



# IZWI LABAMPOFU

## VOICE of THE POOR

Newspaper of the Abahlali Basemjondolo Movement

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## Abahlali Bayanda!

Inhlangano yaBahlali baseMjondolo inhlangano enkulu yabantu abampofu eNingizimu Afrika. Akusiyo inhlangano yezepolitiki. Isebenzisana nabanye Abahlali baseMjondolo okubalwa kubo nabadayisi basemgwaqeni, Inamalungu emijondolo engu 34 eyehlukene .Ikhule ngokuqala kubhikishwe eKennedy Road ngoMashi 2005. Umhlaba abawuthenjiswa ukuthi bazokwakhelwa kuwo bathola ukuthi usudayiselwe abacebile, Lokhu kwabenza bagana unwabu, baqonda lapho bavimba ukuthi kuqhutshewe nokwakhiwa .Bamashela ku M19 bashisa amathayi lapho kwaboshwa khona abawu 14. uAlfred Mdletshe ohla-

la kuKennedy wathi bakhathele ukudlala amakhansela ebadayisa .etshela intatheli u-Fred Kockott emva kwalokho Abahlali abawu1200 kuKennedy bamasha befuna kudedelwe amalungu abo awu 14 kodwa avinjwa ngamaphoyisa ngezinja nesisa esikhalisa unyembezi. Ngalobobusuku uSbu Zikode owayengusihlalo ngalesosikhathi emhlanganweni womphakathi wathi "Sisele Sodwa".

Amamashi angekho emthethweni alandelwa amanye ayesemthethweni okwakumashelwa amakhansela angasebenzi. Yayinabantu abawu 5000 .kwakungcwatshwa ikhansela (Mock

Funeral). Bazibophezele ukulwela umhlaba nezindlu,ukususwa ngenkani. Emashini eyasukela ku Foreman Abahlali abawu 45.Sebeke bamenywa kwi nkulumo mpikiswano ne Meya ye Theku u Obed Mlaba ku Asikhulume uhlelo olukumabonakude.Ngo Septhemba 11, I GAGASI FM lamema u Sbu Zikode no Philani Zungu kanye no Mnikelo Ndabankulu,ukuthi bachaza kabanzi ngomzabalazo wabahlali. Kodwa ababange besafika ngenxa yamaphoyisa ase Sydenham police station.Babavimba babathuka ngezikhathi ezibomvu babashaya,bahamba nabo e police station lapho bafike baqhubeka nokuba xhaphaza ngesibhaxu.UMnikelo bamkhumulisa isikibha sakhe esibomvu ngoba bethi asingeni e police station. Bathi bazosenza isikolobho sabo.

Ngakusasa bavela e nkantolo belimele ngenxa yokushaywa kanzima amaphoyisa. Unsumpa wale police station u Glen Nayeger wathwetshulwa amanye amaphoyisa eshaya ngesihluku o Sbu no Philani ebangqubuza ezindongeni nokwa holela ekutheni u Philani aquleke. Nase Motata Heights kwenziwa isihluku esifanayo sokuhlukunyezwa kwabantu amaphoyisa, nakweminye imijondolo eminingi.Lolu dlame olubhekiswe kwabampofu lusho ukuthi Abahlali Base Mjondolo basahlalalewe umsebenzi omkhulu wokususwa nokufululwa kwabantu ngenkani ezindaweni zabo.Abahlali basebenza kanzima beqoqa bafundise imphakathi ngamalungelo abo. Nokubhekana no Masipala ukuthi uma ebahlukumeza, kumele bamyise kanjani eNkantolo. Umzabalazo uyaqhubeka.



## Abahlali Bayanda!

*Kennedy rd marches on Breyani Councillor Yakoob Baig*

Abahlali baseMjondolo is the largest movement of the poor in South Africa. It is not a political party. It is working for shack dwellers and other poor people, like street traders. Abahlali has members in 34 shack settlements across Durban and as far away as Pietermaritzburg and Tongaat.

Abahlali grew out of a protest organised from the Kennedy Road settlement. On 18 March 2005 bulldozers started digging up a piece of land next to the Kennedy Road settlement which had long been promised for housing. People discovered from the workers on the site that this wasn't the beginning of the long promised housing development but that a brick factory was being built. They gathered on the promised land, stopped the construction and asked the local councillor to come and explain what was happening. He arrived with the police and demanded the arrest of his constituents. They are, he said, criminal. That night there was a mass meeting in the settlement. After long and careful discussion a new course of action was decided on. Early the next morning a few hundred people barricaded a nearby 6 lane road with burning tyres and held it against the riot police for 4 hours suffering 14 arrests. Alfred Mdletshe told Fred Kockott, the first journalist on the scene, that 'We are tired of living and walking in shit. The council must allocate land for housing us. Instead they are giving it to property developers to make money'.

