduced a three-tier racialised parliamentary framework. Across the liberation movement there was a rejection of the new system on the basis that the newly created Indian and Coloured parliaments were simply a tool for 'co-option' and a means of dividing oppressed groups.

⁹ The rent boycotts meant that state providers ran huge deficits and were therefore unattractive as prospects for investment capital through privatisation. Capital would, in the form of taxes, also need to make up the shortfall. In this sense, in expressing resistance to apartheid through rent and service boycotts, communities were also appropriating a common.

decades of 'reform apartheid', policy relied increasingly on the market rather than on statutory discrimination' (quoted in Bundy, 2004, np.).

A Neoliberal Transition

It is by now conventional wisdom that the negotiated end to apartheid severely limited the room for manoeuvre available to the successor state. The essence of the CODESA compromise was a trade-off between majority rule and capitalist stability. The National Party conceded universal suffrage in a unitary state; and the ANC accepted that there would be no expropriations nor radical redistribution; that existing relations of production would be maintained. It is equally uncontroversial that the ANC government's macroeconomic policy has pursued neo-liberal orthodoxy: fiscal discipline, debt reduction, deregulation and investor-friendly provisions – a policy package that amounted to paying the entrance fee to the competitive arena of global capitalism.

(Colin Bundy, 2004, np.)

While the ANC came into political office on the basis of promises of significant redress of apartheid inequalities, the terms on which it has been able to deliver on these promises were set well before 1994, in some of the economic reforms that the apartheid state introduced and in the terms of the negotiated settlement, all influenced by the global phase in which capitalism today finds itself - neoliberalism.

Some critics have argued that the transition has been marked by a 'pact' or 'deal' between big business and the ANC:

In return for macroeconomic stability and openness to international trade and finance, big business would sign up to BEE (black economic empowerment). Structural factors meant that the model would rest on the accommodation between the ANC and big business, creating a distributional coalition of white business and emerging black business, resting on policies to promote globalisation and BEE. (Bundy, 2004, np.)

In needing to sustain its image as liberator of the South African people, the ANC has come to portray this neoliberal transition as the only answer to the problems left by apartheid. As such, the achievement of 'democracy' has been cast in terms of the first phase of the 'National Democratic Revolution' (NDR) being won in the form of black economic empowerment and the increased access of greater numbers of black people to a higher standard of living. Meanwhile, the majority of people have been asked to be patient while waiting for the second phase of the NDR, is the achievement of which is envisaged through the encouragement of private sector led growth in a 'first economy', that 'trickles down' to a 'second economy'. That which was envisaged as 'common' in the liberation movement (from basic services to the nature and forms of governance that a new government would assume) would thus slowly be encroached on by the market, to be commodified and developed into areas for accumulation and the constitution of forms of relations and regulation appropriate to the

logic of neoliberalism. In time, water, electricity, housing, health care and education would come under the logic of the profit motive and any collective notion of 'the common' denied.

While GEAR is most often cited as symbolic of the 'shift' in the ANC towards neoliberalism, neoliberal policies actually gained their entry into South African politics through changes in labour and the economy much earlier. In 1993, the Transitional Executive Council (TEC) signed an IMF loan for US\$750 million, not the first to be signed by the South African government. In 1994, South Africa joined the WTO and signed the General Agreement on Tariffs and Trades (GATT)¹⁰, resulting in large-scale job losses in the textile industry (Macquene and Jansen in ILRIG, 2002, p.70). Changes in the nature of work in the form of the introduction of flexible labour had begun already in the 1980s (Naidoo and Veriava, 2004) and forms of corporate governance had been introduced with structures like the National Economic Forum (NEF) that brought different sectors together around the issue of 'value added tax' (VAT) in 1993 (Naidoo and Veriava, 2004, p.6). Even the 'Reconstruction and Development Programme' (RDP), a document that has often been held up against GEAR in order to reflect the shifts within ANC thinking, while offering commitments to certain redistributive elements, does not offer a challenge to the growth path of neoliberalism (Bundy, 2004). GEAR marks, rather, a concretisation of neoliberal reform begun earlier in an overall macro-economic policy framework that would characterise all aspects of South Africa's transition from apartheid.

Based on the advice of the World Bank and a group of policy experts, GEAR has prescribed measures for enhancing exports, trade liberalisation, fiscal restraint in the interests of servicing the national debt, tax breaks for big business, cuts in social spending, cuts in the public service, privatisation of state assets, privatisation of basic service delivery, cost-recovery measures, the flexibilisation and casualisation of labour, job-sharing and lower wages for youth. Accordingly, 'development' is made equivalent to increased growth, with no concern for the human lives that are adversely affected by such a prioritisation of socio-economic interests.

With the adoption of GEAR, the role of local government shifted from a redistributive one to an 'enabling', or 'facilitating' one (McDonald, 2002a, p.4). In this way, the central social responsibility of government has become one of establishing the means for increasing redress rather than delivering access directly. Under this model, real access has come to be determined by market forces, with the state becoming the facilitator of this logic.

At the time of the first democratic elections in South Africa, 12 million South Africans did not have access to clean drinking water, 21 million people did not have adequate sanitation, 10 per cent of the population did not have access to a toilet of any kind, a further third had to rely on pit latrines, and over 20 million people did not have access to electricity (Naidoo and Veriava, 2003). By February 2002, government claimed to have provided 7 million additional people with access to clean, running water and to have connected 3.5 million additional people with electricity. However, the last census results (2001) showed that only 72% of households use electricity for lighting and 51% of households use electricity for cooking; only 72% of households have access to piped water in the dwelling (on site or up to 200m away) with a further 12% having access to piped water further away; only two out of

¹⁰ The IMF, World Bank and the WTO have been at the forefront of promoting/compelling neoliberal reforms. Upon signing GATTs nation states undertake to reduce barriers to trade in order to allow for greater accessibility of national markets, a staple of neoliberal reforms.

three households live in formal dwellings (an increase of six percent from 1996); and thirty one percent of households in the Eastern Cape do not have access to toilets as compared with four percent in Gauteng (Statistics SA, Census 2001).

With the number of those without access to services already high, the logic of cost recovery puts an end to access for those who cannot keep up payments for services, and makes gaining access for those without even more difficult. (Naidoo and Veriava, 2003, p.6)

Until recently, cut-offs have been the main means for service providers to regulate the consumption of services and payment for them. Communities and groups all over South Africa have come out in protest against them, with the formation of organisations like the Concerned Citizens Forum (CCF), Soweto Electricity Crisis Committee (SECC) and the Anti-Privatisation Forum (APF). Today, prepaid meters (electricity and water) are being introduced as ways of circumventing the problems associated with a system in which the onus for delivery is still on the state or a service provider. With a prepaid meter, the onus for delivery is on the individual-paying-citizen and the individual is forced to cut her/himself off from supply or employ 'self-inflicted' 'punishment' for 'poor budgeting'. Most significant is the neoliberal logic that the prepaid meter entrenches through its teaching of individual responsibility and self regulation in the meeting of the individual's needs rather than the collective needs of a society being viewed as the responsibility of the state.

In spite of arguments that recent actions and statements of government reflect a 'shift' towards a less neoliberal macro-economic framework, policies thus far implemented, and their effects, speak clearly to the fact that the current South African state is on a neoliberal growth path whose terms were set as part of the negotiated transition.

Resurgence: Reclaiming the Commons

The notion that primitive accumulation strategies structure the neoliberal enclosure of the commons provides us with a means for theorising the practical operation of cost recovery programmes that underpin the current conflict between the state and communities. From this perspective, the various tactics associated with cost recovery may be characterised as the means through which people are separated from their 'social means of reproduction', in so far as the erosion of the social income secured through non-payment is felt as an attack on the life strategies of poor communities.

The limits of the transition have meant that neoliberal orthodoxy defines the parameters of the state's approach to service delivery (or delivery of the commons). What has emerged as a result, are two conflicting narratives of the social commons created in the payment boycotts of the 1980s. For the state, cost recovery programmes have necessitated a de-legitimation of the commons in the interest of restructuring parastatals and state institutions along lines appropriate to its macro-economic priorities. For many communities and critics of the government's growth path, by contrast, the commons have come to represent the central redistributive challenge of the new state and need to be institutionalised.

In the first narrative the payment boycotts of the 1980s were merely a means of leveraging the position of the liberation movement in relation to the apartheid state. The persistence of non-payment in this context has been characterised as a pathology of 'a culture of non-payment' that requires the intervention of the state only in restoring law and order (i.e. payment). The second narrative, in contrast, treats the commons as a fundamental part of the reproductive needs of poor communities, and the social income secured therein, as one of the few protections the most vulnerable have in relation to the capitalist market. The clash of these narratives represents the conceptual basis for the contemporary conflict between the state and communities in relation to basic socio-economic services and their 'delivery'.

Section Two



The Genesis and Evolution of Social Movements in three urban communities

Setting the scene for the rise of new community/social movements

Once a formal, institutionalised commitment to a neoliberal macro-economic framework, in the form of GEAR, had been made by the new South African state, it did not take long before the practical consequences began to bear down on the lives of workers and poor communities. By the late 1990s, the loss of formal sector jobs, mostly affecting low-skilled, black workers in both the public and private sectors, reached in the hundreds of thousands (Bond, 2000), the 'experience' being accompanied by all the attendant social and economic devastation to already poor families and communities. Between 1998-2001, part-time work in South Africa increased by 31%, while full-time work fell by 8% during the same period (R. Naidoo, 2001). Simultaneously, the ANC state also implemented basic needs policies that effectively turned such needs/services into market commodities, to be bought and sold on the basis of private ownership and the profit motive. This was facilitated by a drastic decrease in national government grants/subsidies to local municipalities and city councils and support for the development of financial instruments for privatised delivery. In turn, this forced local government to turn towards commercialisation and privatisation of basic services as a means of generating the revenue no longer provided by the national state (McDonald, 2002a). The perverse logic of the ANC government's cost-recovery approach to basic needs policies was no longer

in the shadows: 'It is ... not equitable for any community not to have to pay for the recurring costs of their services' (ANC quoted in Fiil-Flynn, 2001, p.7).

The logical result of these developments was a huge escalation in the costs of basic services and a concomitant increase in the use of cost-recovery mechanisms such as water and electricity cut-offs that necessarily hit poor communities the hardest. As an example, between 1999-2000 over 75,000 water-cut-offs occurred in the Greater Cape Town area (McDonald and Smith, 2002, p.41). In Soweto, close to 20 000 houses had their electricity supplies cut off every month during 1999, with Brian Johnson, the manager of the Eskom parastatal, openly boasting that, 'the aim is to disconnect at least 75 per cent of Soweto residents' (*Mail & Guardian*, 2000). By 2000-2001, millions more poor South Africans had experienced service cut-offs and evictions (McDonald and Smith, 2002), poor sanitation, cut-offs and restricted water supplies saw over 118 000 reported cases of cholera (and 265 deaths), and three million people developed diarrhoea, as the result of the ANC's neoliberal orgy (Ruiters, 2003, p.15).

At the level of wealth and income distribution, the oft-promised redistribution and rise in standards of living for the poor was being pulverised by the hammer of the state's neoliberal policies. Between 1995-2000, average black household income had declined by 19%, with the poorest half of all South Africans earning just 9,7% of national income (from 11,4% in 1995) while the richest 20% took 65% of all income (Bond, 2003, pp.1-2). The state-commissioned Taylor Report (1999), after exhaustive research, concluded that 10.3 million South Africans were living in households that contained no workers, either formal or informal (Kotze, 2003, p.4).

Until 1999-2000, this neoliberal-inspired assault on the poor was taking place in a political and organisational context marked by the generalised absence of community organisations that had either been absorbed into ANC structures or had lain dormant for many years. However, the extent of the social dislocation and economic devastation that ensued amongst poor communities, combined with a growing sense of betrayal (by the ANC state) of their legitimate expectations, soon led to the formation of new community organisations/social movements to challenge water and electricity cut-offs, evictions and lack of land redistribution. As one leading community activist put it:

For a long time, although we could see that the working class was being short-changed, there was no real resistance or voices raising questions. Instead, we saw the creeping consolidation of the grip of the ruling party over political structures and structures of civil society... recently, there has been a turn. (Trevor Ngwane quoted in Dixon, 2001)

The rise of these movements based in particular communities and evincing particular, mainly defensive demands, was not merely a natural result of poverty or marginality but a direct response to state policy. The state's inability or unwillingness to be a provider of public services and the guarantor of the conditions of collective consumption has been (the) spark ...' (Desai, 2002, np.). Given that the level of local government had been earmarked as the sphere of governance responsible for 'delivery' as well as the practical implementation of cost-recovery mechanisms and the ward-based system of

electoral representation, it was at this level that new organisations/movements in poor communities launched their challenge to the neoliberal transition.¹¹

Mandela Park (Khayelitsha, Cape Town)

Seize our homes, seize our lives

(Slogan adopted by the Mandela Park Anti-Eviction Campaign - MPAEC)

Situated over 25kms east of the Cape Town city centre, at the far end of the huge black township of Khayelitsha, lies the community of Mandela Park. It came into being during the late 1980s, when the largely bankrupt apartheid state, under serious pressure to expand an over-populated and under-resourced urban housing infrastructure, began to encourage private banks to buy land and build mortgaged bond housing for the ever-expanding urban black population. Targeting existing and newly arrived residents of Khayelitsha, most of whom were employed in Cape Town's huge clothing and textile industry, thousands of houses were built on the outskirts of Khayelitsha. The first residents to move in (circa 1989), none of whom had had any previous dealing with private banks, were not given title deeds but were made to sign bank-initiated housing bonds and simply told that once the bond had been paid off, they would then own the house (Interview with MPAEC women).

Not surprisingly, large numbers of residents in the emergent community of Mandela Park soon began to boycott payment of their bank bonds as part of nationwide anti-apartheid community struggles, under the political leadership of the ANC-aligned Mass Democratic Movement (MDM) and later, the South African National Civic Organisation (SANCO). Clearly aware of the political ramifications and potential violent conflict that would result from carrying out evictions, the banks bided their time in the hope that the inevitable demise of the apartheid system would provide them with the opportunity to make the kinds of profits that had spurred them to build the houses in the first place - they were not disappointed. After the democratic victory in 1994, the new ANC government almost immediately retreated from its pre-election promises that housing provision, services and financing would be under the direct political and administrative control of the public sector and that communities themselves would be 'involved at all levels of decision-making and implementation' (RDP, 1994, pp.22-28).

Ironically, it was under the stewardship of a long-time communist and new Housing Minister, Joe Slovo, that the state formed an institutional partnership with private banks (SERVCON) in order to effect post-apartheid 'delivery' of housing. For the banks, this was a godsend because they could now, under the cloak of political and moral legitimacy provided by the new ANC state, begin a process of recovering stalled bond/mortgage payments that would necessarily include forced evictions as a means to recover accumulated 'housing debt'. This post-apartheid legitimisation of privatised cost-recovery was further buttressed by the state's adoption of its own cost-recovery and neoliberal trade policies, under the rubric of the GEAR programme. As a result of GEAR's enforced lifting of exchange controls and tariffs for domestic industry as well as currency devaluation, Cape Town's clothing and textile industry, the main source of employment and income for the residents of Mandela Park, suffered a precipitous collapse. Pouring more fuel onto the fire was the parallel

¹¹ See Ashwin Desai (2003b).

shrinking of the state's programme of social assistance (e.g. pensions and childcare grants) and the privatisation of basic public service provision (e.g. water and electricity).¹²

By the late 1990s, poor communities across the Cape Flats¹³ were beginning to experience the grinding effects of what many were now calling, 'reverse GEAR'. Besides the regular occurrence of having their water and electricity supplies cut for 'non-payment'¹⁴, the legal 'owners' of Mandela Park (i.e. banks/SERVCON) began to make good on their threat of evicting residents for bond/mortgage arrears, ignoring residents complaints about the infrastructural state of their houses and requests to enter into negotiations over bond 'arrears'. SERVCON offered residents three non-negotiable options: a) repurchase house from the bank; b) lose ownership of house and rent it back from the bank; and c) be 'right-sized' to tiny RDP houses in areas far away from Mandela Park.¹⁵ Predictably, the vast majority of affected residents rejected these options. According to a community youth leader at the time, the ANC and SANCO, organisations to which the overwhelming majority of residents either belonged, or were sympathetic, showed little enthusiasm for taking up the residents' cause. As a result, the Mandela Park Housing Youth Action Committee was formed and complaints quickly turned to conflict, with members of the Youth Committee burning two houses from which residents had been evicted and that had subsequently been re-sold to new owners by the banks (Interview with Fonky Goboza).

Soon realising that such a confrontational and destructive tactic was counter-productive however, and having recently come into contact with other emergent community organisations/movements in and around Cape Town that were mobilising against evictions and service cut-offs¹⁶, the Mandela Park activists shifted course. Joining up with the newly formed Western Cape Anti-Eviction Campaign, the activists launched the Mandela Park Anti-Eviction Campaign and began to call mass meetings in the community in order to build an organisational base that they felt could genuinely represent, and struggle for, the interests of ordinary community members, independent of existing political parties and established 'civic' formations (Interviews with various MPAEC leaders).

Within a very short period, the MPAEC was pulling sizeable numbers of community residents into their mass meetings, with particular support emanating from the large pensioner population who remained amongst the most vulnerable. This early growth and popularity of the MPAEC was something that was largely the result of the failure of the local ANC councillors to take any meaningful action over housing evictions, despite repeated promises to do so, and their dismissive attitude to any

¹² For more detailed information and arguments along this vein see Ashwin Desai and Peter van Heusden (2003).

¹³ This includes both (predominately black) Khayelitsha and predominately coloured communities in places such as Mitchell's Plain, Tafelsig, Vrygrond, Delft etc.

¹⁴ For specific statistics on the number of households that experienced water and electricity cut-offs during the late 1990s in the Greater Cape Town Metro see David McDonald and Laila Smith (2002).

¹⁵ These options were 'offered' in a context in which banks were unilaterally reappraising housing values, with some houses being re-valued at R100 000 when their initial value had been R25 000. In turn, this meant that rental prices went up exponentially.

¹⁶ During 1999-2000 and following the example of communities, students and municipal workers in Johannesburg, an Anti-Privatisation Forum (APF) was established in Cape Town. This sought to bring together, under one organisational umbrella, various poor communities and workers affected by privatisation. In Cape Town, it was South African Municipal Workers Union (SAMWU) workers, alongside various left-wing intellectuals and NGO-based activists that provided the initial base for an APF in conjunction with a newly emergent 'Western Cape Anti-Eviction Campaign', borne out of specific struggles against evictions and service cut-offs amongst poor, and predominately coloured, communities on the Cape Flats.

community initiatives that were not politically and organisationally under the control of the ANC and its allies.¹⁷ No doubt, many residents were also angry at finding out that the local SANCO structures had cut a deal with some of the banks and had subsequently become part owners in a new joint housing venture, Khayelethu Home Loans, which had now taken over many of the housing bonds in Mandela Park and was busy evicting those in arrears (Ntanyana and Goboza, 2003).

Indeed, at the heart of the MPAEC's formation and early growth¹⁸, was an accumulated and intensifying disillusionment with the ANC and its allies - amongst those who had long been their traditional support base - over dashed expectations and a growing sense of political betrayal. As one of the MPAEC's leading activists put it: 'It was never difficult to win support for the AEC - we're talking about issues that affect people directly' (Ntanyana and Goboza, 2003, np.). Given the lack of any meaningful political leadership from those existing organisations that purported to represent the interests of communities such as Mandela Park, it is not difficult to understand the appeal of the MPAEC. Asked why she had joined the MPAEC, an elderly pensioner did not hesitate: 'these people (the MPAEC), they have given us direction now ... you can see where you are going' (Interview with MPAEC women).

As the MPAEC gathered organisational steam throughout 2000 and early 2001, helped along by administrative and political support from other Western Cape AEC communities and SAMWU, SERVCON and its junior partners systematically intensified their evictions campaign. After the 2000 local government elections, in which the ANC won control of the Cape Town Metro (including a clean sweep of Khayelitsha) but lost the provincial vote to the Democratic Alliance (DA)-New National Party (NNP), the number of evictions picked up substantially such that by early 2001 over thirty households a day were being evicted in Khayelitsha alone (Ntanyana and Goboza, 2003). Despite the fact that its local councillors continued to ignore the pleas of the MPAEC and other anti-eviction community organisations, the provincial ANC leadership, sensing the opportunity to make political capital out of what was rapidly becoming a political and public relations disaster, joined a Western Cape AEC-initiated march of over two thousand people to the Cape Town Civic Centre in June 2001, to protest evictions. For the evictees and community members in attendance, the claim by ANC Provincial leader, Ebrahim Rasool, that the ANC was there to 'support the poorest of the poor', must have sounded particularly hollow (Cape Argus, 2001).

Nonetheless, the MPAEC continued to seek dialogue with the banks/SERVCON as well as with local and provincial politicians around its main demands that had emerged out of its regular mass meetings. These demands were: a) structural problems with houses must be fixed; b) government must buy back land from the banks; c) the government housing subsidy must be used to pay for houses and outstanding debts (Desai and van Heusden, 2003). After all attempts at such dialogue were rebuffed, with the state insisting that there could be no meetings without the presence of the ANC, SANCO and other allied organisations (e.g. the SACP) (Interview with Martin Legassick), the MPAEC once again shifted course and decided to engage in direct action.

¹⁷ This kind of dismissiveness was simply mirroring that of the national ANC leadership, who had, since the late - 1990s, been publicly lambasting and attacking as 'ultra-leftist', those (both inside and outside of the ANC-led Alliance) who had been critical of GEAR and the general political/ideological direction of the ANC.

¹⁸ Other communities in Khayelitsha that were also experiencing evictions (such as Ilitha Park) began to contact the MPAEC for assistance (Interview with Peter van Huesden).

Creatively exploiting the community's consumer power, the MPAEC negotiated with local bus companies for low rates that enabled them to transport hundreds of members into the heart of Cape Town (a 56km round trip) where they occupied the offices of the National Building Society (NBS) to press home their demands. This was soon followed by the occupation of the offices of Khayeletu Home Loans, where MPAEC members held the managing director 'hostage' for several hours until a faxed pledge (from the Khayeletu head office in Johannesburg) was received to attend a meeting with the MPAEC to formally discuss their demand that Khayeletu waive all accumulated interest on home loans and deduct all monies received from house occupants from the original capital sum of the housing bond – a demand to which Khayeletu eventually acceded. Such actions were combined with the physical blockading of areas where evictions were to take place and moving evictees (particularly pensioners) back into houses whilst simultaneously finding alternative accommodation for the new 'owners' to whom the bank had sold the house (Interview with Fonky Goboza). When over three hundred MPAEC members, gathered in front of the provincial parliament to demand a meeting with the Provincial Housing MEC, Nomatyla Hanganu, were tear gassed and forty four of them arrested for trespassing, both the character of the MPAEC's struggle and its relationship with the state entered a new stage of conflict.

Over the course of the next two years, the MPAEC became embroiled in what can only accurately be described as a 'low intensity war' with various arms of the state and the private banks. While the specifics of the conflict that raged during this period will be dealt with comprehensively in Section Three, it is appropriate to note here that the main catalyst for the intensified conflict was the complete unwillingness of the state and the banks (mainly working through SERVCON), to listen to the voices of those in the Mandela Park community who had forged a collective and independent response, through the MPAEC, to their worsening socio-economic conditions of life. Instead of accepting the legitimacy of that collective response and seeking to engage in meaningful one-on-one negotiation/mediation with the MPAEC, the response of the state and its private sector allies was to choose the path of confrontation for the purposes of delegitimising such expressions of community dissent, politically managing the ensuing resistance and physically attempting to smash any individual and/or collective will to engage in active and organised opposition to the social and economic policies of the ruling party.

Amongst the measures taken/activities engaged in by the state and the banks during 2002-2003 were:

- A draconian court interdict, secured by the banks/SERVCON against the MPAEC, that criminalised any action, on the part of the MPAEC, designed to encourage and/or actively facilitate resistance to evictions in the community;
- Utilising the South African Police Service (SAPS) to act as enforcer of the interdict and protector of those carrying out evictions. The SAPS was encouraged to use whatever 'preventative' and coercive means necessary against the MPAEC and was given wide powers of arrest. More than three hundred community members were arrested and over one hundred court cases brought against members of the MPAEC during this period;

Violence and Transition Project

- Making use of the Sheriff's Office to carry out cut-offs of water and electricity and the repossession of household goods of those in bond and service arrears;
- The deployment of a special police task team (that included members of the National Intelligence Agency) to 'deal with' the MPAEC. Some of the tactics used by this task team included the recruitment and use of co-opted informers and secretive abductions and interrogations of leading MPAEC members;
- Through the offices of the state prosecutor, bringing serious criminal charges (e.g. attempted murder, assault etc.) against a wide range of MPAEC members as well as the imprisonment of targeted MPAEC leaders for lengthy periods prior to the imposition of stringent (apartheid-era) bail conditions (some of these cases have continued to be drawn out even up to the present).¹⁹

The cumulative result of this co-ordinated assault on the MPAEC²⁰ has been to caricature, criminalise and attempt to crush what was/is a genuine (collective and localised) community response to equally genuine post-apartheid socio-economic grievances. The MPAEC's initial *raison d'être* (i.e. for 'its' ANC government to deliver on promises of basic services for those most oppressed under apartheid) has been turned into a manufactured 'war' between 'criminal and anarchist elements'²¹ without democratic or political legitimacy and a state (and its allies) proclaiming to act in the best interests of the poor whilst securing 'law and order' and protecting the larger 'national interest'. In the process, the MPAEC itself was forced 'into a situation where mass defiance of the law becomes the only way to survive' (Interview with Peter van Heusden).

Despite the negative impact on the MPAEC's organisational functioning and practical capabilities as well as on the social cohesiveness of community struggles for basic socio-economic services that this conflict has engendered, the MPAEC has managed to survive and to ensure that its struggles have impact far beyond the physical confines of the Mandela Park community and the specific character of its dominant anti-eviction campaign.²² Many other community organisations/social movements in South Africa have gained valuable political and organisational lessons from the MPAEC, taking on board its spirit of resistance and linking up its specific struggles on housing with broader community struggles around a range of socio-economic services/needs. Similarly, the MPAEC has impacted on, and benefited from, the internationalisation of anti-neoliberal community struggles:

¹⁹ This information was gathered through interviews with various MPAEC members/leaders as well as with the Superintendent of SAPS in Khayelitsha and the Senior State Prosecutor based at the Khayelitsha Magistrate's Court.

²⁰ To a lesser extent, there was a similar kind of state response to community struggles around basic socio-economic issues across the Cape Town Metro, with other sections of the Western Cape Anti-Eviction Campaign being specifically targeted (e.g. Tafelsig and Vrygrond).

²¹ This is how various state officials and ANC politicians have regularly described those community organisations/social movements that have arisen in the last several years to challenge the effects of neoliberal policy implementation and who have engaged in mass mobilisation and direct action to have their voices heard.

²² The MPAEC has also engaged in activities to secure adequate and affordable educational opportunities for youth within the community (through the short-lived but extremely symbolic initiation of a 'People's Power Secondary School' at the local community centre) as well as assisting in the establishment of primary healthcare clinics in the community.

People have visited Mandela Park from the United States, Germany, Scandinavia, Israel, Brazil, India etc ... and they are all impressed by what's going on there. They go home and they talk about it ... so it just increases the sense that people in the world, in the struggle, are all the same, are struggling for the same thing. (Interview with Martin Legassick)

The MPAEC is not about to shrivel up and die. While its organisational form will no doubt continue to be forced to adapt to the exigencies of state repression, propaganda as well as reform, and while it will continue to grapple with the challenges of resource mobilisation and struggle fatigue, as long as the basic conditions of life for many community members remain precarious and hostage to the dictates of an unresponsive state/private sector, so too will the struggles of the MPAEC continue to be waged. As the community organisations themselves have stated: 'If they wish to crush the spirit of this new uprising, they will have to crush entire communities' (AEC Press Release, September, 2002).

Bayview (Chatsworth, Durban)

United to combat poverty

(Slogan adopted by the Bayview Flats Residents Association – BFRA)

Like most of South Africa's urban 'townships', the origins of Chatsworth lie in the apartheid state's implementation of policies, especially during the 1950s and 1960s, to forcibly move non-whites into racially and geographically defined residential areas far away from city centres and the surrounding suburbs that were to become the exclusive property of whites. For a large portion of Durban's Indo-South African population, Chatsworth (which is situated about 30kms southwest of the Durban city centre) became such a 'home' during those decades and has remained the largest urban concentration of Indo-South Africans in the country ever since.²³

For the newly arrived poor in Chatsworth, Durban's apartheid City Council built hundreds of small, quickly constructed, two and three-story council flat buildings, 'appropriately' located on the fringes of the sprawling 'township' itself. Like their counterparts in Khayelitsha, the vast majority of Chatsworth's poor relied on the clothing and textile industry for their meagre (but generally steady) incomes, a large portion of which went to paying the City Council rental/service charges for the flats they had been forced to move into. That was the way things stayed until the 1980s' upsurge in anti-apartheid mobilisation/struggle that swept South Africa's urban, non-white communities.

In Chatsworth, one of the key community organisations or 'civics' that sprung up was the Bayview Residents Association (BRA), which was closely associated with the ANC's internal ally, the United Democratic Front. However, the BRA was led by middle class activists that lived in the more affluent sections of the community and while the poor flat dwellers actively participated in the various struggles of the BRA, the clear class divisions in both Bayview and Chatsworth as a whole, ensured that the dominant character of the community struggles were framed by political and racial demands

²³ Since the early 1990s however, there has been a small but growing influx of black residents into the poorer sections of Chatsworth, most of who have settled into the tightly packed concentrations of council housing flats that dot the hilly landscape of Chatsworth.

of the larger anti-apartheid, liberation movement (Interview with Devan Pillay).²⁴ As happened with many other community organisations during the early-mid 1990s, the BRA was effectively 'transformed' into a branch of the ANC, with the poor being told to wait patiently for the new ANC government to deliver on its socio-economic promises.²⁵ However, the same massive job losses in the clothing and textile industry that decimated the livelihoods of the poor residents of Khayelithsa were also being visited upon Chatsworth's poor, with the few 'lucky' being offered 'jobs' in local sweatshops at an average wage of R150 for 14-hour work days, 7 days a week with no benefits (Interview with Orlean Naidoo). When this was combined with effects of the national government's GEAR-inspired cuts in social maintenance and child support grants that many poor residents depended on (especially women and pensioners) as well as rental increases, water cut-offs and electricity and evictions carried out by the City Council, that patience began to wear thin (Interview with Shantal Pillay).

Spurred on by their rapidly worsening socio-economic conditions and realising that without meaningful organisation and knowledge of their constitutional rights they could do little to change those conditions, a small group of flat dwellers came together in 1997 to form the 'Flat Dwellers Action Committee'. The Action Committee attempted, and failed, to resuscitate the now-defunct BRA, hoping that a larger community organisation with good ties to the ANC would be better able to make a substantive impact on addressing their grievances that centred around the increased poverty being experienced as a result of job losses, service cut-offs, cuts in social grants and rental hikes. According to one of its leaders:

We came into this new dispensation with the thought that the lives of the poor are going to change, that we are going to have better homes, we're going to have jobs, our children are going to have better education and we are going to get free basic services and stuff like that ... we thought that's what the role of this state is supposed to be, it is supposed to protect people and provide for people. (Interview with Orlean Naidoo)

Despite being able to mount occasional and limited resistance during the next two years, political naiveté and a lack of organisational experience meant that the Action Committee was unable to attract much attention/support (Interview with Brandon Pillay). Somewhat ironically, it was the occasion of the 1999 national elections that served to transform this nascent attempt at community organisation of the poor into a force that was to rapidly become the *bête noir* of the local councillors and the ANC-controlled Durban City Council and act as a catalyst for community struggles across South Africa.

²⁴ For example, the most widespread campaign taken up by organisations like the BRA was to delegitimise the apartheid-created Tri-cameral Parliament and isolate those Chatsworth politicians (almost all of whom were associated with the ethnically-inspired, Minority Front party, that had a sizeable following amongst the Indo-African communities around Durban) who chose to participate. The BRA did take up the rental boycott struggles that were, at the time, part of the national campaigns of the UDF.

²⁵ While the ANC was in control of national government after the 1994 elections, the opposition, Inkatha Freedom Party (IFP), occupied the provincial seat of government in Kwa-Zulu Natal. After the 1995 local government elections however, the ANC managed to gain political control of the Durban City Metro. The Democratic Alliance (formerly the Democratic Party) retained sizeable pockets of support amongst the Indo-South African communities and acted as the 'second' official opposition at both the local and provincial levels of government. The Minority Front, as it had done throughout its history, opportunistically blew with the prevailing political winds of power.

Prior to the elections and under the banner of the 'Concerned Citizens Group' (CCG), a group of local ANC-aligned Indo-South African intellectuals and community activists led by the well-known Professor Fatima Meer²⁶ arrived in Chatsworth to conduct a 'get out the ANC vote' campaign. According to Meer, the group held several mass meetings and distributed thousands of pamphlets with the intention of reminding Chatsworth residents 'not to vote for your former oppressors'. However, at one of the meetings which included large numbers of poor flat dwellers from Bayview and neighbouring Westcliff, someone in the hall stood up and stated: 'We are not interested in our former oppressors but in our present oppressors'. The CCG's answer was to tell the residents to wait until after the election and then they would come into the community to discuss how 'your present oppressors are oppressing you' (Interview with Fatima Meer). In the meantime, the flat residents in Bayview had formed a new, independent community organisation, the Bayview Flats Residents Association (BFRA).²⁷

The CCG did not have to wait long to find out about the 'present oppressors'. In the months following the elections the ANC-run Durban City Council began to intensify its cost-recovery measures against those, like the Bayview flat dwellers, who were in rental and service arrears. The Council also wanted to free-up living space in Council-owned flats for those on their housing waiting list (i.e. poor people from other areas) by evicting 'illegals' (those who could not pay) and thus doing away with the need to expend resources on actually building new houses for the poor (Interview with Heinrich Bohmke).

Although there was sporadic resistance in Bayview and Westcliff, the CCG-BFRA-WRA decided that they might better be able to halt the evictions and cut-offs by showing, through formal research, the extent of poverty amongst the flat dwellers and thus appealing to the political/moral consciences of their elected politicians. A household survey involving over 500 families living in the Bayview and Westcliff flat communities was subsequently undertaken and it found that 75% lived below the poverty datum line, 58% had no job whatsoever and 42% were completely dependent on social maintenance grants from government (Meer, 2000). Armed with such information the organisations approached the City Council as well as the provincial²⁸ and national governments²⁹, in the hope that there would now be a serious and sympathetic response and willingness to engage in dialogue. Such hope was misplaced. The City Council continued with business as usual.

This led an exasperated Professor Meer to write in one of the local papers:

The council is unconstitutionally violating tenants' human rights ... it has not even considered our proposals contained in the report we submitted to it ... they simply stated that they have a standing policy (which was actually taken over from apartheid days) ... the only solution the council has offered is relocation, it's like going back to the 1970s. (Meer, 2000)

²⁶ Professor Meer is best known as Nelson Mandela's first official biographer and, up until 1999, an indefatigable political/community activist in the service of the ANC.

²⁷ A similar organisation in a neighbouring section of Chatsworth, the Westcliff Residents Association, had been formed in the months leading up to the 1999 elections.

²⁸ After the 1999 elections, the ANC and the Inkatha Freedom Party formed a provincial alliance that saw the ANC holding several MEC positions in the provincial government that included housing.

²⁹ Besides the survey information, petitions were sent to the entire provincial cabinet, to President Mbeki and to the Office of the Public Protector detailing the violent actions of the blackjacks/police during the 'Battle of Bayview' and requesting official intervention and disciplinary action. See CCG (2000b).

ANC regional secretary Lucky Gabela shot back by accusing the CCG and BFRA of being

reactionary ... It is an attempt to create a false perception that the ANC-led government structure is failing to deliver on its promises when people deliberately undermine the process and offers that council put forward as a solution. (Govender, 1999)

When the Council sent a small army of officials, 'blackjacks'³⁰ and policemen from other areas into Chatsworth to carry out evictions in Westcliff and Bayview, the BFRA, alongside their allies in the Westcliff Residents Association (WRA) mobilised the flat dwellers to defend the flat of Mr. Mhlongo (a black resident who had been deemed an 'illegal tenant'). In what later came to be called the 'Battle of Bayview', the flat dwellers (led from the front by elderly women) stood firm in the face of racial epithets, baton beatings, tear-gas, vicious dogs and rubber bullets for over two hours. A genuine people's movement had been borne.

With assistance from the CCG, the BFRA immediately launched legal proceedings, and succeeded in getting an urgent interdict against the Council to prevent Mr. Mhlongo's eviction as well as three other flat dwellers facing imminent eviction.³¹ In response to a plea from the CCG and BFRA for the relevant politicians to intervene and declare a permanent moratorium on evictions, 'in the interest of peace and promotion of human rights and democracy', the ANC provincial minister of housing responded by stating that, 'this is a local problem ... those people who have been agitating the people must solve it ... the ANC is not going to be part of that thing' (CCG, 2000b).

The City Council publicly announced that it would stand 'firm' on its policy of evicting 'illegal tenants and rent defaulters' and, in a tortuous twist of irony, vowed not to 'tolerate lawlessness and anarchy' from affected communities (Yoganathan, 2000). The flat dwellers facing eviction were publicly labelled as 'shebeen owners, drug lords and sexual deviants' (Bohmke, 2000, np.). As one BFRA leader put it: 'They refused to have any conversation with the CCG/BFRA, they closed the door on us' (Interview with Brandon Pillay). For Professor Meer, a lifetime ANC leader and activist, the experience of having the leaders of an organisation to which she had dedicated her life ignoring the very poor it had always claimed to represent was sobering:

I thought that by showing my comrades in the ANC-led Council the people were poor, it would change things. Silly me, I was wrong. So much had changed – the heroes of the liberation struggle were simply debt collectors now, not representatives of the people. (Meer, 2001, p. 14)

³⁰ The 'blackjacks' are council-hired security personnel, most often coming from private security firms contracted by the council to provide 'security' to council officials carrying out service cut-offs and evictions.

³¹ The legal team assembled by the CCG argued that the Council had not followed the correct process in carrying out evictions because they had failed to get a formal court order and utilised the 'Prevention of Unlawful Occupations and Illegal Evictions Act' as well as the Grootboom ruling of the Constitutional Court, to show that the Council had failed to secure the legal requirement of finding alternative accommodation for the evictee before carrying out the eviction (Interview with Shanta Reddy). BFRA members also laid criminal charges against the blackjacks/police for their conduct during the 'Battle of Bayview' and called for a special investigation into their conduct. Up until today, no formal charges have been laid against any of the blackjacks/police although it would appear as though the 'investigation' (after four years) is almost complete and there remains the possibility of charges being brought.

The response of the CCG/BFRA was to embark on a rental boycott coupled with direct action, the only real option that was left in the face of such political arrogance and cynicism. After arriving at the Chatsworth Regional Court where the legal battle between the Council and the CCG/BFRA over the earlier granting of the interdict was being continued, over 200 flat dwellers 'visited' the nearby Deputy Mayor's house to demand his resignation (he was not at home). They then proceeded to the Council's Rent Offices and occupied it for several hours, only leaving after a tense standoff with heavily armed police.

Over the next several months, the CCG/BFRA was able to broaden their struggles to include several other poor communities in the Durban Metro that were also facing evictions and service cut-offs.³² They were able to use extensive media coverage to highlight the absurdity of the Council's evictions and cut-offs process (e.g. the eviction of an 88 year-old woman and cutting the water to an unemployed, single mother with several young dependents) and to court public opinion. Personal and family connections with local police were also utilised to create divisions with the Council's security forces and sympathetic linkages with community struggles³³ (Interview with Heinrich Bohmke). The message was getting across – poor people were human beings as well as citizens whose needs and rights were no different from those with material means and whose very basic demands should be taken seriously by those in public office. Young Brandon Pillay, one of the leaders of the BFRA explains the cumulative effect:

Communities came to realise that when they stand together there is nothing that will come between them ... (the Council's policies) made them come together and be strong. (Interview with Brandon Pillay)

By the end of 2001, the City Council had backed down and declared a moratorium on its evictions policy, citing the Grootboom Constitutional Court ruling as the main reason (Interview with Megan Naidoo). However, it was not long before the Council announced that their 'new' policy would now be to relocate 'illegal tenants and rent defaulters' into 'rightsized'³⁴ dwellings on the far outskirts of the Durban Metro, some 50km from the city centre. The flat dwellers in Bayview and Westcliff were given the choice of either remaining in their flats by signing an acknowledgement of debt form and then arranging to pay their 'arrear' over time, or be relocated out of their flats/communities. The response of the CCG/BFRA was swift and unequivocal:

It is ironic that the very council and government who fought tooth and nail to stop forced removals are now sitting in their air conditioned offices and giving out execution orders to relocate the poor. (S. Naidoo, 2002)

The level of cynicism has convinced us that the poor people in Durban are dealing with immoral and illegitimate City authorities and we will respond in accordance with

³² These included communities such as Mpumalanga, Wentworth, Isipingo and Umlazi.

³³ The communities also played on the political divisions in Kwa-Zulu Natal between the IFP-controlled police forces and the ANC-controlled City Council security. The local Bayview Police took a particular disliking to the blackjacks and often sided with the flat dwellers when the blackjacks came to enforce evictions and service disconnections (Interview with Seelan Pillay).

³⁴ This refers to the forcible relocation of poor residents into incredibly small RDP 'starter homes', most often quickly and shoddily built on land located on the periphery of cities and towns across South Africa, that were the state's answer to the housing crisis. They quickly came to be known by poor communities as 'toilet homes'.

this insight ... we call on communities to resist all water cut-offs and evictions (relocations) by exercising their rights to protest and assembly throughout the Durban Unicity. (CCG, 2001)

Throughout 2002-2003 the BFRA, alongside allied community organisations in poor communities across Durban, effectively resisted the relocations policy and a new, intensified round of water and electricity cut-offs by utilising a range of struggle tactics. A broader social movement, the 'Concerned Citizens Forum' (CCF) was formed. It took over from the CCG and began to link the struggles of poor communities in/around Durban with other community organisations across the country (and world) as well as to the South African state's neoliberal macro-economic policies.³⁵ Large marches were organised to the offices of the City Council and international events such as the World Conference Against Racism, local councillors and blackjacks were chased out of communities, water and electricity supplies were 'illegally' reconnected, articles were written in local papers and cultural events held to bring poor communities together in a collective spirit of resistance and celebration.³⁶

The regular deployment of large numbers of security personnel³⁷ to enforce the Council's cost recovery approach, constant threats from ANC politicians at both the city and provincial levels to 'deal' with those that resisted and the use of a range of technical devices (such as water flow restrictors and tamper-proof electricity boxes) to try and forcibly restrict service consumption proved no match for the collective strength and community spirit of those brought together in organisations like the BFRA. 'We don't allow them to divide us ... we fight together ... when they push you to your limit there is nothing else you can do but push back', was how one pensioner described the BFRA's approach (Collective interview with BFRA members). By early 2004, the Council was, once again, forced to retreat and effectively abandon the policy of forced relocation, although water and electricity cut-offs have continued sporadically.

Once the communities mobilised and got publicity etc. the authorities wanted to talk ... they knew exactly what kind of people they were dealing with, they knew that these people could not put 2 cents together let alone R20 000. (Interview with Fatima Meer)

While the past, and ongoing, conflict between community and state in places like Bayview has been most acutely experienced at the level of physical confrontation centred around the point of (basic needs) consumption and living space, the larger conflict is one between the purely financial-technical approach of the state and the social-human approach of the community to the basic conditions of life. It has been this character of the conflict that has framed the parallel organisational and struggle character of community organisations such as the BFRA that have eschewed the more formal political/organisational forms of 'oppositionists' but have been bound by the communal 'celebration', and defence, of their human dignity in the face of systematic attempts to take away that dignity simply because they are poor.

³⁵ The CCF brought together poor communities in Chatsworth, Wentworth, Merebank, Sydenham Heights, Mpumalanga, Umlazi, Mount Moriah and included several left-wing intellectuals and political/community activists.

³⁶ For a detailed account of how these struggles unfolded see Ashwin Desai (2003a).

³⁷ This often included the deployment of members of the South African National Defence Force as a back up to the Council's blackjacks. Amazingly, not a single member of the BFRA has been arrested and successfully charged with any criminal offence since the conflict began.

In the words of one BFRA pensioner: 'We will never stop fighting' (Collective interview with BFRA members).

Orange Farm (South Johannesburg)

Destroy the meter, enjoy the water

(Slogan adopted by the Orange Farm Water Crisis Committee - OFWCC)

The origins of Orange Farm, a sprawling 'township' situated about 45kms south of the city centre of Johannesburg, differ quite markedly from the communities of Mandela Park (Khayelitsha) and Bayview (Chatsworth). The dying kicks of apartheid during the late 1980s and early 1990s saw worsening socio-economic conditions for the black majority (particularly in relation to a lack of housing) as well as an intensification of politically motivated violence, especially in the province of Kwa-Zulu Natal and in many black 'townships' surrounding Johannesburg. As a result of these developments, people from all over Johannesburg (Soweto in particular) and South Africa settled illegally on what was then vacant farmland to the south of Johannesburg. They wanted to own their own homes and lead decent, quality lives free from the threat of violence and want ... for many, Orange Farm's proximity to Johannesburg (the 'city of gold') represented greater opportunities for jobs'. By the mid-1990s the population of Orange Farm had grown to over 300 000 and 'it was declared a township with the attendant promises of state provision of infrastructure and basic service delivery' ('Nothing for Mahala', 2004, p.10).