The day after the road blockade 1200 people staged an illegal march on the police station where the 14 were being held. Their demand was that either

the 14 be released or else the entire community be arrested because 'If they are criminal then we are all criminal'. The march was dispersed with more beatings, dogs and tear gas. At a packed meeting in the Kennedy Road hall that afternoon the chair of the Kennedy Road committee S'bu Zikode declared that 'We are on our own now'.

The first two illegal protests from Kennedy Road were followed by a series of legal marches on the nearby local councillors, some involving more than 5000 people. In each of these marches the protestors carried a mock coffin and then staged a performance of a funeral for the councillor outside his office. On 6 October 2005 17 men and 15 women elected as representatives from 12 settlements that now had committees supporting the shack dwellers' struggle met to formally constitute themselves into a movement, Abahlali baseMjondolo, and to commit themselves to stand together and to fight together for popular democracy and land and housing in the city. Since then Abahlali have democratised the governance of settlements, stopped evictions, won access to local schools, won some victories around services like water, toilets and refuse removal; got top class legal support and won a number of victories in court; made the voice of shack dwellers very strong in the media; set up crèches, a sewing co-operative and vegetable gardens; enabled collective bargaining with the state and capital and seriously challenged the city's slum clearance project that wants to move most shack dwellers out of the city and dump them in formal jondolos in rural

areas.

At the beginning of 2006 the elections for ward councillors were looming. It was decided to stage a collective boycott. The boycott was carefully thought about in a series of discussions that decided that there is a difference between 'party politics' and 'people's politics' and that while party politics is often about the politics of ambition and control people's politics can be about creating democracy where people live. It was decided to announce the election boycott with a march from the Foreman Road settlement into the city and on the mayor under the slogan 'No Land, No House, No Vote'. This was a step too far. Mike Sutcliffe, the city manager, illegally banned the march by fax.

Two days later more than 3 000 people missed a day's work and gathered in the Foreman Road settlement which had been surrounded by riot police. The Foreman Road committee explained that marching would be very dangerous under these conditions. Speaker after speaker from the assembly replied that living in the settlements was just as dangerous and the 3000 set off up the steep dirt track that leads out of the settlement singing Yonk' indawo umzabalazo uyasivumela. As they stepped onto the tarred road that marks the beginning of the rich world they were attacked, shot at with pistols and rubber bullets and severely beaten. There were a number of serious injuries, many with permanent consequences, and 45 arrests. But the police violence could not break the spirit of the marchers. Protestors, led from the front by Fikile Nkosi, a young domestic

worker, successfully kept the police from entering the settlement with barrages of stones. But although this was big news around the world the city kept their illegal ban on shack dwellers' marches. They even went so far as to use the police to violently prevent Abahlali from taking up an invitation to send a representative to debate the mayor on Asikhulume.

Another attempt was made to march into the city on 27th February. By this time the movement had grown to the point where 20000 people were expected. Sutcliffe issued another illegal ban and early on the morning of the 27th the police moved in on the three largest settlements in a military style operation using armoured vehicles and helicopters. They arrested and assaulted key people and blocked off all the exits from the settlements. But this time the Abahlali had the support of top lawyers and could take Sutcliffe to the High Court. They won a quick victory and with the interdict in their hands marched into the city in triumph.

On the 11th of September (911), following a series of successful actions, Abahlali were invited to an interview on Gagasi FM. S'bu Zikode, Philani Zungu and Mnikelo Ndabanakulu were just about to leave for the interview from Kennedy Road when officers from the notorious Sydenham police station pounced. When they saw that Ndabankulu was wearing one of the famous red Abahlali T-shirts they pulled it off him, insulted him, pushed him around, threw the shirt into the mud, made a great show of standing and spitting on it and announced that 'there will be no more red shirts here'. Zungu and Zikode were thrown into the police van. As they left the police picked up Ndabankulu's red shirt saying they were taking it 'to use as a mop in the station'.

The next morning there were hundreds of Bahlali in red shirts in the Durban Magistrates' court. The state, telling crazy lies, charged Zikode and Zungu with assaulting a police officer but the Magistrate released them without asking for bail. They were joyously carried out of the court on the shoulders of their comrades. Both men had visible wounds and explained that they had been personally assaulted by Superintendent Glen Nayeger who had hurled political abuse on them as he bashed their heads against the wall. A group of policemen had enthusiastically photographed Nayeger's assault which only ended when Zungu was knocked unconscious and could not be revived.

*(Continued to Page 8)*

# WE ARE STILL WAITING FOR ANSWERS

Last year, Mayor Obed Mlaba said that by the end of 2006 hundreds of Durban's shack dwellers would be provided with housing we could afford (that is, houses that are not too expensive for us) in North Durban in a R10 billion housing development project. People had waited over 14 years for this. After the Mayor said this, shack dwellers did not hear another word. We became angry and upset because the government would not tell us anything about our future. Abahlali baseMjondolo, the Durban Shack dwellers' Movement, filed a Promotion of Access to Information Act (PAIA) request, to find out what provisions the government had made for us (that is, what the government had done for us). This week, the government complied (that is, did as they should) with the act. The results are very bad.