While the poor people who moved to Orange Farm brought with them their own political experiences and party-political affiliations, the fact that Orange Farm was being formed (as a community) during a period in which the ANC and its allies were becoming increasingly politically dominant, both nationally and in the Gauteng province³⁸, meant that these organisations occupied an equally dominant presence in the political and social life of Orange Farm. The only meaningful political structures in the early days of Orange Farm were the local ANC and SANCO branches. An ANC/SANCO dominated, 'Community Development Forum' (CDF) and 'Community Policing Forum' (CPF) followed soon after 1994. When the first RDP houses and development projects came to Orange Farm in 1994-1996, it was the ANC/SANCO branches along with the newly elected local ANC councillors that took political and administrative control of 'delivery'.

Almost immediately, problems of corruption, nepotism and exploitation of local community workers began to arise. According to a senior Orange Farm SANCO official at the time, who subsequently resigned, the local ANC councillors and SANCO officials issued extravagant construction tenders to themselves (and/or their friends/families as 'sub-contractors') and then paid poverty wages to local construction workers hired to work on the RDP projects, while leaders in the CPF pocketed money sourced from government and the private sector. Such behaviour did not go unnoticed within a community as poor and marginalised as Orange Farm and it did not take long before the SANCO branch lost all legitimacy and gradually disintegrated (Interview with Assah Phohledi).

³⁸ During the 1994 election, the ANC won nearly 60% of the total vote in the province of Gauteng. In most of the black 'townships' around Johannesburg, the ANC's vote tally was well above 70%. During the 1995 local government elections, the ANC won all of the ward seats in Orange Farm.

To make matters worse, the little infrastructural and housing development that was taking place virtually ground to a halt when the ANC state pulled back on even the limited redistributive commitments/promises that had been contained in the RDP³⁹ and began to implement neoliberal policies of 'fiscal discipline' and cost-recovery for basic service provision. Ironically, it was the introduction of such policies, under the rubric of the ANC state's GEAR programme that saved the political careers of local ANC councillors. The councillors were now able to tell residents that they were not responsible for the lack of development while, of course, they simultaneously preached the gospel of lowered expectations as dedicated ANC disciples of GEAR.

Bereft of any independent community organisations that could potentially mobilise residents in a concerted effort to halt the creeping implementation of cost recovery policies and make effective demands for adequate and quality development, the practical struggles of the Orange Farm community over the next several years were muted and sporadic. In 1996, some residents did come together to demand an end to intensifying water cut-offs when they marched to the councillors' offices where some of the 'women undressed to show their disrespect'. And again, in 1999, a sizeable crowd, made-up mostly of women, organised a temporary blockade of the nearby Golden Highway in protest against water cut-offs ('Nothing for Mahala', 2004, p.11). However, after the installation of Mbeki as the new president of both the ANC and the country (1999-2000) there was a serious intensification of both water and electricity cut-offs in poor communities across the country and Orange Farm was no exception. By this stage, the population of Orange Farm had grown to almost 1 million⁴⁰ and the standard of living for the vast majority of residents, many of whom were still living in self-made shacks and had either never had a job or had recently been retrenched, was in precipitous decline. The introduction of pre-paid electricity meters and subsequent service cut-offs of both electricity and water were simply too much to bear for some residents.

Several long time residents and community activists, with experience in both anti-apartheid struggles and post-1990 ANC/SANCO structures, called a community meeting to discuss the electricity cut-offs being carried out by the ESKOM parastatal. One of the convenors, Bricks Makolo, was chosen to lead the newly formed community organisation, which took the name, 'Orange Farm Crisis Committee':

We initiated this Crisis Committee because of the experience we had fighting against apartheid ... we were fighting against the standard development that was introduced by apartheid and we thought that we don't want this kind of development because it was discriminating against blacks ... but now, after this so-called liberation we discovered that the houses are even smaller than they were under apartheid and they were introducing outside toilets and pre-paid meters ... we realised that the crisis that

³⁹ It should be remembered that the RDP was not the kind of radically redistributive developmental programme that the ANC and its allies so often claim. The RDP merely set out a mild social democratic programme of enhanced state expenditure on social and infrastructural services and called for the state to play a more interventionist role in the macro-economy so as to even-up the vast inequalities of wealth and opportunity that had been inherited from apartheid-capitalism. Almost all of the more radical socialist demands that had been at the centre of community and worker struggles throughout the 1980s and early 1990s (such as public expropriation of land and natural resources in the hands of a small, white capitalist elite, the nationalisation of key industries and the public provision of free health, education and basic services) had been simply excised from the RDP.

⁴⁰ Due to the rapid influx of people into Orange Farm during the 1990s, the population count has been the subject of widely varying interpretation, ranging anywhere from 700 000 at the turn of the century to 1,2 million at present. As with many communities across South Africa where a large portion of residents and their developmental status are qualified as 'informal', there is generally an under-estimation of the population.

we were against during apartheid was still existing. The RDP promises were not being put in place. People were promised houses, free water and free electricity and jobs for all but after 1996 the government introduced the GEAR policy and we experienced lots of problems ... water privatisation, a lot of people being retrenched and we discovered that people cannot live in this environment ... (Interview with Bricks Makolo).

The seventy or so people in attendance agreed that they would organise a march to the local ESKOM offices. Although local police threatened them with arrest, the group managed to proceed to the offices where they demanded an immediate end to the electricity cut-offs. They informed the ESKOM officials present that,

we are going to encourage the people to bridge (bypass) the meters⁴¹ ... this is not going to be a secret thing ... you as ESKOM, you can send the bill to the government, the government will pay you. (Interview with Bricks Mokolo)

The Crisis Committee was true to its word and began to move around the community reconnecting people's electricity. Within weeks, most of the electricity cut-offs had stopped. For the first time in its short history, Orange Farm now had a genuinely independent and organic community organisation, borne out of the struggles and experiences of the past yet very much in response to the realities of the present. From this initial victory, the activists within the Crisis Committee (re)learned an important lesson about their own power as poor people who had been marginalised and taken for granted by the organisations that they themselves had helped build and put into positions of institutional power, as one Crisis Committee leader noted: 'If you take action, then they will listen' (Collective interview with CC activists).

While ESKOM might have been 'listening' in one way though, the ANC state was 'listening' in another. Clearly taken aback by the success of the creative and 'illegal' tactics employed by newly formed community organisations (in the heart of what were considered 'secure' ANC 'townships' - i.e. Soweto and Orange Farm) to undermine their flagship programme of cost-recovery, the ANC state responded by announcing that pre-paid water meters would be introduced into the Johannesburg Metro as part of what was called, 'Operation Gcin'amanzi' (Operation 'conserve water'). The place chosen for the initial 'pilot project' was none other than a small section of Orange Farm called Stretford, Extension 4.⁴² Thus, in late 2001, the newly corporatised service 'deliverer', Johannesburg Water⁴³, arrived in

⁴¹ The Orange Farm activists had been inspired by the actions of the Soweto Electricity Crisis Committee (SECC), a recently formed community organisation that had been engaging in a concerted campaign entitled, 'Operation Khanyisa' (Operation 'Turn-on') in which trained SECC activists were systematically undermining ESKOM's cut-off procedures and the installation of pre-paid meters by illegally bypassing meters and reconnecting homes. The pre-paid meter itself was being introduced as part of the state's cost-recovery approach – the meter having been programmed to only allow the very minimal allotted 'free' amount to be dispensed and then to automatically cut off the supply until the affected household was able to buy more on a credit-card like system.

⁴² For a comprehensive treatment of how Operation Gcin'amanzi was introduced and implemented in Stretford, Extension 4 see 'Nothing for Mahala' (2004).

⁴³ Earlier in the year, the Johannesburg City Council had signed a 5-year management contract with the South African subsidiary of the French water multinational – Suez Lyonnaise des eaux – that effectively corporatised this public sector entity, thus placing the delivery of water in the Greater Johannesburg Metro in private, for-profit hands. The contract contained a built-in secrecy clause that prevented the public from knowing the terms of the contract. Not surprisingly, less than six months later, pre-paid water meters appeared in Johannesburg for the first time. See SAMWU (2001).

Orange Farm and began to lay the groundwork - through a series of quick-fire 'consultations' with ANC-controlled structures and councillors and a slick propaganda campaign touting the water and cost-saving benefits of pre-paid meters - for a roll out of pre-paid water meters, just when the Crisis Committee were beginning to think that their government was really listening to them.

At around the same time, an Anti-Privatisation Forum (APF - Gauteng) was formed that brought together individual political/social activists, students, union members (mostly from SAMWU) and several community organisations that had arisen in other 'townships' around Johannesburg (such as the SECC and the Kathorus Concerned Residents) in response to the ANC state's cost recovery programme.⁴⁴ Activists from the Orange Farm Crisis Committee made contact with the APF and by the beginning of 2002 had formally joined this growing social movement, a move that brought added resources/skills, media exposure/public attention and collective community power to the emergent struggles in Orange Farm. It was at this stage that the Orange Farm activists decided to add 'Water' to the name of the organisation (OFWCC) to highlight the centrality of water – as one of the most basic necessities of life – to their own struggles against privatisation of basic services and for meaningful and sustainable development of the poor in the Orange Farm community.

Alongside their participation in APF and Social Movements Indaba (SMI) struggles and mobilisations leading up to and during the August 2002 World Summit on Sustainable Development (WSSD), which brought the OFWCC into more direct and broader conflict with the state⁴⁵, the OFWCC was busy making life difficult for Johannesburg Water (JW) in Orange Farm. After JW and local ANC councillors refused repeated requests for meetings to discuss concerns/opposition, the OFWCC embarked on a campaign to expose the fact that the installation of pre-paid meters was being surreptitiously linked to the provision of basic water infrastructure (something the majority of Orange Farm residents had been promised since 1994 without conditions attached) and that JW was dividing the community by offering flush toilets only to those who could afford to fork out R650 (Interview with Sam Makgoka). The campaign was successful in persuading many Stretford Four residents and other sections of the broader community to reject the pre-paid meters as a direct violation of their right to adequate (public) water and sanitation provision.

OFWCC leader Bricks Makolo related the struggle:

We had to fight against a lot of misinformation ... our municipal councillor and [the council] clique were telling the people that the water was 'pre-paid' (already paid) by the government and when the Johannesburg Water technicians came to install the

⁴⁴ See the APF website at <http://www.apf.org.za> for a detailed statement on the origins and membership base of the APF.

⁴⁵ In the months leading up to the WSSD, the APF (along with several progressive NGOs and other social movements around the country such as the Western Cape Anti-Eviction Campaign, the Concerned Citizens Forum in Durban and the Landless People's Movement) came together in what was called the 'Social Movements Indaba' (SMI) and engaged in a series of mobilisations aimed at exposing the ANC state's GEAR-inspired, privatisation agenda and its effects on South Africa's poor communities. This represented a direct challenge to the ANC-friendly 'Civil Society Forum' (COSATU and the South African National NGO Coalition (SANGOCO) being the key 'members') that sought to defend the basic thrust of the ANC state's development programmes while simultaneously pushing for an 'insider' role – in the WSSD processes – for community organisations/unions/NGOs. The ANC state responded to the activities and politics of the SMI by labelling the SMI as 'ultra-leftist' and 'counter-revolutionary' and launching a security crackdown that saw the arrests and imprisonment of hundreds of activists prior to and during the WSSD. See SMI (2002a) and (2002b).

pre-paid meters, they also lied to the residents, telling them they were installing sanitation! (Interview with Bricket Makolo)

When then Minister of Water Affairs, Ronnie Kasrils, arrived in Orange Farm in September 2002 to launch the pre-paid system⁴⁶, the OFWCC mobilised over three thousand residents in an opposition mass meeting under the slogan of 'destroy the meter, enjoy the water' (L'Écuyer, 2003). In the two years since, no further pre-paid water meters have been installed in Orange Farm and many of the residents in Stretford Four, with the help of the OFWCC, have managed (just as they did with pre-paid electricity meters) to destroy/bridge the water meters and thus to partially decommodify basic service provision at the point of consumption.

All of these OFWCC-led community activities - and small victories - did not go down well with the ANC state (at all levels). As opposed to making genuine attempts to facilitate dialogue and find practical ways to deal with the community's grievances and demands as evinced through the OFWCC, there was the usual vilification and harassment. Despite the fact that no OFWCC members had ever been arrested and successfully convicted of any criminal offence related to community activism⁴⁷, the official 'line' of the ANC was that the OFWCC and its APF ally were 'troublesome people ... telling the people lies (and) destroying the community' (Interview with ANC councillor, Alina Mahlangu). The approach even went so far as to blame the community residents themselves for their own poverty because they were interfering with the state's 'developmental' programmes: 'Our people are creating the problem ... they are really delaying the government process' (Interview with ANC councillor, Alina Mahlangu). When 67 year-old OFWCC activist, Emily Lengola was shot dead in her shack in early 2003 by unknown gunmen, there was a deafening silence from the ANC and the local police showed a complete indifference in trying to track down her killers despite widespread national and international pressure.⁴⁸ There was subsequently another unsolved shooting of an OFWCC activist - Alice Ngubane - later in the year, prompting one leading OFWCC activist to state:

It is not easy to stand up for your rights today ... it is poor people who are the victims of the police, hired security firms and gunmen. (P. Naidoo, 2004, p.3)

Rather than quieten the OFWCC, such attacks spurred the organisation to intensify and broaden its community activism⁴⁹ and strengthen its view that the politics of the ANC, its local representatives and

⁴⁶ A few weeks earlier, OFWCC activists along with allies in the SMI had disrupted a presentation by Kasrils at the WSSD designed to 'sell' the ANC state's provision of a 'free' lifeline amount of 6000 litres per household combined with the installation of the pre-paid meter as a means of usage control and cost-recovery after dispensing the 'free' amount.

⁴⁷ In an interview with the station commander of the Orange Farm Police Station, Superintendent Michael Motlhalala, this was acknowledged - 'There's never been any problem pertaining to the Water Crisis Committee'. And yet, when asked how he perceived the OFWCC and its APF ally, the Superintendent had this say: 'It's an organisation that is intended to achieve (its ends) through violent means ... (they) are not like people who are prepared to peacefully address their issues, so that's the way I perceive it'.

⁴⁸ See APF (2003b). While OFWCC and APF members did not publicly claim that Emily's murder was the work of the ANC and/or ANC-aligned individuals within the community, they did point to the fact that the murder took place in an ANC-created 'atmosphere in which APF activists are often viewed as 'enemies of the state' and the governing party, the ANC'. At Emily's funeral, the OFWCC stated: 'Her death came out of her determination to speak out against injustice ... she fought for us and she died for us' - OFWCC (2003). Until today, the case docket for Emily's murder remains open, and ignored.

⁴⁹ This included defending sections of the community against threatened evictions [See APF (2003a)] as well as mobilising local refuse removal workers hired by the privatised PIKITUP company and local sub-contractors as part of the state's 'public works' programmes.

the policies flowing from the state institutions it controls had become the main 'enemy' of the community. Tseko Mokwena, an OFWCC member who was subsequently assaulted by one of the ANC's councillors at an OFWCC meeting⁵⁰, captured the growing sense that the ANC was out to punish and marginalise those in the community who actively oppose its neoliberal policies:

If you are a member of the ANC then you'll get something ... if you are not a member then you'll have to see for yourself how you are going to survive. (Interview with Tseko Mokwena)

Over the last year, the OFWCC has grown substantially and has effectively utilised its membership in the APF to spread news of the situation in Orange Farm and its community struggles. OFWCC members have travelled extensively across South Africa and internationally and stories about the OFWCC and its struggles have appeared in numerous progressive and mainstream publications/papers.⁵¹ In the community, which continues to suffer from a serious lack of development on all fronts⁵², the OFWCC has broadened its reach and impact:

We are almost everywhere now ... we try to meet with everyone who understands our struggle – the churches, NGOs, community individuals ... we always tell people that alone we won't be able to win but together, if we speak with a big voice, then this government will understand us ... (Interview with OFWCC member, Philemon Jiba).

According to OFWCC activists, the organisation is patiently building and planning for much more effective and large scale mobilisation and resistance and is prepared for the state's response:

Government is trying to run away from its responsibility of providing basic services and as long as there is no basic service then conflict will be there ... people will stand up for their rights and for freedom ... we cannot celebrate freedom without basic services ... is the government considering the (people's) priorities or are they just doing whatever they like? (Interview with Bricks Mokolo).

⁵⁰ Despite laying a formal charge at the local police station, the ANC councillor was never arrested or charged, prompting Mr. Mokwena to state: 'I think the police don't want to help me because I laid a charge against the leader of the ANC ... because I am nothing'.

⁵¹ This includes a front-page article in the New York Times and as well as articles in other leading western and South African newspapers. Television crews from various countries have interviewed OFWCC members. The OFWCC is also an active member in the South African Water Caucus and the APF-initiated Coalition Against Water Privatisation, both of which involve progressive NGOs and academics/researchers in South Africa and internationally.

⁵² Presently, with its 1 million+ population, Orange Farm has only 4 public health clinics (no hospital), 1 public sports centre, no libraries, 1 police station and few street lights ('Nothing for Mahala', 2004, p.10).

Section Three

PHOTO: Indymedia SA



Arresting Dissent

In August 2002, one week before the World Summit on Sustainable Development (WSSD), the Social Movements Indaba (SMI) organised a 'freedom of expression march' to highlight the ongoing harassment⁵³ and imprisonment of social movement activists in the mobilisations leading up to the summit. The march was however violently disrupted by members of the SAPS before it had a chance to begin. This was not the first protest in post-apartheid South Africa to fall under the heavy hand of the police. However, the content of the march (highlighting the continued repression faced by social movements), the media focus on the Summit, and the fact that many of the participants of the march were well known international activists, ensured that the event would not go unnoticed. That evening, broadcasters all over the world screened images of the South African police attacking a crowd of people armed only with candles.⁵⁴ For those who witnessed the horrors of apartheid repression, the image was a haunting reminder of the not so distant past.

The events of this evening are only further confirmation of the ever-narrowing space in the 'new' South Africa, for the exercise of the basic constitutional and human rights to freedom of expression and assembly. If it was not before, it should now be crystal clear that the South African government is hell-bent on smashing legitimate dissent by whatever means they deem appropriate, including attacking peaceful marchers and

⁵³ 'Over the last week, more than 150 people have been arrested and imprisoned, and many others intimidated and harassed for exercising their right to freedom of expression. These include 87 members of the Anti-Privatisation Forum (APF) & the Soweto Electricity Crisis Committee (SECC) who still face charges from an April demonstration at Joburg Mayor, Amos Masondo's house, members of the Soldier's Forum (an affiliate of the APF), members of the Landless People's Movement (LPM) & National Land Committee, and APF activists in Potchestroom' – SMI (2002b, np.).

⁵⁴ In keeping with the general character and message of the march, participants carried candles.

terrorising children. The ghosts of the South African past are returning with a vengeance. (SMI, 2002b, np.)

While the march itself would never reach its destination, the incident severely tarnished the image of the host nation, and mainstream civil society formations began to take a fresh look at the threat posed by state repression to South Africa's new democracy. In a book published in the immediate aftermath of the WSSD, Simon Kimani Ndung'u of the Freedom of Expression Institute (FXI) notes:

If the WSSD is anything to go by, then South Africa has already entered a new phase of struggle, which will be waged mainly between activists and social movements on the one hand, and the state on the other. (Ndung'u, 2003, p.15)

In this section, we attempt to unravel the narrative of conflict that has characterised the relationship between the state and community-based social movements resisting the effects of neoliberalism. The first part of this section will attempt to chart the contours of the state's response to new social movements in relation to the country's macro-economic framework. We then attempt to identify the points of contact between the state and community movements in relation to the demands made by movements, and the states responses to these demands. From this point we begin to analyse the effect of the conflict on the relationship between the state and communities in struggle, and suggest possible consequences of this current trajectory. In the final part, we look at the manner in which the conflict has affected communities and movements themselves.

State Repression and Post-Apartheid Social Movements

In his essay, 'The political economy of state repression', Salim Vally argues that while there are significant discontinuities between the apartheid order and our new democracy, fundamental aspects of the state remain unchanged.

[That which] continues are the dominant interests that determine the strategic thrust of the South African state. Ownership of the commanding heights of the economy, the repressive apparatus of the state, despite the integration of former guerrillas by the army and the police, the judiciary, the top echelons of the civil service, of tertiary education and strategic research and development, have remained substantially in the same hands as during apartheid. (Salim Vally quoted in Ndung'u, 2003, p.67)

Thus, while substantial changes have occurred within national security services, in many cases, the mindsets and practices that structured apartheid responses to dissent and conflict have crept into our new democracy. This problem is further amplified at a local level where the absence of the watchful eye of the media, and the economic vulnerability of community members, has meant that the different arms of state power have been less inhibited.

These continuities are, however, over-determined by the particular position adopted by the state and ruling party in relation to questions of economic policy. As noted earlier, in 1996 the ANC government abandoned the RDP through the adoption of the GEAR policy. Soon afterward, elements

within the Congress of South African Trade Unions (COSATU) and the South African Communist Party (SACP), as well as other civil society formations, released stinging critiques of the new policy, many on the grounds that it would further entrench apartheid inequalities and that it signalled the ANC's abandonment of its mandate for radical social transformation. The ANC responded by closing ranks. Those who continued to criticise GEAR would come to feel the full weight of the messianic appeal of Mandela, as he declared the policy 'non-negotiable'.

In the period that followed, the ANC-SACP-COSATU alliance became increasingly polarised around this issue. However, as the political pressure from the President's office and the Treasury increased, strategic differences also began to emerge amongst GEAR's dissidents. Two general arguments emerged. The first focused on the strategic importance of the Alliance and argued that the policy debate needed to occur within these institutional boundaries, foreclosing the usage of more antagonistic strategies. The second evinced a belief that an effective intervention would need to involve strategies that would more directly challenge and pressure the state, and argued further that, in this context, the basis for the Alliance itself was in question. As the debate intensified, the label, 'ultra-left', increasingly became associated with the latter view and its proponents - with some of them later facing expulsion. A climate of hostility towards any radical critique of ANC policy took hold within the Alliance and beyond. With the effects of GEAR catalysing a new wave of community resistance, this hostility began to extend into other spheres of society as well.

Ashwin Desai is amongst the writers on the transition who have noted the importance of the Bredell land invasion in 2001 as a focal point in the resurgence of grassroots activism in South Africa.⁵⁵ However, Bredell was also instructive in characterising the form of the state's response to community activism that conflicted with its macro-economic imperatives. As news of the invasion spread, the prospect of South Africa following the Zimbabwean route sent the Johannesburg Stock Exchange (JSE) into a spiral. In spite of the fact that the land was unused and housed an established informal settlement long before the crisis in Zimbabwe, the state acted to evict the 'invaders'.

[T]he question posed by the invasion was whether the ANC would allow redistribution of land outside of the narrow willing-buyer, willing-seller policy parameters that applied to all but a few thousand people with 'valid' land claims. (Desai, 2002, p.124)

The subsequent eviction of the community sent a clear answer to international capital and landless South Africans. It was now not just GEAR that was non-negotiable, but its prescribed environment as well. What Bredell ultimately represented was the extent to which the non-negotiability of GEAR had extended to enclose all forms of resistance, including bare life. This is the context in which new social movements encounter the state.

Points of Conflict and Engagement

The foreclosure of any real dialogue between the state and communities in relation to issues of economic import has meant that engagements between the two have, in many cases, taken on a conflictual character, mediated by the criminal justice system. The response of the local state to

⁵⁵ Bredell is a peri-urban area located east of Johannesburg.

communities resisting the effects of GEAR has thus come to reflect this reality. At the same time, the local police, the council, and state service providers have come to represent for these communities the primary focus of social movement antagonism. However, the private sector, usually in the form of private security companies, has also played an important role in structuring perceptions of the state's responses to community resistance.

Our research has also noted an array of complex arrangements for responding to community demands and 'maintaining order' in the three community case studies reviewed for this research project. Without attempting to present a comprehensive account of all engagements in which these movements have been involved, we have selected key moments in their histories which have characterised the various forms of their relationship with the state.

Khayelitsha

As cost recovery practices began taking hold, and the threat of repossession by banks and relocation became more determined, members of the community in Mandela Park began mobilising against the evictions (first through the Mandela Park Youth Housing Committee, and then later as the Mandela Park Anti Eviction Campaign (MPAEC⁵⁶). Since the conflict in Khayelitsha began around SERVCON-bonded houses, bank and SERVCON officials represented the main focus of community demands. However, the Campaign has also petitioned the National and Provincial governments to intervene in crises, believing that they have a responsibility to provide housing for the poor.

The government handed over this business to the banks ... So, while we say the banks are responsible ... the government did this as well because they wanted to sell us off.
(Interview with Fonky Goboza)

The initial demands of the campaign were therefore twofold. On the one hand, they demanded that the banks should cease all eviction plans and attend to the repairs desperately needed on the houses. On the other hand, they argued that the state should repurchase the land from the banks, removing the latter's control over the houses. These demands were communicated, in the main, through a series of letters that were sent to the banks, SERVCON, and the provincial and national housing ministries. Neither the banks nor government responded.

With no space to engage the state or the banks, and emboldened by their growing support in the community, the MPAEC embarked on a series of more militant strategies. During 2001, they were able to force a temporary halt in evictions, principally through using force to prevent the sheriff from giving effect to eviction notices. This forced the state to tighten its application of eviction orders. In order to deal with this problem, greater numbers of police officers were deployed to sites where evictions were taking place; and the repossessions continued.

In March 2002, frustrated at the wall of silence erected by the banks and government, the MPAEC began reinstalling people into their original homes while becoming more aggressive in their attempts to secure an official concession from the banks and government. In May of the same year, some 200

⁵⁶ For a comprehensive account of the origins of the MPAEC, see Section Two.

members of the community boarded buses headed for the city and occupied the offices of the National Building Society (NBS) in St Georges Mall. When this occupation failed to secure any progress, the MPAEC occupied the office of Khayaletu Home Loans. This time they refused to allow the manager to leave until its head office in Johannesburg agreed to send a delegation to meet with the AEC. While Khayaletu would eventually scrap the arrears, this did not change the circumstances of those residents whose bonds were held by other banks, nor could it permanently secure the tenure of residents' occupation if they fell into arrears again.

On hearing that the ANC MEC for Housing in the Western Cape, Nomatyala Hlangana, would be appearing on a local radio station, members of the AEC went to meet her. While on air she agreed to meet with the AEC. Once the spotlight was lifted, however, she would renege on her promise. She did convene a meeting in the area to discuss the crisis, but only the local branches of the ANC, SACP, South African National Civic Organisation (SANCO) and COSATU were invited. Angry and frustrated, the MPAEC, joined by the Tafelsig AEC, marched on the provincial parliament where her offices were housed. The only state officials to give them an audience were the police. The crowd did not leave and the police reacted by attacking the crowd with rubber bullets and teargas, arresting forty four people including pensioners and children. When those arrested appeared in court, the conditions of bail included a specific order not to return to the Wale Street offices.

The banks, realising that the growing local strength of the AEC would further frustrate their ability to evict residents who had defaulted on payments, applied for, and received, an interdict against four people identified as the leaders of the AEC.⁵⁷ The interdict restrained the named respondents from amongst other things, 'preventing evictions, persuading or inducing others to do the same, or directly or indirectly inducing or encouraging any person to occupy property' (Desai and Pithouse quoted in Barnard and Farad, 2004, p.860). The banks had earlier also began selling disputed houses, creating the basis for renewed conflict as new owners became responsible for evicting the defaulters.

One of the respondents of the interdict was Max Ntanyana, a South African Municipal Workers Union (SAMWU) shop steward and MPAEC activist. Ntanyana was arrested along with thirty other workers during an industrial action at a Cape Town water plant in September 2002. When he appeared in court, bail was withheld on the grounds that he was continuing his activities in the MPAEC. He remained in Pollsmoor prison for over one month. When his legal representative did eventually secure bail for Ntanyana, he was slapped with severe bail conditions designed to limit his political activity. Under these bail conditions, he was prevented from attending any public meetings or protests, communicating with any evicted person, or leaving Khayelitsha without first gaining permission from the police. He was also forced to report twice a week to the local police station. After a more recent arrest, related to his work in the AEC, Ntanyana was placed under virtual house arrest, not allowed to stray outside his property after dark. Other members of the campaign would also receive similar bail conditions (Collective interviews with MPAEC members).

⁵⁷ With virtually no financial resources, the AEC was unable to oppose the interdict.

When the state finally responded definitively to the demands made by the MPAEC, it was in the form of a crackdown. In November 2002, Leonard Ramatlakane, the MEC for Safety and Security, announced that the state intended to,

deal with the anti eviction group, which is behaving as if it is representing the state. It is manipulating the real concerns and real problems of the community and should be brought to order. (Cape Times, November 8, 2002)

The 'crackdown' which followed unleashed one of the most bruising community-state conflicts of the post-apartheid era.

Within the police, a special unit was created to specifically handle all matters relating to the Anti Eviction Campaign. However, rather than simply targeting the leadership, the unit focused on those people who had been put back into their homes as well. Peter van Heusden describes the state's strategy:

They would arrest you for trespassing and you would appear in court. Generally the bail conditions given would include you not being able to go back to the house. So if you return, what happens is you get arrested again. Now you have broken your bail conditions so they send you to Pollsmoor. Some old people were also sent to Pollsmoor for two months; and it was basically for trespassing. (Interview with Peter van Heusden)

In the months that followed, life in Mandela Park became increasingly violent. The wave of arrests of people who had been put back into their homes, and the continued evictions, were followed by a series of retaliations from the MPAEC. Most notable in these actions was the stoning of commercial vehicles on the main road. Court appearances, usually marked by huge numbers of MPAEC members, often turned into heated confrontations between police and community members. Prosecutor Sidaki, of Khayelitsha Magistrates Court, claims to have presided over one hundred such cases involving members of the AEC (these included charges of trespassing, intimidation and public violence) in the two years that he has worked there (Interview with Thembalihle Sidaki). The crisis in Khayelitsha has subsequently calmed as the rate of evictions has slowed down. In the absence of any form of state intervention outside of the criminal justice system, however, this crisis is likely to escalate once the business of evictions get underway again.

Orange Farm

The conflict in Orange Farm began around issues relating to basic services and non-delivery. Demands were thus focused on state-owned parastatals (notably ESKOM and Johannesburg Water). However, like the Mandela Park Anti Eviction Campaign, the Orange Farm Water Crisis Committee (OFWCC) believes that the ultimate responsibility for the conflict rests with state.

[G]overnment is trying to run away from its responsibility of providing basic services. And as long as there is no basic service then conflict will be there, because people will stand up and fight for their rights and their freedom. (Interview with Bricks Mokolo)

There is, therefore, a strong focus on the national state in relation to the demands of the OFWCC.

The first engagement between the state and the newly established Crisis Committee⁵⁸ centred on people's expectation of post-apartheid delivery. However, the first action organised by the Crisis Committee focused on the problem of electricity cut-offs. In this regard members of the Crisis Committee argued that the state had a responsibility to provide electricity and as such, no user fees should be charged. They also argued that the existing electricity arrears should be scrapped. seventy people attended the first meeting that was held where it was decided that a march to ESKOM would be organised.

In the protest that followed, scores of Orange Farm residents marched on the local ESKOM office. Once there, the leadership of the march met with local officials. It became clear that the current framework characterising electricity delivery did not really allow ESKOM to negotiate any substantial concession to residents in arrears outside of 'payment plans'. This meant that their demands could not be met at this level. In this context, the Crisis Committee decided to return to the apartheid era tactic of illegally reconnecting residents.

The central focus of the new committee would, however, be water. As such the Crisis Committee began to be known as the Orange Farm Water Crisis Committee. The campaign of the OFWCC, with respect to water, targeted Johannesburg Water and its planned installation of prepaid water meters. As is well documented⁵⁹, the implementation of the project began with Johannesburg Water intentionally misleading residents about the new system, claiming that they were merely installing toilets. In order to raise these concerns, and attempt to persuade the council-owned company not to install the new meters, the OFWCC requested a meeting with Johannesburg Water. A date was set, and it was agreed that they would meet in a local Catholic church. For the OFWCC's part, they elected a delegation of eight people to attend the meeting. Bricks Mokolo describes the events that ensued:

They came in numbers, lots of cars. We recognised many of these people. They were ANC members who were employed on the project. We told them that we wanted to meet Johannesburg Water alone, but Johannesburg Water said, 'These are the people who are recognised in the community' ... We responded that, 'This is a political party, this is the ANC, and we want Johannesburg Water. If you want to bring the ANC on board then we are not going to say anything to you.' We were told that they were going to introduce prepaid meters, like it or not ... Then a fight broke out between the OFWCC members and Johannesburg Water ... We tried to move everyone outside because we were also trying to respect the sanctity of the church. We asked the Johannesburg Water people to leave, and told them, 'We are not going to talk to you because you bring these gangsters'. (Interview with Bricks Mokolo)

The response of the OFWCC is not surprising when considering the fact that many of the conflicts in which they have been involved have been characterised by battles between the local branch of the ANC and members of the OFWCC.

The failure of the meeting substantially changed the course of future engagements with Johannesburg Water. As in the case of Mandela Park, as avenues for dialogue closed, the social

⁵⁸ For a fuller treatment of the evolution of the OFWCC, see Section Two of this report.

⁵⁹ See 'Nothing for Mahala' (2004).

movement tended toward more militant tactics. At this point the OFWCC adopted its now famous slogan 'destroy the meter, enjoy the water'. In spite of community resistance led by the OFWCC, the project went ahead. To date, meters have only been installed in one section of Orange Farm and it remains unclear whether Johannesburg Water is still planning to install meters in the rest of Orange Farm.⁶⁰

In spite of the fact that instances of sabotage were virtually non-existent, with OFWCC members focusing on graffiti and mass actions such as marches, it was enough to catch the attention of repressive local state arrangements. As their focus and actions broadened beyond water, the OFWCC became increasingly vulnerable to targeted attacks from the police and local Alliance members. The Gatherings Act was often used as the basis for these attacks.

The state response was to criminalise our struggle ... We marched to the police station and then got several calls from the police station [saying] that our marches were illegal and we would be arrested. Even when we were marching against the electricity cut-offs, we got the same threats from the government that we were operating illegally. I was also threatened by the National Intelligence Agency [NIA], and they came several times to my house ... Even my wife was interrogated by the NIA because they wanted to know about the OFWCC. (Interview with Bricks Mokolo)

Bricks Mokolo also notes that within Orange Farm very little actual space exists for meaningful dialogue in relation to issues facing the community. When the OFWCC received news that large numbers of people were facing eviction from Extension 3 in January 2003, they approached the local municipality with the problem only to find that the eviction was actually led by officials from within the Johannesburg Metro. Community demands could thus not be addressed at the local level:

Amos Masondo⁶¹ is operating Orange Farm from Johannesburg. Local councillors don't even serve on the executive committees ... [These councillors] often have not even been informed about the changes ... Now if Johannesburg Metro is behind the [eviction], they are controlling Orange Farm far from Johannesburg ... And we, from Orange Farm, if we want to march or to present our memorandum it's useless for us to go to this office here because you'll never find anyone with power. So we're forced to hire the bus ... to Johannesburg. (Interview with Bricks Makolo)

Faced with these kinds of predicaments, the OFWCC has tended to deploy strategies aimed at capturing the attention of state arrangements beyond Orange Farm. Thus, in relation to their protests against the eviction of residents of Extension 3, the OFWCC organised a blockade of the Golden Highway after receiving no reply to a fax that had been sent to the Housing Department in the Provincial Government:

We blockaded the Golden Highway for half of the day demanding that Paul Mashatile⁶² ... come and sort out the housing problem. (Interview with Bricks Mokolo)

⁶⁰ After the installation of prepaid meters in Stretford Extension 4, Johannesburg Water has moved the focus of the project to Soweto where it is experiencing fierce opposition.

⁶¹ Executive Mayor of Johannesburg

⁶² Paul Mashatile was the Gauteng MEC for Housing at the time of the incident

During the blockade some fifteen thousand people blocked traffic as they waited for someone to arrive from the Gauteng Government. Predictably the police arrived. When it became clear that that their only reward was likely to be a night in jail, the organisers of the march dispersed the crowd. However, even with the OFWCC commitment to offsetting police action⁶³, such actions have the tendency to raise the levels of conflict, which characterise a particular community struggle/grievance.

Deep tensions also exist between the OFWCC, the local council and the ANC – the latter being seen as complicit in the roll out of prepaid meters and at the forefront of the campaign to vilify and marginalise the OFWCC. Such tensions have come to be characterised by often violent confrontations. In early 2004, at a meeting convened by the OFWCC, an ANC local councillor entered and began verbally abusing members of the organisation. It is alleged that he then attempted to wrest the microphone away from the speaker. When members of the OFWCC attempted to intervene, the councillor physically assaulted one person. In spite of a charge of assault being laid against the councillor, the victim of the attack is unsure whether any action will be taken against the councillor (Interview with Tseko Mokwena). The inaction of the police in relation to such conflict is extremely dangerous, especially where there is a perception of patronage on the part of the police. In such contexts, the risk of retaliatory violence increases as members of social movements come to view the police as inactive at best, or simply complicit. This situation is exacerbated by the fact that after the shooting of Emily Lengolo (an OFWCC member), and a march on the local police station to demand that the matter be investigated, nothing has occurred.

Bayview

The conflict in Bayview began around council housing stock. As such, community demands were directed at the Durban City Council. While the sheriff and council officials normally carry out evictions, the local SAPS⁶⁴ and the judiciary⁶⁵ have often played the role of mediator between council and residents. Linking the crisis to the macro economic priorities of National Government, a number of attempts have been made to secure the intervention of other levels of government.

The first coherent attempt made by the Bayview Residents to engage the council on issues that were affecting the community came in the form of a survey of living conditions experienced in the flats. Assisted by members of the Concerned Citizens Group (CCG)⁶⁶, the residents of Bayview, through the survey, evidenced the high levels of poverty in which the vast majority of them are forced to live. The demands contained in the report, therefore, focused broadly on issues relating to development in the area.

They were calling for playgrounds for their children because when their kids could not be at school at least they could have some playground to play ... They were also asking for jobs so that the men can go to work and bring back some sustenance and also calling for the abolishment of the school fees. (Interview with Fatima Meer)

⁶³ 'When we organise campaigns like that, we use two different strategies, we know we are using an illegal strategy but we show that it's a peaceful protest. When the police arrive, we negotiate with them, explaining to them why we use this tactic'. (Interview with Bricks Mokolo)

⁶⁴ Most notably, during the Council's attempt to evict residents of Bayview Flats in 1999, the SAPS played the role of a neutral mediator between the community and council officials.

⁶⁵ During the eviction in 1999, for instance, the Bayview residents were able to prevent the council from continuing with its planned evictions through residents obtaining an urgent court order against the eviction.

⁶⁶ See Section Two for an account of the evolution of the BFRA and CCG.

The document was also sent to the Council Housing Committee in the hope that proof of the extent of poverty in the area might force the Council to re-evaluate its position on eviction from the flats. The CCG, in the person of Fatima Meer, also sent numerous letters to all levels of government, including the president's office.⁶⁷ As was the case in the other areas reviewed in this study, no replies were received. The Council's response was to label the CCG and the Bayview Flat Residents Association (BFRA) a 'reactionary' organisation.

In 2000, the Council sent a small army to begin effecting the eviction of residents who had fallen into arrears, and those considered 'illegal tenants'. Residents mobilised against the eviction, enduring beatings, rubber bullets and teargas as they prevented council officials and security from entering marked flats, while members of the CCG attempted to obtain an interdict against the evictions. Fatima Meer, who had just been released from hospital, attempted to negotiate with council officials in order to prevent them from proceeding with the eviction until a court had heard the matter:

I was talking to somebody on the Council to say please call off your men, we are making an urgent application in court and we have a lawyer lined up to go and make that application. Their response was 'nothing doing'. (Interview with Fatima Meer)

The court declared the eviction order illegal insofar as a court had not granted it. Significantly, however, and in marked contrast to the role of the local police in Mandela Park, police from Bayview attempted to mediate between protesting residents and council officials, in some cases preventing their usage of force. Noteworthy as well is the fact that after the eviction members of the Bayview police⁶⁸ began investigating claims of brutality against council officials with several dockets being opened against the culprits.⁶⁹

As in other areas, the strategy of the council was to attempt to criminalise those resisting eviction. Thus, council officials attempted to persuade journalists that the people being evicted were in fact involved in criminal activity that included the sale of alcohol and drugs. However, the CCG and BFRA responded with an extremely savvy media campaign of their own. Through a range of well-written and emotive press statements, combined with their use of contacts with journalists, the BFRA and the CCG were able to secure, in many cases, extremely positive news reports:

We have had wonderful media coverage. Our local newspaper was the one that had everything covered ... There were also broader newspapers, for instance the Sunday Tribune, that often carries most of what is happening around the struggles in Chatsworth. [The] Sunday Times is a bit on the other side, they often put the point of the Municipality and not the people ... [We] rely a lot on the professionals or outsiders ... who then assist us [to] send out [press statements] by email to all radio stations, newspapers, TV stations, with our numbers on them. (Interview with Brandon Pillay)

⁶⁷ It is important to note the progression of the tone of these letters. While the first letters that were sent appealed to the 'comradely relationship' with members of government, they became increasingly antagonistic as the writer realised that these letters were being ignored.

⁶⁸ Unlike in Mandela Park, many of the police officers lived in the area or had family living there.

⁶⁹ Interview with Seelan Pillay. Since the battle of Bayview, relations between the Durban Council and Bayview Police have deteriorated in large part due to the intervention of the police in such cases, with the Council now often not informing the police when they are planning to enter into an area with the purpose of evicting people.

Not content with the temporary stay on evictions, the BFRA and CCG took the matter to the High Court:

At that point they ruled that you have to provide alternative accommodation. So the relocation is actually more recent, it came with Mike Sutcliffe, the new municipal manager. When he came into power he said he ... wants to recover the debt. (Interview with Brandon Pillay)

In response to the court ruling, the language of the council now began to include the option of 'right-sizing'. Residents were asked to sign an acknowledgment of debt, and begin paying it. Those who did not, or who refused to pay, would be moved to 'starter homes' some 50kms away. The BFRA refused the offer and began building alliances and planning a broader campaign:

We then had to use mass action ... there were Landless People's Movement members that came down for a youth camp who joined us [in a march] ... outside City Hall against relocation and downsizing and that is how the process was stopped. (Interview with Brandon Pillay)

The local council, recognising that they were risking the escalation of conflict declared a moratorium on evictions, which is still in effect. At present, the BFRA and council are in dialogue around a planned upgrade of the flats and the scrapping of arrears.

The Rule of Law

Protest in all three areas has often been presided over by POPS, the public order policing unit of SAPS, and the metro police.⁷⁰ However, our research has also noted the increasing usage of specialised private security companies either involved in effecting large-scale evictions, or in cost recovery practices expected to encounter resistance from large numbers of people. As attempts by Johannesburg Water to install prepaid meters in Soweto demonstrate, the presence of these companies dramatically reshapes the character of community-state conflict.

In August 2003, Johannesburg Water contracted Wozani Security⁷¹ to provide additional security to its worksite in Phiri Soweto.⁷² The Phiri Concerned Residents Committee and the Soweto Electricity Crisis Committee (both member organisations of the Anti-Privatisation Forum) focused their demands at the council and Johannesburg Water (JW). However, when it became increasingly clear that the installation of the meters was continuing, the organisations turned to more antagonistic strategies.⁷³ In response, Johannesburg Water applied for an interdict against the protestors,⁷⁴ which extended the

⁷⁰ Metro police generally deal with matters relating to the council. They are also responsible for traffic and are deployed to protests where disruption of vehicular traffic is anticipated.

⁷¹ This security company has been at the forefront of outsourced crowd control. It is most notoriously known for its role in large-scale mass evictions in poor communities around Gauteng.

⁷² When the council-owned company began installing prepaid meters in the area, it encountered tremendous resistance from members of the community.

⁷³ Marches and blockades accounted for the majority of acts of resistance by the community. In some cases, infrastructure relating to the new system was also vandalised.

⁷⁴ The interdict named the Soweto Electricity Crisis Committee, the Anti Privatisation Forum, and 'anyone interfering with the Gcin'Amanzi project' in its list of respondents. The interdict also provided for a 50 metre

powers of the security company to include arrest. In the protests that followed, violent confrontations occurred between police and members of Wozani Security on the one hand, and the members of the Phiri Concerned Residents Committee and the SECC on the other. Video footage obtained through Indymedia shows members of Wozani Security, armed with crowbars, throwing rocks at protestors with little regard for established crowd control practices. The fact that the private sector is increasingly playing a more important role in the management of protest and community resistance raises important questions about the status of civil and political rights in relation to the priorities of the market and the state's role in this regard.

The courts have also played an extremely important role in the conflict. While in some instances social movements have been able to access relief through the courts, they have mostly acted to discipline them. With respect to the former, residents of Bayview in Chatsworth were able to access a judgment from the court preventing the local council from proceeding with an illegal mass eviction. By contrast in Mandela Park, the court system has overseen the granting of eviction orders and the prosecution of trespassers, as well as a range of more serious charges brought against members of the campaign.

There have also been numerous reports of the National Intelligence Agency (NIA) gathering information in relation to social movement activity. Reports have ranged from people claiming to have been approached by NIA soliciting information, to accusations of intimidation and harassment. Jackie McKay, the head of the NIA Information Centre, refused to directly confirm whether any social movement was currently a NIA target. He did, however, suggest that where incidents of organised community activity occurred that could be interpreted as being in conflict with the interests of 'law and order', NIA would pay close attention to those believed to be involved. He also volunteered that, in his opinion, the greatest threat to security was the potential for unrest as a consequence of socio-economic conditions. The work of NIA would, he affirmed, not relate directly to the actual day-to-day policing of social movement activity. Rather, according to McKay, information gathered through NIA in such contexts would be forwarded to National Government for the purpose of informing policy and attitudes (Interview with Jackie McKay).

While only indirectly related to the state, as the Orange Farm situation demonstrates, local Alliance structures have also played an important role in the conflict between state and communities resisting the effects of government's macro-economic path. The strategy of the ANC in relation to social movements has come to be characterised by a double movement. First, the state refuses to make any concession to the movements that could be read as capitulating to demands that conflict with the policy perimeters set by the macro-economic framework. Thus, the central focus of the state is given over to managing the crises created through community activism. Second, the ANC and local Alliance structures embark on parallel mobilisation strategies aimed at recapturing ground lost to these movements, and attempting to prevent the spread of antagonistic community activity. This also allows the state, in cases where the absence of a concession would threaten the survival of a particular

perimeter order against those named. Because the interdict did not define what constituted interference it also meant that Johannesburg Water (JW) could define what activity should be deemed undesirable and in contravention of the order. The irregularity of the order was compounded by the fact that the JW work site was literally the streets and pavements of Phiri.

programme, to safely negotiate a deal with its local surrogates without fear of lending legitimacy to antagonistic social movements.⁷⁵ When asked what measures were being put in place in order to manage the crisis in Mandela Park, the ANC ward councillor, Mr Ngombane, answered that in addition to the 'discount' negotiated with the banks, a branch of SANCO had been launched in the area:

[In] Mandela Park we managed to [launch] a structure of SANCO, which did not exist before ... Previously, they [didn't] want to see any structure, which is active in that particular area, except the anti-eviction. But right now, we launched SANCO, and each and every weekend call mass meetings [that] a lot of people do attend. (Interview with Councillor Ngombane)

This double movement has brought new social movements and local alliance structures into direct competition and conflict with one another at the local level, dramatically re-colouring the character of the conflict. In such a context, the conflict between the state and social movements takes the form of a proxy battle between the movements on the one hand and the Alliance structures on the other.

Public, Private, Partnerships: The management of dissent

An important trend in the strategies for the management of social movement activity is the formation of strategic partnerships between the relevant arms of the national and local state – for example, housing departments, local sub-contractors, parastatals, the police and intelligence services, public-private partnerships and the judiciary (in the form of the prosecutor's office) – and the private sector (private security firms, banks, corporate landowners). The shape of these partnerships is of particular significance in Mandela Park, Khayelitsha, and Phiri, Soweto, which have been characterised by high levels of conflict.

In the case of Khayelitsha during 2002-2003, while sizeable sections of the community were waging ongoing resistance to evictions, a strategic partnership was built against the AEC that was comprised of the local state prosecutor, a special investigative division of the police, the local police, representatives of SERVCON and representatives of private banks who control bonded homes:

We used to have monthly meetings that involved SERVCON ... the police, the attorney's officers that have been instructed by the banks ... we later got the councillors involved... because the problem just got bigger and bigger. (Interview with Thembalihle Sidaki)

During the course of our research, it also became clear that this 'team' was involved in the monitoring and infiltration of the AEC. According to the superintendent of the local police station, plain-clothes policemen were in regular attendance at AEC meetings.⁷⁶

⁷⁵ The most poignant example of this tendency was the scrapping of electricity arrears in Soweto. In spite of the fact that the Soweto Electricity Crisis Committee had been in the forefront of the campaign to scrap the arrears and created the crisis that forced ESKOM to do so, the parastatal negotiated the final agreement with SANCO.

⁷⁶ '[W]e have intelligence people, that is undercover, [who] feed us with information on what they are going to do'. (Interview with Khayelitsha SAPS Superintendent Vosloo)

In Phiri, minutes of meetings for the Municipal Services Entities Committee, for September 2003 through to April 2004, also reveal that Johannesburg Water and the prosecutor's office had been in regular contact with the local prosecutor, and had held numerous discussions concerning criminal cases being heard at Protea Court. The minutes also claim that JW received a written undertaking from the prosecutor's office stating that no cases would be withdrawn relating to APF activists without first consulting JW.

As in the Khayelitsha case, the minutes point to the fact that the council had privileged information relating to meetings and discussion in the APF and its community affiliates. The minutes also reveal that JW has contracted the services of a private security firm, 'based in Phiri', to gather intelligence on the activities of the APF and its affiliates. The fact that no such company exists in Phiri suggests that people within the community are being paid to inform on their neighbours.

The form of these partnerships raises fundamental questions about the independence of the various arms of state, in particular the judiciary and the police. However, such irregularities are the logical outcome of the foreclosure of real dialogue between the state and social movements. In this context, the state has increasingly tightened the application of the repressive tools in its arsenal while social movements, for their part, shift to positions of greater antagonism.

A Repressive Cycle

The greatest danger presented by the conflict is the manner in which its current terms structure a self-reproducing discourse of marginalisation and repression. Ironically, the roots of this process are embedded in the transition itself.

The ANC's return from exile, and its subsequent negotiations with the apartheid state, marked a more general shift in the strategic trajectory of the liberation movement. Despite heated contestation within the structures of the anti-apartheid movement, the ANC chose to use mass struggle only as a means of leveraging its position at the negotiating table. This has led some commentators to note that in the early 1990s, negotiations became for the ANC the supreme organising principle of its political strategy, allowing for the erosion of gains won on other fronts.⁷⁷

This period was also characterised by a high degree of community mobilisation, with grassroots activists seizing the opportunity provided by the relaxation of the repressive apparatus of the state to forge ahead with struggles running parallel to actual negotiations. In order to ensure that these struggles would not detract from the chosen strategic course of the ANC, the full weight of the liberation movement was given over to reorienting the movement towards the management (including the suspension of) bread and butter struggles. This meant that many of the organisations of the liberation movement became solely directed to the pacification of their members. What this produced, by the time an agreement had been reached for the handover of power, was the institutionalisation of a negotiations-centric polity.

⁷⁷ See Pallo Jordan (1992), 'Strategic Debate in the ANC: A response to Joe Slovo', *African Communist*, No. 131; and Dale T. McKinley (1997).

Since the end of apartheid, this strategic approach has become increasingly incorporated into the national imagination as prescriptive of the only legitimate form of societal contestation. This has ensured that any form of dissent has become anathema to the dominant current within the government/ANC and its various institutional arms. Within the derivative language of this national discussion – ‘constructive engagement’, nation building, *batho pele* etc. – any real space for fundamental ideological and strategic contestation has been closed down.

The terrain occupied by the new social movements has thus effectively placed these movements outside of dominant notions of the national interest. The introduction of neo-liberal ‘restructuring’ of the local state and service delivery, combined with the foreclosure of dialogue in relation to issues of macro-economic import, has forced poor communities to struggle against evictions and cut-offs on a terrain that undermines the possibility of institutional remedy through negotiation. These struggles have thus come to sit uncomfortably with the constructed national ‘imagination’.

In this context, the active resistance coming from the new social movements is seen as out of sync with the ‘peacetime/reconstruction’ agenda of the government/ANC. This characterisation of these movements and their struggles has also had the effect of obscuring real class and racial dimensions of the present conflict. The challenge posed by these struggles is thus dismissed in favour of the pathological need to project South Africa as a homogenous entity (‘one big happy family’). In the South African hallways of power, nationalism’s priestly caste jealously protects the image of harmony that investors and the market demand.

As a result, it has been widely accepted that there is no terrain of engagement between civil society and the state outside of corporatist structures and non-antagonistic strategies of engagement. In this manner, state repression of socio-economic struggles has become justified by the objective interests of the nation. Such struggles are seen almost exclusively as challenges to ‘public order’. The effect of this process is the naturalisation of the continued marginalisation of these community groups, who have little recourse other than to engage in mass struggle. Resistance to government policy outside the safe environs of the corporatist deal making fora are thus treated as criminal and illegitimate.

The very character of the ‘imagination’ of the nation has, therefore, provided the basis for the widespread criminalisation of dissent. In this context, the poor, when engaged in struggle are seen as the unwitting pawns of outside interests and forces.⁷⁸ This process of ‘othering’ is operative at the local level as well. Consider the characterisation of the OFWCC by the local ward councillor:

It was not really the community of Stretford Extension 4 who were toyi-toyiing or who were against the project, it was only those individuals, those who wanted to benefit for themselves or who wanted to [mislead] the community ... the community of Extension 4 [agree with] the project.⁷⁹ (Interview with Alina Mahlangu)

In this context, basic socio-economic struggles are represented as being the product of people with dangerous and self-serving agendas. Those engaged in conflict become associated with a whole

⁷⁸ Such language is, however, careful not to suggest that the poor are outside of the nation.

⁷⁹ A research report into prepaid meters in Orange Farm reveals huge dissatisfaction with the new system, with residents claiming that they were misled by Johannesburg Water. See ‘Nothing for Mahala’ (2004).

range of labels aimed at minimising the credibility of their critique. They are described as agent provocateurs, foreigners, misled stooges of the former two categories, unpatriotic, 'real neo-liberals', or all of the above, and may therefore be dismissed.

While the extension of the logic of GEAR's non-negotiability structures the state's refusal to engage with social movements, and its subsequent repression of dissent, this 'political othering' is the means through which it effects the naturalisation of the process. As social movements are forced back onto the street with their grievances, the vicious cycle is complete.

The Effects of Conflict

The conflict between social movements and the state has often had dramatic and far-reaching consequences for both the movements and the communities in which they work. The conflict, and state repression that has often accompanied it, has changed the manner in which communities view social movements, the state, and South Africa's new democracy.⁸⁰ For communities already heavily traumatised by violence the resurgence of political conflict, even if not comparable to the apartheid period, intensifies the alienation and traumatising of the most marginalised sections of the South African population.

Ironically, these effects also contribute to the degeneration of the state's ability to perform other tasks in these communities, from carrying out repairs on council property to community policing. With respect to the latter, consider Superintendent Vosloo's frustration at the challenges faced by the police in Khayelitsha (the area which has experienced the highest levels of violent conflict of the three areas reviewed during the course of this study):

We feel that the solution to this problem is not the police. The councillors and those people should play a much bigger role in addressing this ... And we are also called to protect the sheriff, to issue the notices, or to physically evict the people ... immediately the police are seen as the immediate threat to people being in the houses illegally ... So, they fight with us ... and that becomes a problem because if you look at policing in a broader perspective we have earned the trust of the community to do our crime prevention. Murders, armed robberies and those type of crimes that we really have to do... the problematic ones for us, become more difficult ... Immediately the trust is gone ... so we move three steps forward and two steps backward ... We are frustrated because today we talk to them and we sit around the table and ... the next day, we are there to make sure that they don't hurt the people that want to do their work there. And sometimes, there's physical confrontation because they are there stoning those people, whatever the case may be. We must shoot our rubber bullets and we must throw our stuff. We must act. What we are trying to do at the end of the day [is] make sure that those people ... carry out the court order ... people then do not understand because the day before we were talking ... [and] the next day we were really fighting with them. (Interview with Superintendent Vosloo)

⁸⁰ This question of how is taken up again in Section Four. Our present discussion will, therefore, focus on the local effects of the conflict.

In many areas in South Africa, council and parastatal officials are forced to enter areas with armed escorts.⁸¹ A number of shooting incidents have thus occurred during cost recovery actions, with 17-year-old Marcel King becoming another victim when he was killed attempting to prevent council security from assaulting his mother during a cut-off in Phoenix, Durban in early 2004. Such incidents increasingly deepen the gap between the state and citizens and undermine the state's ability to intervene positively in other areas of the life of communities.

Within each of the cases reviewed in this study, conflict and repression have also had profound effects on the movements themselves. These have generally been extremely negative.

In Mandela Park, the escalation of the conflict and the AEC's tendency toward ever-increasing militant strategies have severely restructured the organisational form of the AEC. The principle tactic of the anti-eviction campaign's strategy has involved putting people back into their homes after they have been evicted by the banks. This strategy, however, requires a high degree of permanent mobilisation. The strategy also places large numbers of people in conflict with the law, meaning that they can be arrested at any time. For the state's part, it needed to ensure that Mandela Park would not become an example to other communities faced with similar problems. The high levels of conflict and violence that have come to characterise relations with the state, have thus shifted the organisational thrust of the movement. Consider Martin Legassick's account of the effect of repression on the political strategy of the AEC:

You see, over the last year, they've been fighting really defensive battles and most of the energy, in fact, has been occupied with the court cases. I think that they have a reactive strategy at the moment. It's not thinking ahead of the issues. (Interview with Martin Legassick)

The effects of high levels of repression and conflict also alter the manner in which movements view organisational priorities and cohesiveness. Consider the differences between the AEC and OFWCC. In the case of the former, the high degree of conflict and repression has meant that forms of organisational reproduction have tended to be shaped by the particular constraints and priorities of a conflictual context. Faced with numerous arrests and court cases, the AEC has become almost solely focused on the work of mobilising resources for the legal defence of arrested activists. Mobilisations and press statements have increasingly tended to reflect this reality. A further outcome is that the effectiveness of key activities necessary for continued mobilisation and strategic direction, are minimised. For the OFWCC, with much lower levels of conflict and repression, the direction of organisational work has tended towards consolidation and extension of local influence. Thus, where the central strategic thrust of the MPAEC has been structured by the defence of activists under threat of repression that of the OFWCC is focused on assuming greater political space within the community and extending its membership base.

A movement's choice of tactics dramatically shapes how it works and who is involved. For example, when violent direct action is chosen, decisions, previously made in community mass meetings, would

⁸¹ 'It's not that we don't want to pay it that we can't afford it ... how can men with guns parade in the community when little children are watching' - Beverley Pillay when interviewed about cut-offs in Chatsworth - Tribune Herald, 12 March, 2000.

now be presided over by a small core of activists in order to deal with the very real threat of infiltration. The manner in which the roles of different members of the movement are perceived is also altered. This is of particular relevance in relation to the position of women in social movements. While women make up the bulk of the membership of social movements, they remain a minority in the decision-making fora of the movements. This problem is exacerbated in contexts characterised by high levels of conflict and violence. The role of men, as the central protagonists of such a terrain, is thus seen as central to the struggles of these movements, while those of women, become increasingly secondary.

It is, however, noteworthy that one of the central catalysts in the linking up of social movements across provinces has been the common threat of repression. This has also been the area in which individual movements have accessed the greatest levels of practical solidarity, both nationally and internationally. Movements have engaged in national discussion aimed at developing common strategies for dealing with the effects of repression and developing systems for mutual assistance. This is an important development.

The growth of state repression of social movement activism brings into stark relief Vally's observation that, 'civil and political rights are severely circumscribed by the socio-economic and political framework within which they exist' (Vally quoted in Ndung'u, 2003, p.65). The trajectory of the current conflict between social movements and the state suggests that, rather than disappearing, there is likely to be an intensification – something that will dramatically shape the next decade of South Africa's democracy.

Section Four

PHOTO: APF



Social Movements and Democracy in South Africa's Transition

Now we're taking our lives into our own hands.

(Community activist at launch of SMI)⁸²

The Foundations of the Democratic Divide

When South Africa's first ever one-person, one-vote elections in 1994 resulted in an overwhelming victory for the ANC, the majority of South Africans understandably celebrated the arrival of a new democracy. After all, the ANC and its liberation movement allies were now in political control of the state thanks to the votes of those who had, throughout South Africa's modern history, been denied their basic democratic rights. Accompanying this however, there still remained a broad based (but ultimately mistaken) expectation amongst the poor black majority that the new ANC state would immediately begin to pursue a more socialist - or at the least, radically redistributive - political economy.

Besides the contextual backdrop of militant, mass-based political and socio-economic struggles that had been waged by organised workers and poor communities since the mid-1980s, alongside the continued radical rhetoric of the ANC itself, such an expectation was fuelled by the ANC's adoption of the Reconstruction and Development Programme (RDP) as its main policy platform on which it had based its electoral campaign. Its rhetorical centrepiece, the creation of a 'people centred society', envisioned the 'democratisation of power' in which 'all South Africans have access to power and the right to exercise that power' (RDP, 1994, pp.119-120). On this basis, the RDP proposed to pursue growth and development through reconstruction and redistribution, sought a leading and enabling role for government in guiding a mixed economy, prioritised the meeting of basic socio-economic

⁸² See [Indymedia SA](#) (2002).

needs for the poor majority and argued for a living wage as a prerequisite for achieving meaningful levels of economic growth.⁸³ The millions of organised workers and unemployed poor who had provided the ANC with both its political and organisational power, thus looked to the RDP's promises to effect popular, participatory democracy, create millions of jobs, provide massive increases in infrastructure, meet basic social needs and redistribute large amounts of white-owned land.

It did not take long, however, for the new ANC state to make it known that the basis upon which the democratic vision and socio-economic objectives outlined in the RDP were to be realised, would be through a neoliberal macro-economic programme (GEAR). Thus, at the same time that the RDP was being seen by ANC supporters and most black South Africans as the framework for a more radical and substantive shift in the country's democratic form and content, the ANC state was stressing the need for corporatist social relations⁸⁴, fiscal discipline, export-oriented growth, privatisation and decreased levels of corporate taxation (Habib and Padayachee, 2000).

Importantly then, the first phase of South Africa's 'transition' witnessed the ANC's political and ideological acceptance of the broad framework of a globally dominant, neo-liberal political and economic orthodoxy⁸⁵ despite the decidedly anti-neoliberal democratic mandate they had been given. What this demanded, was the false separation between political and socio-economic change which, in turn, meant that processes such as democratisation took on a narrow bourgeois, nationalist and predominantly political meaning and context in which changes in socio-economic power relations were subordinated to changes in who controlled the seat of political power (that is, a privileging of the economic *status quo* – capitalism – and the institutions of bourgeois democracy essential to its maintenance).

It is such a (false) twinning of democracy and the capitalist market that has ensured a perpetual 'crisis of democracy' wherein institutionalised practices of representative democracy such as elections make little difference since the key societal decisions are taken by the 'market' (Amin, 2001). As Neville Alexander has cogently argued, such a liberal, free-market approach is unlikely to satisfy the material needs of the oppressed and impoverished majorities in places like South Africa, 'even though the gains in political space and in (individual) freedoms and rights are by no means unimportant' (Alexander, 1993, p.83). South Africa's experience since 1994 bears this out.

In order to rationalise such a contradictory approach to an increasingly sceptical constituency, the ANC has cleverly utilised the all-encompassing, legitimating argument of the liberal bourgeois democracy that they have now fully embraced; namely, that 'its link to society is held to be that it

⁸³ For a detailed exposition of the 'fundamentals' of the RDP see National Institute for Economic Policy (1996), 'From the RDP to GEAR', Research Paper Series, Johannesburg, NIEP.

⁸⁴ This refers to institutional forms of class compromise (a good example being NEDLAC which brings together representatives of the state, big business, the unions and the 'community') that are designed to facilitate 'consensus' amongst the various participants over key political and socio-economic issues/struggles, so as to avoid class conflict and struggle.

⁸⁵ This was ameliorated, to some extent, by a period of intense legislative activity designed to repeal apartheid-era discrimination and facilitate new social and economic opportunities for 'historically disadvantaged' sectors of the population.

operates at the level of the general interest'.⁸⁶ Indeed, just as in the past, when the 'liberal state sought to overcome (the) partisanship of predecessors to achieve neutrality by virtue of the generality of its purposes', so too has the ANC sought to make itself appear as though 'it serves all and comes from all' (Levin, 1989, p.140). This was then coupled with what was presented as the enforced exigencies of a global neoliberal offensive, thus making it appear as though liberal bourgeois democracy is a necessary and natural political product of an equally necessary and natural socio-economic order. Under such a scenario, democracy itself becomes synonymous with participation in formalised institutional arrangements underpinned by an acceptance of the capitalist 'free market'.

The activities of new social movements, that arose from the late 1990s, besides representing a grassroots response to the intensifying effects of the state's neoliberal policies, were also representative of a desire to push beyond the narrow boundaries of institutionalised bourgeois (capitalist) democracy⁸⁷; a democracy in which governance has become a catchphrase for effectively strangling the pursuit of independent, mass-based mobilisation and struggles of the poor and in which accountability has been reduced to an enforced, institutionalised process of seeking false consensus.⁸⁸ The various contents and forms emanating from the South African state's embrace of neoliberalism 'are to (some) social movements what racial fordism was to the liberation movements of the 1980s – an explanation of the structural production of marginalisation' (Ballard *et al.*, 2003, p.20)

Framing Democratic Space and Practice

*We must understand that the new democracy cannot allow for hostile surveillance of the democratic process and the participants in this process.*⁸⁹

Thabo Mbeki (1994)

The transitional genesis of the ANC state's approach to meaningful democratic opposition and dissent is to be found in its heavy-handed reactions to, and effective marginalisation of, dissent over GEAR within its own ranks and those of its Alliance partners in the period 1996-1999.⁹⁰ The central tenet of that response was provided by senior ANC and state official, Joel Netshitenzhe, in a 1996 paper, entitled 'State, Property Relations and Social Transformation': '... when pressure from below is exerted

⁸⁶ In other words, the mere exercise of one-person, one-vote elections and existence of formal institutions of representative liberal democracy (in a context of the historical denial/absence of both) was presented as the logical outcome/representation of the 'people's' democratic will.

⁸⁷ Amongst the new social movements however, there have been (and continue to be) substantive organisational differences and political/ideological debates around concepts/practices of democracy. While the new social movements do not represent some kind of homogenous entity, they have become inextricably bound together by the levelling content and common forms of neoliberalism and its 'democratic' framework (both nationally and, to a lesser extent, internationally).

⁸⁸ ANC Deputy General Secretary, Sankie Mthembu-Mahanyele, captured the essence of this when she stated at a conference of 'civil society' activists that there was the need to distinguish between 'positive social formations' and those with whom 'we have a bit of a problem ... We are a young democracy ... we need consensus' ('Thrill of Uhuru is Over', *Mail & Guardian*, 15th August 2003).

⁸⁹ The quote is taken from an Mbeki paper entitled, 'From Resistance to Reconstruction: Tasks of the ANC in the New Epoch of the Democratic Transformation – Unmandated Reflections', unpublished mimeo. This document, which remained in the possession of a select few ANC-Alliance hands until the late 1990s, was penned when Mbeki was ANC Deputy General Secretary and was circulated amongst the Alliance leadership prior to the ANC's 49th National Conference in December, 1994.

⁹⁰ For a detailed discussion and analysis of this see Dale T. McKinley (2001).

it should aim at complementing the work of those who are exerting pressure against the old order from above' (Netshitenzhe, 1996, p.12). This was simply another way of saying that the ANC and the state it controls view any political and/or socio-economic struggle by the poor against its own practices and policies (i.e. governance) as being unacceptable and even illegitimate. The implicit assumption is clearly that the post-1994 state and the people that put it into power are one and the same and that going outside of the organisational and institutional boundaries of democratic 'engagement' set by the ruling party and the state itself should be treated as an act of political heresy and a betrayal of the liberation struggle itself.

Not surprisingly then, the immediate response of the ANC state to the emergence and activities of the new social movements was to portray the movements and their activists as 'criminals' and 'anarchists', rather than as concerned/frustrated citizens making use of the only avenues left for their grievances to be heard.⁹¹ When this seemed to have little effect on the activities and growth of the social movements, ANC leaders chose to use the state's repressive apparatus to launch a co-ordinated 'law and order' crackdown (see Section Three) backed up by a concerted campaign aimed at caricaturing the emergent and collective voices of poor communities and delegitimising the right to utilise hard-won democratic space to engage in peaceful oppositional activities centred on basic socio-economic grievances.

We wish to roundly condemn the actions of those factions for whom these democratic victories ... are mere fodder in the irresponsible pursuit of confrontation and anarchy. We know well from our own struggle that such mindless violence is the practice of at best the naïve, and at worst the agent provocateur. (ANC, 2002, np.)⁹²

ANC/State President Mbeki soon waded in⁹³, clearly intent on bringing the full weight of the ruling party and the state to bear on social movements who were now being portrayed as the enemies of the liberation movement and the state:

Our movement and its policies are also under sustained attack from domestic and foreign left sectarian factions ... They do not hesitate to tell blatant untruths about everything ... We must make the point very clear that we will respond in adequate measure to those who treat us as their enemy. (Mbeki, 2002a, np.)

But Mbeki did not stop there, going further to effectively proscribe the democratic space for oppositional activity against the state/ruling party and proclaim the sole prerogative to determine the needs and desires of the poor 'masses':

These masses do not like being told untruths and deceived, on the assumption that they are simple minded and are only capable of responding to slogans, songs and toyi-toyi ... *The people waged a difficult, costly, protracted and successful struggle to end*

⁹¹ Then Justice Minister, Penuell Maduna stated: 'We can't be responsible for unleashing chaos and anarchy under the guise of people being able to enjoy their constitutional rights' (Battersby, 2002).

⁹² For an extended critical analysis of the WSSD and the role of the ANC state's attempts to repress opposition to it, see Patrick Bond (2002), 'The Word Summit on Sustainable Development: Critiques From the Left', paper presented to the University of Pretoria Department of Sociology, 18th July. Also see the excellent collection of essays in Ndung'u (Ed.) (2003).

⁹³ Interestingly, most all of Mbeki's public interventions (at the time and up to the present) have been made through his weekly - 'Letter from the President'- column in the ANC's online publication, [ANC Today](#).

and negate their role as a protest movement and to transform themselves into a united reconstruction and development brigade ... they will not allow that clock to be reversed ... the people know that, historically, those who opposed and worked to destroy the ANC, and tried to mobilise the workers to act against our movement, were the same people who sought to entrench and perpetuate their oppression ... (Mbeki, 2002b, np., emphasis added).

Mbeki and the ANC state have continued to view and treat the sustained mobilisations and struggles, centred on basic socio-economic needs, by new social movements in poor communities over the last several years as social/political aberrations fomented by opportunistic and disgruntled 'ultra-leftists' taking advantage of the plight of an otherwise contented poor mass. Indeed, Mbeki has gone out of his way to reassure domestic and foreign capitalists that such struggles are peripheral and that the ANC state can guarantee continued social and political control of the poor. Speaking to leaders of big business at a lavish ANC fund-raising dinner held at the Grand West Casino in Cape Town, Mbeki confidently stated that,

the poor, hungry and unemployed masses will not rebel against the ANC ... We know there will be no rebellion among the masses of our people because we will talk to them ... (Mkabhela, 2004).

And yet, the generalised experience of those poor communities that have taken up their democratic right to 'rebel' has been a complete unwillingness on the part of the ANC state to 'talk to them'. Rather, the state has chosen to consciously attack their popular and unmediated forms of democratic expression, including assemblies, demonstrations, picketing and even pamphleteering (Duncan, 2003), activities that have been engaged in precisely because of the state's consistent refusal to 'talk' and listen on terms, and on a terrain, other than those which they dictate and control.

Such a contradictory (and ultimately self-defeating) approach to, and understanding of, the character and content of democratic expression has become the hallmark of the ANC state's 'governance' relationship to new social movements. By welcoming and facilitating the development of 'non-confrontational', apolitical and self-help community-based organisations⁹⁴, and providing them with both institutional space and resources as part of its corporatist social relations model, whilst simultaneously rejecting the *bona fides* of community-based social movements and attempting to marginalize and suppress them, the state has actively sought to replace social relationships with institutional contracts (Ally, 2002). This is consistent with the neoliberal vision of social citizenship becoming a function of individualised success in the capitalist marketplace (Barchiesi, 1999).

On these terms, and on this terrain, poor communities will always be on the losing end. No surprise then, that the active pursuit of legitimate claims to socio-economic rights (which are enshrined in the South African Constitution) outside of the narrow institutional boundaries of a socio-political and

⁹⁴ Many of which have been created by ANC activists/politicians as a means of accessing state resources for activities that fit nicely into the state's appointed apolitical and often technicist 'developmental' agenda for poor communities - an agenda that is widely pushed and supported by international development and finance institutions [See Patrick Bond (2002), 'The African Grassroots and the global movement', *ZNet* Commentary - electronic communication].

legal system that generally excludes the poor⁹⁵ has provoked fear and loathing from a state that is clearly insecure about its powers of governance.

The state wants to assume the power to define how we speak ... to exercise political power in matters of life and death ... In high politics and society, it appears human life is drawn under sovereign power and separated from civil and political rights. (Kistner, 2002, p.16)

However much both the ANC and the state have tried – and will continue to try – to appropriate unto themselves the institutional ‘right’ to define and frame the character and content of democratic space and practice, they have not (and will not) be able to appropriate the realities of lived experience and humanity that are at the core of the activities of the new social movements and the poor who make up those movements. To quote Fatima Meer:

The point is this - if you believe in certain things then your beliefs as a member of the community do not change with the government. Those beliefs remain intact because those beliefs, those values, are the only reality. The new government does not replace the reality of values that we human beings live by ... the challenge now is against your very core beliefs, your very core values, so they now come to the fore and you feel you ought to go and defend these. (Interview with Fatima Meer)

What Kind of Governance and Accountability?

Throughout South Africa’s transition, the vast majority of South Africans have, by and large, accepted the democratic legitimacy of the ANC state. Despite their robust opposition to the neoliberal social and economic policies of that state as well as a desire to extend the realm of democratic expression beyond the institutional boundaries of liberal (bourgeois) democracy, the struggles of the poor communities that constitute the base of the new social movements have not been aimed at the forcible overthrow of the state. One of the key aims of those struggles though, has been to effect a radical change in the character and content of democratic governance.⁹⁶ The Freedom Charter and the RDP, the two documents/programmes most often referred to by poor communities in grounding the purpose and goals of their political and socio-economic struggles, both affirm that, ‘The People shall Govern’. And yet, the lived experience of those poor communities during the transition, has affirmed something far different; namely, that the ‘State and Party shall Govern’ irrespective of what the ‘people’ need and desire. Indeed, it is the broken/forgotten (governance) promises and pledges made by the ANC and the state it now controls, promises and pledges that emanated from a (so-called) ‘contract’ with the ‘people’, that provide the contextual backdrop for the genesis and activities of the new social movements and thus, their relationship to the governance of the ANC state.

⁹⁵ Just like basic services, access to justice has also been commodified under the ANC state’s neoliberal governance. The result is that the poor are doubly-denied; first through the delegitimisation and direct attacks on attempts to influence/change state policies on basic services through (collective) political/organisational means and then through the unaffordability of legal assistance needed to pursue access to rights through the courts (See interview with Shanta Reddy).

⁹⁶ For a term that is so widely used (and abused), there remains a decided lack of agreement over the exact meaning of ‘governance’. At its most basic though governance refers to the practical, lived relationship between government and governed, between state and citizen.

The rhetorical core of that governance, since 1994, has revolved around prioritising the 'delivery' of basic needs and services to South Africa's poor majority and in doing so, effecting meaningful socio-economic redistribution to, and empowerment of, that majority. As this report has shown though, the reality has not even come close to matching the rhetoric, which has recently included President Mbeki's pledge to close the gap between what he refers to as the 'first and second economies' of South Africa. The main reason why the gap has not closed but actually widened is that the ANC state's approach to governance has remained embedded in a neoliberal foundation.

One of the pillars of that foundation is the prioritisation, by both state and society, of the accumulative 'needs' of corporate capital (the first economy) that then, according to the building plan, will provide the means to address the needs of the poor (the second economy). This is precisely the kind of plan that Mbeki has put forward:

We must work hard to ensure that our centre, the first economy, grows and develops to generate the wealth we need to achieve the goal of a better life for all ... poverty and underdevelopment act as a fetter on the further development of the first economy. (Mbeki, 2003, np.)

Not only are the accumulative 'needs' of the capitalists to be the fount of growth and prosperity 'for all' (hardly a ringing endorsement for the 'empowerment' of the 'people'), but also the enduring socio-economic conditions of the poor themselves are identified as the main impediment to such accumulation (as opposed to the other way round). Is it any wonder then that an increasing number of poor South Africans have been openly and actively asking the (rhetorical) question – What kind of democratic governance is this?

The conflict that has emerged between the state and poor communities/social movements, while partially interpretive is predominately a practical manifestation of the very real impact/effect of the ANC state's governance track record. While the ANC repeatedly congratulates itself on the extent of the state's delivery of basic services, the legitimate expectations of the poor continue to be forcibly lowered by their lived reality. As of 2003, the local government services backlog was estimated to be between R47billion – R53billion, with an annual service backlog of R10billion (Khumalo *et.al.*, 2003, p.3). This has meant that a third of all urban blacks continue to live in shack ('informal') settlements, with the increase in shack dwellings matching the number of houses built since 1994. Almost 25% of urban South Africans still use pit latrines.⁹⁷ Where services have been delivered, such as the 1 million households that were electrified between 1996-2001, the number of households without electricity has increased by almost as much due to unaffordability (Hofstätter, 2004).⁹⁸

A senior state official in charge of basic services and infrastructure from the Department of Provincial and Local Government, claims that the backlogs in water, sanitation and electricity infrastructure will be wiped out by 2008, 2010 and 2012 respectively, while simultaneously claiming that state does not have enough resources to 'deliver good, high quality service to all our people ... the best way to deal with this is to structure relationships with people who've got money...' (Interview with Patrick

⁹⁷ This does not take into consideration the living conditions of the rural poor, which are most often worse than those of their urban counterparts.

⁹⁸ These figures are derived from the South African Cities Network report entitled – 'State of the Cities' – that examines the 'delivery' progress of the nine largest municipalities in the country since 1994.

Flusk).⁹⁹ When such realities are coupled with the widespread and consistent inability of local government structures to effectively deliver those services that are available and the concomitant inability of poor households to afford adequate levels of these services due to the implementation of the state's cost-recovery programme¹⁰⁰, it is not surprising that the new social movements have sought radical changes in the character and content of governance (at all levels).

Even where the state has reluctantly taken measures in response to the collective impact of social movement struggles, such as the provision of free 'lifeline' amounts of water and electricity, the amounts provided have been wholly inadequate and the process of decision-making and implementation unilateral¹⁰¹ and in direct contradiction to past promises/ commitments. In his comprehensive national research study on municipal services, David McDonald shows that the amount of free electricity provided is less than 10% of the average consumption of poor households and how the use of a household as the measuring unit for the free amount of water (theoretically provided to every South African household) is fundamentally biased against much larger poor households.¹⁰² Importantly, McDonald's study also confirms that the vast majority of poor households are willing to pay an affordable flat rate for basic services,¹⁰³ a finding that, as he states, clearly debunks the myth – heavily propagated by the state, private sector and the mainstream media – of the 'culture of non-payment' (McDonald, 2002a).

Another example of what might at first seem like a positive state response to the struggles and demands of social movements – the indigent policy – has instead become a classic case of undemocratic governance. Rather than prioritising and adopting a policy of adequate and accessible free basic services (including housing, health and education) that reflects the overwhelming democratic mandate given to the ANC state, the present indigent policy (as contained in Municipal Systems Act) works on the notion that all households can afford to pay for services unless they can prove otherwise (Khumalo *et.al.*, 2003). This is despite the recent acknowledgement by the state's Minister of Provincial and Local Government that many people are not able to pay for basic services (Stephen, 2004). What the indigent policy means, is that poor people are subject to a means test. Not only is this degrading at a level of human dignity but those who decide who qualifies to be an 'indigent' (and thus receive additional, 'top-up' amounts of free services) will be state-appointed 'community development workers' and ANC-dominated local ward committees (Interview with Patrick Flusk). Such a move will no doubt lead to further conflict between the state and social movements – as is evident from the community case studies in Section Two – but will also catalyse

⁹⁹ Flusk is presently Deputy Director General for Free Basic Services and Infrastructure in the Department.

¹⁰⁰ For an incisive presentation and analysis of the state's arguments that underpin their cost-recovery programme, see David McDonald (2002b).

¹⁰¹ In Durban, the legal representatives of the CCG, while working on a water cut-off case in Chatsworth, discovered that the Durban City Council had decided to implement the free amount of 6000 litres per household, per month – the first municipality in the country to do so – because the administrative burden of charging/billing for the first 6000 litres would cost them more than not charging for that amount (Interview with Chanta Reddy).

¹⁰² The free amount provided – 6000 litres per household, per month – is based on a calculation of 25 litres per person, per day for a household of 8 people. Not only is this a gross underestimation of the average number of people in poor – particularly urban – households (a survey in the Phiri section of Soweto found the average number to be 16) but the amount of 25 litres per person, per day is less than half of what the RDP promised would be delivered in the 'medium term'.

¹⁰³ Something that had been standard practice during the 1980s and early 1990s.

further socio-economic divisions within poor communities, enhance the potential for political nepotism and dependency and impact negatively on avenues for meaningful state accountability.

Worst of all though, it will institutionalise competition amongst the poor to be declared 'indigent' so that they can simply access something of what are, after all, their basic human and constitutional rights. According to the state official in charge of overseeing the implementation of the indigent policy, 'we want a society where a person takes charge of his/her own future ... to do that you can't keep on wanting to be an indigent person all your life' (Interview with Patrick Flusk). Under the ANC state's neoliberal governance, it would appear as though there is a return to the colonial 'self-help' discourse in which the poor become responsible for their own 'deliverance' from poverty (Kotze, 2003, p.23), in which everything is marketised - a re-made 21st century neoliberal version of Darwin's 'survival of the fittest'.¹⁰⁴

As evidenced by the very existence of new social movements, state accountability to the citizenry, particularly at the local level in poor communities, has become one of the key points of grievance and conflict. However, this is not within the state's rhetoric

Coming as we do, from almost a century-long tradition of the ANC, of ensuring that we always walk, neither ahead nor behind the people, but side-by-side and in step with the masses of our people, we expect that every ANC representative must, as a matter of course, plan, work and find solutions to problems with the men and women who elected them and the people as a whole. (Mbeki, 2002c, np.)

Of course, the challenge is that in order for party representatives and state officials at the local level to translate stated intent into actual practice they must be willing to engage in dialogue with, listen to and champion the needs of, the citizenry.

The key to a citizenry realising democratic accountability in its relationship with any state and/or ruling party has always been the depth and breadth of active and collective participatory democracy.¹⁰⁵ In transitional South Africa however, the ANC state has actively sought to limit democratic participation to the confines of those institutional structures it has established as receptive vehicles for dialoguing with, and listening to, the citizenry. At the local level the main vehicle has become the ward committee, which is seen as the structure that 'involves community organisations' (Interview with Patrick Flusk). Yet, when the new social movements began to seek greater accountability at the local level by engaging in active and collective participatory democracy - both inside and outside of the state's institutional structures - they soon found out that their democratic participation was not welcome. As an OFWCC member relates:

Most of these people (in ward committees) have been taught to love an organisation, the ANC... as long as its not coming from the ANC then they don't like it ... the ward

¹⁰⁴ It should be remembered that South Africa continues to have the dubious distinction of being ranked amongst the most unequal societies in the world (Over the last ten years, Brazil and South Africa have vied for the top 'spot').

¹⁰⁵ Prior to 1994, the ANC had a long history of association with radical notions and practices of mass participatory and non capitalist democracy, such as those espoused by its SACP ally and practiced by internal allies such as COSATU and the numerous civics and community organisations associated with the United Democratic Front (UDF).

committees, councillors - they say we are anti-ANC, but we tell them it is what the ANC does that we do not agree with. (Interview with Sam Magoka)

These realities have not stopped the long-running and disingenuous attempts by state officials to publicly portray most of the new social movements as failing to 'engage effectively and constructively at the local level' (Muller, 2004).¹⁰⁶

While the social movements have continued, with varying degrees of intensity and effort, to try and open the door to the existing institutional structures of 'accountability' at the local level, it has been their activities outside of such structures that have impacted on the ANC and the state's political, organisational and moral hegemony.¹⁰⁷ As a result, the ANC and the state it controls have been effectively forced to confront an accountability struggle that they can neither completely control nor marginalise. A recently completed review by the Department of Provincial and Local Government of local government structures and service delivery has made the case for a more 'dedicated and hands-on support to local government' and outlines plans to deploy teams of state officials to deal with lack of services, human resource capacity, information systems and to drive public works programmes (Interview with Patrick Flusk).

The ANC has made attempts to reconsolidate its political and organisational hegemony in poor communities by trying to resurrect the moribund and widely discredited SANCO¹⁰⁸, especially in those communities where new social movements have been most active and have garnered sizeable support. A good (and patronising) example of this is evinced by the ANC's Gauteng provincial secretary:

We need a strong civic movement to help keep our councillors close to the people and ensure that communities shape the programme and priorities of governance ... without a strong and dynamic SANCO, the ultra-revolutionaries will mislead our people ... (Makhura, 2003).

When social movement struggles around electricity cut-offs and pre-paid meters in Gauteng succeeded in forcing the state (through ESKOM) to write-off a substantial amount of 'arrears', ESKOM,

¹⁰⁶ Mike Muller is presently Director-General of the Department of Water Affairs and Forestry. We say 'most' because one of the new social movements, the Treatment Action Campaign, has been widely lauded for its various forms of engagement with the state. However, it should also be noted that TAC leader, Zackie Achmat has on numerous occasions publicly declared that he is, 'a loyal and disciplined member of the ANC'.

¹⁰⁷ One of the greatest strengths, and sources of political legitimacy, of the ANC since 1994 has been its ability to claim the moral high ground – a direct result of the ANC's dominant political leadership within the anti-apartheid liberation struggle and its political brokering of a negotiated settlement. However, since 1994 (and especially since Mbeki took the reins of power), that moral high ground has gradually been eroded due to widespread corruption within the state and the gross self-enrichment of former liberation leaders through the state-driven, 'Black Economic Empowerment' programme. While social movements have been slow to integrate a moral critique into their struggles, the reality of the impact of the ANC/state's policies and actions on poor communities and the consequent struggles of those communities, when set against the increasing corruption and self-enrichment, has provided the social movements with a potent moral weapon.

¹⁰⁸ As the more specific examples contained in Section Two reveal, the once mighty SANCO has, over the last several years, ceased to be a significant voice for poor communities. Its national and provincial leadership structures have simply become sycophants of the ANC, going so far as to publicly attack COSATU as being unpatriotic and counter-revolutionary for engaging in a strike over the ANC state's privatisation programme. The same leadership have also emerged as budding capitalists, hopping into bed with corporate capital in so-called 'black economic empowerment' initiatives. However, there still remain a small number of local SANCO branches scattered across the country that do take up socio-economic struggles in poor communities.

in a clear attempt to undermine the role of the social movements, publicly announced that it had brokered the deal with SANCO (McDonald, 2003). The ANC has also embarked on a programme to strengthen its local branches, which in many poor communities have virtually disappeared or become personal fiefdoms of ambitious and often corrupt local councillors¹⁰⁹ and has instructed its branches to, 'take the responsibility for local economic development in municipalities', to engage in 'close cooperation with local councillors and ongoing interaction with communities on their needs and capacities' and to 'work to ensure that communities are actively involved in the planning and implementation in each (service delivery) nodal area ... '(ANC, 2003, np.). Clearly, the new social movements, whether or not the ANC and the state want to admit it, have shifted the terrain of governance and accountability, even if the road to direct and active participatory democracy still remains mostly closed.¹¹⁰

Extending Pluralism, Deepening Participation

The people are starving. Have you been inside these tin shacks? You see, when you go inside you find a mother and father sitting with their children looking at each other's faces, hungry faces ... poor people are hungry in Orange Farm ... they say the people must celebrate ten years of democracy, but people are still hungry...how can we celebrate with empty stomachs?

Tseko Mokwena (OFWCC member)

Since 1994, both domestic and international commentators and politicians have regularly held up South Africa as a shining example of an inclusive and progressive democracy. The Constitution has been widely praised, as have the various consensus-seeking structures and most of the Chapter 9 institutions.¹¹¹ Add to this, the existence of a multi-party political system and a wide range of 'civil society' organisations and it would seem as though South African democracy has little to worry about. However, as this report has extensively catalogued and analysed, it is the levels of socio-economic inequality (i.e. poverty and the distribution of wealth), the policies that have been adopted to deal with them and the enforced, and narrow, institutional boundaries of liberal bourgeois democracy that represent the most serious indictment of South Africa's democracy.

The existence and activities of the new social movements, as incipient as they might be, are not only a direct result of the socio-economic realities that pertain in contemporary South Africa but also represent a positive contribution to widening and deepening democracy. 'What community struggles do, is change the consciousness of people ... even if (the struggles are) defensive you learn how to organise... ' (Interview with Martin Legassick). This is something that appears to have been lost on the former liberation leaders that are now at the head of both the ANC and the state. In the 1980s it was social movements – in the form of 'civics' as well as various women, youth, church, and

¹⁰⁹ In many communities, it has been the activities of the new social movements that have exposed the serious weaknesses of and problems with the ANC's local branches and councillors. There is more than one example of ANC councillors being physically chased out of communities and only re-entering under armed guard.

¹¹⁰ This is true even if some of the shifting is linked to the next local government elections in late 2005.

¹¹¹ The Chapter 9 institutions include: The Human Rights Commission; The Commission for Gender Equality; The Public Protector; The Electoral Commission; The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities; and, The Auditor-General.

worker organisations – and the struggles they undertook that provided such a participatory and pluralistic social/political base and laid the foundation for meaningful democracy.¹¹² This was the case precisely because these movements gave voice to the poor majority that were the most oppressed and excluded. While formal and institutionalised apartheid is now gone, the same poor majority continue to be the most oppressed and excluded. The new social movements are now ‘articulating the interests of the poor (and) speaking the politics of the poor’ and are challenging the boundaries of what is seen as ‘politics’ in the post-apartheid era (South African Labour Bulletin, 2003, pp.9-13). In this sense then, the new social movements, ‘are a powerful reaffirmation of a healthy and deep-rooted civil society tradition of direct democracy that the ANC itself once embraced’ (Schmidt, 2004).

As opposed to the individualising thrust of liberal bourgeois democracy under neoliberalism that has come to dominate the South African polity, the new social movements have evinced a reclamation (and extension) of a more radical collective and participatory democratic practice. The voices of social movement activists affirm this:

We try to encourage people to come together so that they can have a big voice ... that is the platform where we can go and challenge some of the things that are unjust. (Interview with OFWCC activist Philemon Jiba)

Every poor community that we have ... we have come together and are all are looking for the same thing ... we all have the same problems ... it’s a unified problem throughout the country, through out the world. (Interview with WRA activist Orlean Naidoo)

We want to become a broader movement that can be a force for the interests of the poor, that can engage in policy issues at all levels of government, that can come up with alternative policies ... (that can) make our communities stronger. (Interview with MPAEC activist Fonky Goboza)

In turn, this has lead to many other individuals, academics and organisations/movements, both in and outside South Africa, becoming involved, in various ways, with the new social movements and/or relating to their socio-economic struggles.¹¹³ As shown in the community case studies (Section Two), local community struggles and the social movements that have been built-up around them have increasingly been able to

articulate the links between macro-economic policies, globalisation and increased poverty and hardship. Many have formed networks across national boundaries and

¹¹² The majority of these 1980s social movements were, in one form or another, aligned to the ANC and/or its formal alliance partners, COSATU and the SACP. There were others though that were aligned to political organisations like the PAC, AZAPO and smaller left groups.

¹¹³ Research outfits like the Centre for Civil Society at the University of Kwa-Zulu Natal have dedicated entire research projects to studying social movements and others have commissioned papers and held numerous seminars to open up debate and discussion around the character and content of social movement organisation and struggle. NGOs such as the Freedom of Expression Institute and the Education Rights Project have integrated increasing amounts of their work directly with the activities of social movements. Overseas NGOs and movements such as Public Citizen in the US, OXFAM and Alternatives in Canada, ATTAC in numerous European countries, Indymedia in North America (and the list goes on) have all done work/research on South Africa’s new social movements and have increasingly engaged in direct solidarity and joint initiatives.

forged alliance with similar movements and struggles in other parts of the developing world, as well as with the international anti-globalisation movement. (Kotze, 2033, p.3)

Not only have these developments catalysed a greater political and social pluralism within the South African polity, but they have also spurred and inspired similar socio-economic struggles in poor communities as well as links of solidarity within and outside South Africa.¹¹⁴ As a Zimbabwean social movement activist wrote:

It is with inspiration that we observe the developments in South Africa in the struggle for social and economic justice. The courage that you comrades demonstrate in the face of an increasingly ruthless and desperate government sworn to serving the interests of capital at the expense of the poor indeed inspires the poor beyond your borders to stand up and fight ... yours is not an isolated fight ... it is our duty to humanise the world again. (Students Against Privatisation, 2003, np.)

Even those social and political forces in South Africa, such as COSATU, that have adopted a generally negative view towards social movements, have been forced to acknowledge and respond (both politically and organisationally) to the impact and import of social movement struggles.¹¹⁵

It is because the character of struggle and the dominant content of activity of the new social movements are grounded at the most basic level of the lived reality of the poor (i.e. a building of 'people's power' from the bottom up), that the movements have had a positive impact on extending pluralism and deepening democratic participation, even beyond the borders of South Africa. In practical terms, this has not led to a decrease in community-state conflict, but it has opened-up new avenues and possibilities for meaningful dialogue to take place precisely because the ANC state is increasingly unable to ignore and/or marginalise a growing collection of voices and activities emanating from its own core (democratic) constituency that speak to the very foundation of any real democracy – equality and justice. This development is healthy for South Africa's democracy and should be welcomed and encouraged by all those who are genuinely interested in contributing to ensuring that the country's young democracy not only survives but flourishes. Nonetheless, the extent to which conflict can be lessened will ultimately depend on whether or not neoliberal economics and politics continue to determine the developmental framework. In the words of one honest state official: 'The poor cannot be kept out forever... they will arise in their numbers against a system that oppresses them' (Yeld, 2003).¹¹⁶

¹¹⁴ Within the first months of 2005, an increasing number of poor communities (mostly organised as 'Concerned Residents' groups), especially in smaller towns across South Africa, have engaged in direct action and protest to highlight community grievances over basic service delivery. While few of these have any formal connection with established social movements, there is little doubt that the cumulative struggles of social movements over the last 2-3 years, mainly concentrated in the large urban areas, have begun to have impact in other areas. On the international front, political groups and social movements have, on numerous occasions engaged in solidarity actions, protests/marches etc. in support of South African social movements.

¹¹⁵ See interview with Roger Ronnie (General Secretary of SAMWU) as well as the article by the General Secretary of the National Union of Mineworkers, Gwede Mantashe (2003).

¹¹⁶ At the time of making this statement, Wallace Mgoqi was City Manager for Cape Town.

Democracy and the State Under Capitalism

*The political system of liberal democracy looks more and more like a mixture of plebiscitary dictatorship and corporate oligarchy.*¹¹⁷

James Cornford (1972)

The dominant theoretical construct that has informed interrogations of, and approaches to, South Africa's 'democratic transition' - i.e. capitalist (bourgeois) liberalism - falsely separates democratic form and content/context.¹¹⁸ As such, democracy is conceptualised separate from its historical materialist base, as some sort of neutral principle floating somewhere outside material relations. The result is a single analytical starting point; namely, that democracy is a function of institutional arrangements within capitalist society. In turn, this leads to the concept of class and the practice of class struggle, which is after all what the socio-economic struggles of new social movements actually are, being understood solely in relation to the dominant, contemporary institutional form of democracy under capitalism (i.e. representative democracy).

The generalised failure to grasp the theoretical nettle of democracy under capitalism necessarily leads to a focus on existing institutions of representation as the axle upon which any meaningful social and political activity turns. In relation to the character and content of the various struggles of South Africa's new social movements then, the main argument, vigorously punted by ANC/Alliance intellectuals (Sachs, 2003), centres on the necessity for social movements to accept, and participate in, the institutional 'democratic' framework ('institutionalised politics') as the only legitimate and acceptable means to impact on, and potentially change, both state (in character and policies) and society.¹¹⁹

The conceptual heart of this argument is fundamentally embedded within the precepts of classic bourgeois liberalism. In other words, that institutionalised pluralism (i.e. of a multiplicity of organisational forms) is the essence of democracy regardless of the dominant social relations within which such pluralism operates. The problem here is obvious though - such an institutionalisation, under capitalist social relations, has always and everywhere led to an inevitable 'democratic' sterility. Pluralism simply becomes a catchword for a range of organisational and individual voices that are contained and limited within the narrow institutional and political confines of liberal bourgeois democracy that offers precious little in the way of seriously contesting the parallel character and content of a capitalist neoliberal state and the associated policies it implements.

The sterility that derives from this approach has been more than evident over the last ten years, in relation to South Africa's traditional political and social organisations/movements. The devastating effects of this institutionalised sterility on the long-term capacity of working class organisations and poor communities to effectively challenge the agenda of capital and the state institutions that now

¹¹⁷ James Cornford (1972) quoted in Michael Levin (1989), p.145.

¹¹⁸ There are numerous examples. See: ANC (1996), The State and Social Transformation (Discussion Document); Glenn Adler and Eddie Webster (1999), 'Towards a Class Compromise in South Africa's 'Double Transition': Bargained Liberalisation and Consolidation of Democracy', Politics and Society, Vol.27 (3); Allister Sparks (2003), Beyond the Miracle: Inside the New South Africa (Johannesburg: Jonathan Ball); and Karl von Holdt (2003), Transition from Below (Pietermaritzburg: University of Natal Press).

¹¹⁹ For a fuller exposition of this argument, see Michael Sachs (2003).

act, in the main, as the 'public' arm of the private (capitalist) sector, are there for all to see. Regardless of the institutionalised pluralism that has accompanied processes of political democratisation since 1994, the South African state, at all levels, remains a capitalist state (albeit a (formally) deracialised one). The poor who remain oppressed and exploited under the governance of such a capitalist state and the political party that controls it, thus have every reason to practice their politics predominately outside of the institutional boundaries of both state and party as a means towards a more direct and meaningful accountability and expression of democratic 'voice'.

While the state (both in general terms and as applied to South Africa) is a complex entity possessing its own set of internal contradictions, it is not a neutral institution that can somehow be enveloped and radically transformed through participation in its associated institutional 'network' (including periodic elections). States are, as Marx so cogently argued, the organic repressive and ideological apparatuses of a class and in South Africa's immediate future that class is capitalist. This is regardless of the hypocritical attempts by the new black elite (both inside and outside the state) to present themselves as part of the broad working class/poor and somehow suspended above material relations and class realities.

Certainly the ANC state has, and will continue, to play a role that is not necessarily always in line with the highest neoliberal expectations and demands of corporate and finance capital - it will no doubt, for example, continue to play a part-time welfarist role that tries to smooth over class conflict and struggle. However, while capitalist relations under neoliberalism remain the driving force in society, the state will always imbibe and reflect those dominant relations in the most specific of ways. The kind of classless analysis of democracy and the South African state that presides over it, that passes for critical intellectual endeavour, leads directly to the kind of quiescent and sterile 'institutional politics' that most of South Africa's new social movements want to avoid, and transcend.¹²⁰

Most of South Africa's new social movements (and the poor who make-up those movements) have, unsurprisingly, exhibited little desire to be part of the institutionalised mainstream of South African politics. This is precisely because these movements have been borne out of the very failures and betrayals of South Africa's main political 'currents' and the institutional democratic framework that gives them contemporary legitimacy. In many poor urban and rural communities, it is through the activities of new social movements that an increasing number of people experience and practice meaningful democracy. Indeed, it is no coincidence that the growing impact and popularity of the daily 'bread and butter' issues and struggles taken up by the social movements, is directly linked to the adverse effects of the ANC state's neo-liberal policies on the poor majority that are most acutely experienced through the 'offices' of the various institutional mechanisms of representative democracy.

The fact that most social movements are presently outside of the mainstream of South Africa's institutional political framework is representative of a reality that the ANC state and its allies appear wholly unwilling to face - i.e. that an increasing number of poor South Africans no longer see active

¹²⁰ Eric Hobsbawm's argument that intellectuals who have been part and parcel of a revolutionary party/liberation movement most often retreat into the 'posture of the (liberal) advocate' once they have realised that the politics-ideology of that party/movement is not going to deliver what was expected, rings true in the South African case. See Eric Hobsbawm (1973).

participation in the present institutional set-up of representative democracy as being in their political and/or socio-economic interests.¹²¹

Social ownership starts to become a reality only from the moment when democratisation has made such powerful progress that citizen-producers have become masters of all the decisions taken at all levels of social life. (Amin, 2001, np.)

If, as a sizeable section of South Africa's new social movements do, contemporary politics under capitalist neoliberalism is understood as the continuing practice of a class struggle, then it should not be difficult to understand why the existing state, its institutionalised politics (i.e. liberal bourgeois democracy) and its socio-economic policies are seen, and treated, as a central target of that practice. The democratic content of that practice cannot be manufactured and/or imposed. Those struggling to create new avenues of political expression, governance and accountability and to free themselves from the shackles of capitalism's 'democracy' will create it – and that is precisely what new social movements are in the process of doing.

¹²¹ Empirical confirmation of this can be found in the rapidly declining numbers of poor who actually are utilising their vote (especially at the local government level) and this, only ten years after the 'victory of democracy' for which they fought so long and hard.

Section Five

PHOTO: James Barrett



Recommendations

The resurgence of popular grassroots organisations – in the form of new social movements – since 1994 has profoundly altered the political landscape of South Africa and relations within civil society more generally. As this research report demonstrates, the antagonism between the state and social movements, a direct result of the adoption of neoliberal strategies and policies, has led to increasing levels of conflict around basic socio-economic issues/struggles. The return of such conflict in the context of a society that has historically experienced the trauma of politically motivated violence presents a major challenge to both the social and political cohesiveness of South Africa's still-fragile democracy. While it is highly unlikely that the current conflict between the state and the new social movements will go away anytime soon, there are possibilities for the terrain on which the conflict is taking place to be altered so as to facilitate greater space for dialogue and constructive forms of engagement between the antagonists. It is within this spirit that the following recommendations are offered:

For Community Organisations/Social Movements:

- Develop programmes for the dissemination of information relating to existing structures of dialogue within communities (e.g. ward committees, community development forums and community policing forums). This should be paralleled by the development of strategies for direct involvement in such structures with the explicit aim of democratising and empowering these structures.
- Capacitate members to develop avenues for participating in policy formulation at the local, provincial and national levels of government. At present, community organisations simply have not attempted, in a co-ordinated way, to impact on policy formulation, preferring to react to legislation as it begins to affect their daily lives.
- Expand existing (but limited) initiatives aimed at broadening the knowledge base of social movement activists in relation to domestic macro-economic policy and international political economy (e.g. political education workshops).
- In order to empower ordinary members of social movements, there is the need to embark on learning experiences that would raise literacy levels and basic life skills (e.g. night schools). In addition to raising levels of general educational competency, such programmes would specifically empower women, who make up the bulk of the membership of new social movements and who are historically the most affected by the legacy of the apartheid education system, patriarchy and poverty.
- The development and/or expansion of income-generating projects. Where such projects already exist (e.g. the women's consortium gardening project in Orange Farm), it is clear that they have served to enhance community solidarity and have also served to articulate alternative forms of collective livelihoods. Although such projects are limited in the extent to which they present alternatives to state provision for socio-economic need, in the absence of the latter these projects could play an important role in meeting the needs of basic survival.
- Deepening and broadening existing strategies for bringing social movements together and creating the space for dialogue between social movements at a national level (e.g. the Social Movements Indaba initiative). This would not only take forward the development of policy alternatives to the current macro-economic trajectory but would also enhance solidarity between communities that are experiencing the negative effects of neoliberal restructuring.
- A re-orientation towards identifying and accessing existing state programmes and resources that are ostensibly aimed at enhancing community development (e.g. National Development Agency initiatives/projects). Presently, most social movements are completely dependent on financial assistance from either members and/or overseas-based funding agencies but have yet to develop ways and means of accessing resources from their own government.

For Progressive Organs of Civil Society:

- Orientating existing and new civil society projects/programmes towards linking up with the work and struggles of new social movements. As things stand, social movements exist on the periphery of the NGO sector.
- The creation of learning experiences involving NGOs/civil society activists aimed at augmenting existing knowledge of the work being done by social movements in poor communities and the associated socio-economic struggles that they have undertaken (e.g. workshops, seminars, popular booklets).
- Assist social movements in the development of capacity-building programmes in relation to:
 - a) Knowledge and application of basic constitutional rights and existing legislation that impacts on the daily lives of community residents and their socio-economic struggles;
 - b) Available structures of dialogue with the state;
 - c) Policy formulation at all levels of government (but specifically as applied to the local/municipal sphere);
 - d) Domestic macro-economic policy and international political economy (i.e. economic literacy);
 - e) The formation and sustenance of income-generating projects/community co-operatives;
 - f) Accessing state resources earmarked for developmental programmes;
 - g) Processes and procedures in lodging of complaints in circumstances where the state has acted unlawfully.
- To undertake an audit of progress made by the state in giving expression to civil and political rights. An example of this would be to test the effectiveness of legislation such as the Gatherings Act in realising the constitutional right to social dissent and political protest. As part of such an audit, determination would need to be made of the most effective mechanisms for disseminating the findings to social movements and other stakeholders.
- Setting up a partnership of civil society organisations to play a watchdog role in relation to civil and political rights. This would involve the monitoring of protest and conflict to ensure that the rights of all those involved are being respected and upheld. Practically, consideration would need to be given to the training and deployment of 'observers' in conflict areas and for specific events. Additionally, the partnership would also need to develop strategies for the dissemination of information related to socio-economic conflict and civil/ political rights.
- To offer practical assistance for the networking of social movements and civil society more generally. For example, assisting in the establishment of community ICT centres, in conjunction with social movements, to allow for access to cheap forms of communication and information dissemination.
- The extension of civil society media monitoring strategies to include coverage of social movement struggles. In this regard, special attention would need to be given to the manner

in which the reproduction of the marginalisation of social movement struggles is effected through the mainstream media.

For the State:

- Establish an investigative commission to probe the role of the private sector in municipal/community policing, in particular, their involvement in large-scale cost recovery operations and evictions. For example, the crucial role played by Wozani Security (the 'red ants') in the Johannesburg Metro. Such a commission, would also review municipal guidelines in relation to the outsourcing of security functions to the private sector.
- Setting up specific training programmes for the police and other officials in the criminal justice system (e.g. magistrates, state prosecutors and public defenders) to acquaint them with legislation governing civil and political rights – for example, the Gatherings Act.
- Develop specific protocols for municipal officials to be employed in the carrying out of cost recovery operations that relate to the carrying and use of weapons, conflict resolution mechanisms and procedures for non-violent punitive action.
- The integration of strategies aimed at minimising conflict centred on socio-economic issues, in both community policing forums (CPFs) and community development forums (CDFs). An example would be for CPFs to develop guidelines to assist police in managing protests involving large numbers of people from the community.
- To orient ward committees and other local government-community structures towards the inclusion of social movements/community organisations in a manner that minimises existing antagonism and exclusivist tendencies.
- The Human Rights Commission to consider a second round of 'Poverty Hearings' oriented around issues that have emerged as a direct result of socio-economic conflict between communities and the state. This would include testimonies from community residents and social movement activists as well as assessing the impact of cost recovery operations carried out by the state in exacerbating the effects of poverty and intensifying conflict.
- National government to convene a summit focusing on the socio-economic crisis currently affecting poor communities. Such a summit would create space for, and extend, the current dialogue around issues of socio-economic import to move beyond the narrow boundaries that presently characterise state-community relations.

General

- The convening of a 'Right to Dissent' national conference involving representatives of the state (from all levels of government), trade unions, NGOs, social movements/community organisations and the private sector (in particular, private security firms and those involved in service delivery). Such a conference would be designed to create avenues for the sharing of differing perspectives on democratic expression and dissent. It would also need to address the implications of the proposed anti-terror legislation on the status of civil and political rights in South Africa, the region and on the continent as a whole.

List of References

- Achmat, Z. (2002). Message from Zackie Achmat (TAC) to 14th International AIDS Conference. Barcelona (10 July). Available internet: <http://www.nu.ac.za/ccs>
- Alexander, N. (1993). Some are more equal than others: Essays on the transition in South Africa. Cape Town: Buchu Books.
- Ally, R. (2002). The size and scope of the non-profit sector in South Africa, Charles Stewart Mott Foundation Report. Braamfontein: Charles Stewart Mott Foundation
- Amin, S. (2001). Imperialism and Globalisation, Monthly Review, 53 (2) (June). Available Internet: <http://www.monthlyreview.org/0601amin.htm>
- African National Congress. (1994). Reconstruction and Development Programme. Johannesburg: Umanyano Publications.
- African National Congress. (2002). 'ANC statement on the WSSD', email statement (25 August).
- African National Congress. (2003). 'ANC Programme – volunteer to push back the frontiers of poverty', ANC Today, 3 (11) (21-27 March).
- Anti-Eviction Campaign. (2002). State repression triggers burning rage in Khayelitsha. Press Release (18 September).
- Anti-Eviction Campaign. (2003a). AEC blockading police station. Press Release (21 January).
- Anti-Eviction Campaign. (2003b). Mandela Park 44 to appear in CT court today. Press Release (18 February).
- Anti-Privatisation Forum. (2003a). Residents of Driziek in Orange Farm to march against plans to evict entire community. Press Release (9 January).
- Anti-Privatisation Forum. (2003b). APF activist in Orange Farm shot dead. Press Release (8 February).
- Anti-Privatisation Forum. (2004). ANC councillor and members in Orange Farm attack and threaten APF activists distributing political pamphlets. Press Release (10 February).
- Ballard, R., Adam, H., Imraan, V. and Elke, Z. (2003). Globalization, marginalisation and the contemporary social movements in South Africa. Article submitted to African Affairs.
- Barchiesi, F. (1999). The public sector strikes in South Africa, Monthly Review, 55 (5).
- Barchiesi, F. (2002). Exploding the nation: South Africa between collapse of the wage paradigm, sovereignty crisis and bio-political insurgency, Multitudes, No.10.
- Barchiesi, F. Desai, A. and van Heusden, P. (2003). Taking back 'Mandela's Park': community struggles and new social subjectivities in post-apartheid South Africa, Centre for Civil Society Research Paper. Available Internet: <http://www.nu.ac.za/ccs>.
- Barnard, R. and Farred, G. (2004). After the thrill is gone: a decade of post-apartheid South Africa. Durham: Duke University Press.
- Battersby, J., and Terreblanche, C. (2002, August 29). You won't march, government tells Ministers, Cape Times.

- Bayview Flats Residents Association. (2002). Press Release (22 November).
- Bell, T. and Pantland, W. (1997). Private security in South Africa. Available Internet: <http://www.nu.ac.za/ccs>.
- Bisetty, K. (2001, 23 May). War on City Authorities, Daily News.
- Bomhke, H. (2000). Email correspondence (29 February).
- Bond, P. (2002). Thabo Mbeki addresses his compatriots, ZNet Commentary (18th February) – electronic communication.
- Bond, P. (2003). Johannesburg's resurgent civil society. Paper prepared as part of a Free University (Berlin) study on aspirant world cities (August).
- Bundy, C. (2004). The Presence of History. Paper presented Looking at South Africa Ten Years On, School for Oriental and African Studies, London (10-12 September 2004).
- Cape Times. (2002, November 08).
- Chomsky, N. (1999). Profit over people. New York: Seven Stories Press.
- Concerned Citizens Group. (2000a). Letter to the Public Protector, Selby Bagwa (10 February).
- Concerned Citizens Group (2000b). Violence in Chatsworth. Press Release (10 February).
- Concerned Citizens Group. (2001). On evictions and cut-offs. Press Release (12 March).
- De Angelis, M. (1998a). Marx and primitive accumulation: the continuous character of capitals enclosures. The Commoner Web Journal, No. 2. Available Internet: <http://www.commoner.org.uk>.
- De Angelis, M. (1998b). Towards a theory of globalization and strategy. Paper delivered at European Association of Evolutionary Political Economy, Lisbon (November). Available Internet: <http://homepages.uel.ac.uk/M.DeAngelis/EAEPE98.htm>
- Desai, A. (2002). 'Witnessing the transition' - <http://www.nu.ac.za/ccs>
- Desai, A. (2003a). We are the poors. New York: Monthly Review Press.
- Desai, A. (2003b). Neoliberalism and resistance in South Africa. Monthly Review, 54 (8) (January).
- Desai, A. and van Heusden, P. (2003). Is this Mandela's Park? Community struggles and state response in post-apartheid South Africa. Centre for Civil Society Research Report. Available Internet: <http://www.nu.ac.za/ccs>.
- Desai, A. and Pithouse, R. (2004, March 08). (Un)civil Society and the vote. The Mercury.
- Dixon, N. (2001). Grassroots struggles revive. Green Left Weekly (11 July).
- Duncan, J. (2003a, October 06). Johannesburg Water's actions against Anti-Privatisation Forum violate the freedom of expression, Sowetan.
- Duncan, J. (2003b). Another journalism is possible: critical challenges for the media in South Africa. Centre for Civil Society Research Report, No. 10 (December).
- Fiil-Flynn, Maj. (2001). 'The Electricity Crisis in Soweto', Municipal Services Project Paper Available Internet: <http://www.queensu.ca/msp/pages/Project/publications/Series/4.htm>.

- Govender, S. (1999, 1 October). Battle Royale over tenancy, The Leader.
- Habib, A. (2003). State-Civil Society in post-apartheid South Africa. South African Labour Bulletin, 27 (6) (December).
- Habib, A. and Padayachee, V. (2000). Economic policy and power relations in South Africa's transition to democracy. University of Kwa-Zulu Natal School of Development Studies Research Paper.
- Haffajee, F. and Robinson, V. (2003, May 13-19). Eskom writes off R1.4 billion in arrears, Mail & Guardian.
- Hobsbawm, E. (1973). Revolutionaries. London: Phoenix Publishers.
- Hofstätter, S. (2004, May 27). Shock findings in report on South African cities, This Day.
- Horner, B. (2002, December 15). Anti-eviction group gets national allies. Sunday Times.
- Cape Argus (2002, June 12). Hostage drama as anti-eviction row heats up.
- ILRIG. (2002). Is there an alternative?: South African workers confronting globalisation. Cape Town: Ilrig.
- Indymedia SA. (2002). People's power: launching the social movements indaba, Electronic statement (22 August): <http://southafrica.indymedia.org>.
- Khumalo, G.L. and Rapoo, T. (2003). Alternative service delivery arrangements at municipal level in South Africa. Centre for Policy Studies Research Report, No.12 (September).
- Kistner, U. (2002). The constitutional right to live, and the political power to let die. Debate, No. 8 (September).
- Kotze, H. (2003). Responding to the growing socio-economic crisis? A review of civil society in South Africa. Development Update, 4 (4) (November).
- Langry, T. (2003, 20 July). Give them water. Sunday Tribune Herald.
- L'Écuyer, F. (2003). Destroy the meter, enjoy the water. Article posted on Indymedia SA website: <http://southafrica.indymedia.org>
- Levin, M. (1989). Marx, Engels and Liberal Democracy. New York: St. Martin's Press.
- Leys, C. and Saul, J. (1999). Sub-Saharan Africa In Global Capitalism. Monthly Review, 51 (3) (July-August).
- Mackay, M. (2002, March 26). Evictions or arrears; Cape Town's catch 22. Cape Argus.
- Mail & Guardian. (2003, August 15-21). Thrill of Uhuru is over.
- Makhanya, M. (1996, August 12). Death of dissent within the ANC. The Star.
- Makhura, D. (2003). Address to the Regional Congress of COSATU Wits, by ANC Gauteng Provincial Secretary. Unpublished mimeo (26-27 July).
- Mantashe, G. (2003). Trade unions and social movements in South Africa, South African Labour Bulletin, 27 (6) (December).
- Marais, H. (1998). South Africa, limits to change: the political economy of transition. London: Zed Books.

- Marx, A. (1992). Lessons of struggle: South African internal opposition, 1960-1990. Cape Town: Oxford University Press.
- Masemola, T. (2000, 4 October). ANC far too sensitive. Daily News.
- Mbeki, T. (1994). From resistance to reconstruction: tasks of the ANC in the new epoch of the democratic transformation – unmandated reflections. Unpublished mimeo.
- Mbeki, T. (2002a). Statement of the President of the ANC, Thabo Mbeki, at the ANC policy conference. Kempton Park (27 September).
- Mbeki, T. (2002b). Letter from the President, 'The masses are not blind', ANC Today, 2 (40) (4 - 10 October).
- Mbeki, T. (2002c). Letter from the President, 'Public representatives walking in step with the people', ANC Today, 2 (46) (15 - 21 November).
- Mbeki, T. (2003). Letter from the President, 'Towards a people-centred new world order', ANC Today, 3 (43) (31 October - 6 November).
- McDonald, D. (2002a). The bell tolls for thee: cost recovery, cut-offs and the affordability of municipal services in South Africa. Special Municipal Services Project Report (March).
- McDonald, D. (2002b). You get what you can pay for. Harold Wolpe Memorial Lecture at the University of Kwa-Zulu Natal (28 August).
- McDonald, D. and Smith, L. (2002). Privatising Cape Town: service delivery and policy reform since 1996. Municipal Services Project Occasional Paper No. 7 (February).
- McDonald, D. (2003). Unpublished letter to the editor of the Mail & Guardian.
- McKinley, D.T. (1997). The ANC and the liberation struggle: a critical political biography. London: Pluto Press.
- McKinley, D.T. (2001). Democracy, power and patronage: debate and opposition within the ANC and Tripartite Alliance since 1994, in R. Southall (Ed.), Opposition and democracy in South Africa. London: Frank Cass Publishers.
- McKinley, D.T. (2003a). The Crisis of Public Services in Southern Africa. Paper presented to the Rosa Luxemburg Foundation Conference on Public Services in Southern Africa (Johannesburg: 3-5 December).
- McKinley, D.T. (2003b). The political economy of the rise of social movements in South Africa. Centre for Policy Studies Seminar Paper (November).
- Meer, F. (2000, February 17). Evictions and violence: Bayview and Westcliff. Natal Witness.
- Meer, F. (2001). The struggles of Chatsworth. Debate, No.5 (March).
- Mkandawire, T. and Soludo, C.C. (1999). Our continent our future: African perspectives on structural adjustment. Trenton, NJ.: Africa World Press.
- Mkhabela, M. (2004, February 21). Poor won't rebel. City Press.
- Muller, M. (2004, May 21-27). Keeping the taps open. Mail & Guardian.

- Municipal Services Entity Committee. (2003/2004). Minutes of meetings, City of Johannesburg (August – May).
- Naidoo, P. (2004). The life of an activist is not easy – another shooting in Orange Farm. Voice of the People, Newsletter of the Anti-Privatisation Forum (February).
- Naidoo, P. and Veriava, A. (2003). People before profits? A review of development and social change. Development Update 4 (4).
- Naidoo, P. and Veriava, A. (2004). (Re)membering movements, Centre For Civil Society Report. Available Internet: <http://www.nu.ac.za/ccs>
- Naidoo, S. (2002, December 01). We will not be moved. Sunday Times.
- Netshitenzhe, J. (1996). State, property relations and social transformation, ANC Discussion Document.
- Ndung'u, S.K. (Ed.). (2003). The right to dissent. Johannesburg: Freedom of Expression Institute.
- Nothing for Mahala: the forced installation of prepaid water meters in Stretford, Extension 4, Orange Farm, Johannesburg, South Africa. (2004). Research Report by Public Citizen, the Anti-Privatisation Forum and the Coalition Against Water Privatisation (March).
- Ntanyana, M. and Goboza, F. (2003). Anti-Eviction Campaign activists defiant in the face of apartheid style bannings. Paper posted on Centre for Civil Society website: <http://www.nu.ac.za/ccs>.
- Orange Farm Water Crisis Committee. (2003). Community activist, militant for justice and socialist – we remember comrade Emily M. Lengola. Pamphlet (February).
- Research & Education in Development. (2002). Unsustainability: a handbook for journalists. Johannesburg: South African NGO Coalition.
- Ruiters, G. (2003). Local government confronts the new ungovernability. Debate, No.9.
- Sachs, M. (2003). We don't want the fucking vote: social movements and demagogues in South Africa's young democracy. South African Labour Bulletin, 27 (6) (December).
- Saul, J. (2001). Cry for the beloved country: the post-apartheid denouement. Electronic Paper (January).
- Schmidt, M. (2004, May 05). Social forces clash over transformation. This Day.
- Social Movements Indaba. (2002a). Our world is not for sale. SMI Statement on the World Summit on Sustainable Development (August).
- Social Movements Indaba. (2002b). State repression intensifies. Press Release (24 August).
- South African Labour Bulletin. (2003). Special report. South African Labour Bulletin, 27 (6) (December).
- South African Municipal Workers Union. (2001). Joburg privatises water to world's worst multinational. Press Statement (14 February).
- Statistics South Africa. (2001). National census. Available Internet: <http://www.stassa.gov.za/SpecialProjects/Census2001>
- Stephen, J. (2004, September 28). Raise the performance of local govt. SALGA told. This Day
- Students Against Privatisation: Zimbabwe. (2003). Email correspondence (11 September).

Cape Times (2001, 30 September). Terms set for turning on Tafelsig taps.

Cape Argus (2001, 27 June). Thousands march to challenge Cape evictions.

Mail & Guardian (2003, 15 August). Thrill of Uhuru is over.

van Heusden, P. (2002), Email correspondence (10 November).

Vapi, X. (1999, September 27). 'Chatsworth families face eviction from rented flats', Independent on Saturday.

Yeld, J. (2003, July 25). Cape Town faces a 'revolution by the poor'. Cape Argus.

Yoganathan, V. (2000, February 16). Council takes tough stand on evictions. Natal Mercury.

Video Footage

Indymedia South Africa – Unedited Footage (Phiri: August 2003)

List of Interviews

Cape Town (Khayelitsha-Mandela Park)

Thembalihle Sidaki – Senior Prosecutor at Khayelitsha Magistrate’s Court (29 April 2004).

Prosecutor Sidaki has dealt with all cases related to the AEC in the Magistrate’s Court - over 100 by his own account. He was also part of strategy meetings with SAPS, ANC councillor, SERVCON, Sheriff of the Court, SANCO as part of making preparations for evictions in Mandela Park and synergising efforts.

ANC Councillor Ngombane - For Mandela Park, Macassar & Graceland (29 April 2004).

Councillor Ngombane has been an ANC councillor since 1996 – Mandela Park has been part of his constituency since 2000. He has been involved from the beginning of the conflict (circa 2000) in negotiations with SERVCON (on behalf of his constituency) and also active in developing structures to counter the work of the AEC. He has also been part of the strategic planning meetings as mentioned above.

Superintendent Vosloo - Interim Head of Khayelitsha Police Station (29 April 2004).

Superintendent Vosloo has been active in the policing of Mandela Park since 2001. He has extensive experience in developing strategies for ensuring public order during evictions (i.e. protecting sheriff) and in carrying out arrests of AEC members, predominantly on charges of trespassing and public violence.

Mr. Miaso – Western Cape Provincial Department of Housing – Director of Administration (28 April 2004).

Mr. Miaso is responsible for overseeing the administration of indigent housing grants under the rubric of the ‘People’s Housing Project’ (PHP). The PHP has been implemented throughout Khayelitsha and is often provided to those who qualify after they have been evicted from RDP (SERVCON) houses.

Dr. Martin Legassick - University of the Western Cape History Department and long-time socialist activist (30 April 2004).

Dr. Legassick works with the MPAEC. In particular, he has been involved in the facilitation of popular political education seminars as well as provision of financial and logistical support for ongoing actions of the MPAEC. He has also written and conducted research (some of which has been published) around the activities of the MPAEC.

Roger Ronnie – General Secretary of SAMWU (28 April 2004).

Mr. Ronnie has been a vocal supporter of South African social movements and in particular the AEC. Through his position in SAMWU he has helped establish links between the union movement and the new social movements. He has also assisted the AEC with meeting space as well as general logistical support.

Peter van Heusden - former Treasurer of the AEC and independent researcher (29 April 2004).

Mr. van Heusden was active in the AEC during the height of repression in Mandela Park (2001-2003). His duties included raising financial support for legal defence as well as being the primary liaison

between the AEC and its various legal representatives. He has also conducted research on the activities of the AEC and is presently active with community structures in other parts of the Western Cape.

Fonky Goboza - Deputy Secretary and Office Administrator of MPAEC (30 April 2004).

Mr. Goboza is a founding member of the MPAEC and has been an active leader in the Western Cape AEC. In his position as Office Administrator, he is often the first contact for people in the community who face evictions. He has also participated in meetings with other social movements, including the SMI. Mr. Goboza has been arrested and jailed on numerous occasions for his activities in the MPAEC.

Group Interview with AEC women's group (30 April 2004).

Three representatives of the AEC Women's Group were collectively interviewed. Their insights covered issues related to housing in the community, police repression and the character of the MPAEC. Their views are of particular importance given that women make up the majority of the membership of the MPAEC and are at the coalface of the conflict between the community and the state.

NOTE: After contacting a SANCO representative in Mandela Park, a meeting was set up for a collective interview with the local branch executive. However, on arrival at the meeting the *bona fides* of the researchers were questioned. Members of the Executive were antagonistic to our presence in the community and although the meeting was split on allowing us to continue with the interview we believed it would be best if we left the meeting. We had no further communication with the SANCO branch or individual members after this point.

Durban (Chatsworth)

Chantelle Pillay – Executive member of the Bayview Flats Residents Association -BFRA (7 June 2004).

Chantelle is a founder member of the BFRA She is currently a member of the Executive and acts as the organisational secretary and she has also represented the organisation in discussions with the local councilor and City Council members. In addition, Chantelle has represented BFRA in national meetings of the Social Movements Indaba. She resides in Bayview with her extended family.

Seelan Pillay - Investigating Officer at Bayview Police Station (7 June 2004).

Officer Pillay has been the chief investigating officer for Bayview Police Station since the late 1990s. He was involved in the investigations of complaints lodged by members of the community and the City Council officials, relating to incidents during the planned eviction of Bayview Flats residents in 1999. He also serves on the Bayview Community Policing Forum that was set up in 1995.

Orlean Naidoo – Founder member and Chairperson of the Westcliff Residents Association – WRA (7 June 2004).

As Chairperson of the WRA Ms. Naidoo has been active in the Concerned Citizens Forum, in allied struggles with the BFRA and has participated in numerous mobilisations and struggles in and around Chatsworth and the Greater Durban area. She continues to remain active in ongoing struggles around basic service provision in the community.

Violence and Transition Project

Devan Pillay – Chairperson of the ANC Bayview Branch, Chairperson of the Bayview Residents Association – BRA - and longtime community activist (8 June 2004).

Mr. Pillay is a veteran of the anti-apartheid struggle and has participated in numerous community structures including the Natal Indian Congress, the UDF and the BRA (founder member). He currently is active in the Bayview CPF and has run for local government office. He also participates in meetings between the City Council and the Bayview community related to the ongoing Council Development Programme in Chatsworth.

Megan Naidoo – Head of Finance Section for the Durban City Council, Department of Housing (8 June 2004).

Mr. Naidoo oversees the finance department and his duties include: handling of all billing for basic services and council rental stock. He also has extensive knowledge of Council practices in relation to evictions and financial strategic planning.

T. Palan – Minority Front Councillor (proportional representative) for Ward 69 in Chatsworth - Durban City Council (9 June 2004).

Mr. Palan has been a local councillor since the 1970s and has also served as a parliamentarian in the House of Delegates under the tri-cameral system in the 1980s. He has served in his current position since 1999 and has participated in meetings with the BFRA and has extensive knowledge of local politics in the area.

Shanta Reddy – Attorney in the law firm Chanta Reddy & Associates (10 June 2004).

Ms. Reddy previously worked for another law firm that represented the BFRA and the Concerned Citizens Group in a number of legal matters. Most notably, she was crucial in securing an interdict against the Durban City Council in 1999, which prevented the eviction of a resident of Bayview flats and which contributed to the current moratorium on evictions in the area. She has also been involved in other legal cases relating to water cut-offs in Bayview and other areas in Durban.

Heinrich Bomhke – legal representative for the Concerned Citizens Forum (CCF) and long-time activist in Durban (8 June 2004).

Mr. Bomhke is a founder member of the CCF and its key legal strategist. He has also written extensively on the community struggles in Durban and more broadly and has participated in numerous discussions and meetings at a national level with other social movements. He has been involved in all major mobilisations and actions of the CCF since its formation.

Fatima Meer – Founder member of the Concerned Citizens Group (CCG) and a long-time anti-apartheid activist (10 June 2004).

Mrs. Meer has been an ANC member and leader in Durban for many decades and is the official biographer of Nelson Mandela. She currently serves as patron of the BFRA and remains a key member of the CCF. Although she recently suffered a debilitating stroke, Mrs. Meer continues to be active in community struggles in and around Durban.

Brandon Pillay – Chairperson of the Bayview Flats Residents Association (14 June 2004).

Mr. Pillay helped found the BFRA and throughout its existence has held the position of Chairperson. He has been the BFRA representative on numerous community structures and has represented the organisation in negotiations/talks with the Durban City Council. He has participated in the Bayview CPF and presently sits on the consultative forum overseeing the City Council's Development Programme in Chatsworth.

Collective/Group Interview with BFRA members (14 June 2004).

A group of over 10 BFRA members were brought together and interviewed in an open-discussion format. Most of these were ordinary members and the vast majority were women. All aspects of BFRA history and activities were covered as well as personal experiences/stories.

Johannesburg (Orange Farm)

Michael Motlhalo - Commissioner of Orange Farm Police Station (20 July 2004).

Commissioner Motlhalo has been in his present position since mid-2002. He was brought in from the headquarters of the Vaal Policing District (under which the Orange Farm Police Station falls) ostensibly to 'ensure service delivery' from the SAPS after the previous Commissioner was 'redeployed' due to lack of performance. He is involved in overseeing and managing the various CPF's in the Orange Farm area and sits on an advisory committee/forum all of the municipal entities operating in the Greater Johannesburg Metro.

Alina Mahlangu – ANC Ward Councillor in Orange Farm (15 July).

Mrs. Mahlangu has been a ward councillor for the ANC in Orange Farm since 2001. Her ward covers eight different sections of Orange Farm including Stretford Extension 4 - the area in which pre-paid water meters have been installed. She has been at the forefront of supporting the installation of pre-paid meters in Orange Farm and has been involved in both political and physical confrontations with activists from the Orange Farm Water Crisis Committee (OFWCC).

Philemon Jiba – Co-ordinator of the Orange Farm Community Advice Centre (13 July 2004).

Mr. Jiba, a resident of Orange Farm, has been running the Community Advice Centre since its inception in the late 1990s. His work involves providing legal and administrative advice to community residents on a range of socio-economic issues as well as mediating, on behalf of residents, with relevant government agencies. In the past two years, Mr. Jiba and the Centre staff have become intricately involved in taking up issues and struggles involving the OFWCC.

Brickes Mokolo – Organiser for the Orange Farm Water Crisis Committee and long-time political/community activist (15 July 2004).

Mr. Mokolo is a founding member of the OFWCC and one of its most recognisable and popular leaders. Prior to the formation of the OFWCC, he was active in SANCO and also has a long history of community/political activism dating back to the early 1980s. Besides his ongoing organising work in the community, Mr Mokolo has represented the OFWCC in most of its formal dealings with local councillors, government officials and has also engaged in extensive international travel on behalf of both the OFWCC and the Anti-Privatisation Forum.

Sam Makgoka – Deputy Chairperson of the Orange Farm Water Crisis Committee (13 July 2004).

Mr Makgoka is one of the founder-members of the OFWCC and was one of the first group of people to be moved to Orange Farm in the early 1990s. Prior to the formation of the OFWCC he was one of the leaders of the community that negotiated with government on behalf of residents over issues of housing and basic services. He is involved in the Itsoeng Co-operative (aligned to the OFWCC) that runs a number of income-generating projects and social services.

Tseko Mokwena – Activist within the Orange Farm Water Crisis Committee (15 July 2004).

Mr. Mokwena has been an activist with the OFWCC since 2002 and lives in Extension 7b – an area covered by another ANC ward councillor (Thumela Potledi), where Johannesburg Water has been attempting to roll-out pre-paid water meters. Mr Mokwena was assaulted by the ANC councillor at an OFWCC meeting in April this year and filed charges.

Assah Phohledi – Former SANCO and CPF leader in Orange Farm (13 July 2004).

Mr Phohledi arrived with one of the first groups of relocated residents in Orange Farm in 1990. He was involved in the community's initial attempts to establish a civic/residents organisation and went on to help launch the local SANCO branch. He held several positions in SANCO, the CPF and the local RDP committee before resigning due to the corruption and political opportunism amongst the leadership of these structures.

Collective/group Interview with OFWCC members (20 July 2004).

A group of seven OFWCC members were brought together and interviewed in an open-discussion format. All aspects of OFWCC history and activity were covered as well as broader discussion around privatisation and poverty issues.

NOTE: We interviewed a female teacher from Matewane Secondary School in Orange Farm (who did not want to be identified) who had been suspended for several months due to active opposition against the effects of privatisation of education. She, alongside some parents of the school's learners, subsequently approached the OFWCC for organisational and political assistance.

NOTE: We attempted for several weeks to arrange an interview with a senior member of the management of Johannesburg Water (JW). After repeated phone calls and faxes (including providing JW with our interview questions), we were informed that JW would not grant us an interview and were simply told to visit the JW website for information.

Other interviews

Jackie McKay – Head of Information Centre of the National Intelligence Agency (20 May 2004).

Mr. McKay provided us with a formal briefing of the NIA's structures and operations as well as its role vis-à-vis the struggles and activities of the new social movements. We were not allowed to bring any recording equipment to the interview, ostensibly for security reasons.

Patrick Flusk – Deputy Director-General in the Department of Provincial and Local Government responsible for 'free basic services and infrastructure' (May 2004).

Mr. Flusk has been with the department for several years and has been the official most involved with socio-economic issues that have directly affected poor communities. This was the only telephonic interview we conducted.

***NOTE:** Several unsuccessful attempts were made to set-up an interview with the National Commissioner of the South African Police Services (SAPS) - or any other senior official. We were constantly told that the department would 'get back to us', but this never transpired.