## We asked about

§ the integrated housing delivery development plan,

§ the budget and housing,

§ planning for basic services like water, sanitation (for example, toilets) and lights,

§ the municipality's response to (what they say about) shack fires,

§ the municipality's consideration of (what they think about) the "Breaking New Ground" national policy;

§ plans for Motala Heights and Joe Slovo;

§ plans for developing land for housing so that there will not be relocation from Wards 15, 23, 25, 31, 34, and 69;

§ budget and planning documents for Phoenix East, or what is called 'Moreland Development'.

## When will we get housing?

What they say: The eThekweni Municipality's Housing Development Plan promises to build 120,000 houses by 2017. They say this will end the backlog of housing requests (that is, all the houses that have already been asked for). This was the information given in the 10 year old housing document which they used to answer the PAIA request.

What this means: The municipality has also said that it will clear all slums before 2010 (so there will no longer be slums). But its housing budget is still short and current resources (things like money and people) are not enough, so the target for 2017 already looks like it will not be met (that is, it will not be able to happen). This means that the council is not planning, but just thinking it can do this. There is no real, strong effort to build new houses at a fast enough rate. There is no real, strong effort to provide housing for the poor by 2017 (this is over two decades after the end of apartheid (a decade is 10 years)).

What is happening about the R10bn Moreland project announced by the municipality last year?

What they say: No documents are available because the negotiations (talks) are still happening.

What this means: When Obed Mlaba said that shack dwellers were going to be moving into housing at the end of 2006 on the Phoenix East Development, he knew that the deal with Moreland had not been completed. There is no evidence that the deal is going ahead (that is, it is not clear if the deal will happen). The land is still full of sugar cane, not houses.

What is the Municipality's plan for providing lights, water and sanitation (for example, toilets) in the shacks?

What they say: If houses are numbered according to a layout plan, the municipality can provide electricity, at a subsidised rate (that is, a lower amount). The municipality does not really want to do this because they say that in the past "electrification (lights) was rolled out to all and sundry (to everyone)." On the provision of sanitation, following a successful trial of ablution blocks where local labour was used to clear the block, a committee has been set up to implement this policy.

What this means: The council gave its guideline documents, but did not answer questions about who is on the committee, what its plans are, or even whether it meets. The municipality has given no information about its specific plans to provide lights— it only says that while it might be doing something about giving lights to communities, it does not have to.

My neighbour, Mrs Ngcobo, said this:

We are still running to the fields because there are no toilets. It is dangerous. If you have a running stomach, in the middle of the night, or even the day, you are supposed to go to the bush. In the bush, little girls and women can get raped. If you are walking near a settlement, you must watch where you step. This is a major health issue.

Will the money come from the "Breaking New Ground" Initiative?

What they say: No new money is available through the Breaking New Ground Initiative.

What this means: The government has made a Public Relations exercise (that is, to make government look good in the eyes of the public) — but the Breaking New Ground Initiative merely covers existing funds for housing.

Will we be able to stay in our communities, and continue to live in the same wards that we do now?

What about the housing lists?

What they say: Housing lists are to be discouraged as they create false expectations (that is, they do not like housing lists because people get too excited about when they will get a house).

What this means: The municipality has shown that its housing lists are a charade at best (that is, something that is not real, not true). The lists are a way of making fewer disagreements/arguments, and of giving people hope. But the municipality's policy is to back away from housing lists because it knows that it will not be able to provide housing.

What does the municipality say about the many, many shack fires?

What they say: There was a question about this in the PAIA, but the government did not answer.

What this means: The municipality does not have a plan to stop shack fires from happening, and does not want to give lights to people. This can only mean one thing — they are happy to see more people in the shacks suffer and die from fires instead of giving people safer energy. They do not want to spend money.



Abahlali marches from Foreman road

Do shackdwellers have the right to have rubbish taken away?

What they say: At the moment every shack has rubbish taken away weekly.

What this means: This is not true. Many well-established settlements (that is, those that have been around for a long time) have never had rubbish taken away.

Are local people being employed on local projects, and will residents of the shacks be able to get jobs?

What they say: Local labour is used, but no documents of this were given.

What this means: There is reason to be worried. For example, in the King George Hospital Project, BEC members are employing their family members and Baig supporters. Because of the red t-shirts, Abahlali are not given jobs. So this makes us think that with the new housing

developments, it will be the same thing. All people who get houses are checked on the National Housing Subsidy System. Any reports of fraud (cheating in some way) should be given to the municipality.

What are the plans for Joe Slovo and Motala Heights?

What they say: More than the details given below, there is no specific information.

What this means: The government is ready to turn a blind eye to a systematic violation of its basic principles (that is, to turn away from what it says it believes in and should be doing). But the councillors are corrupt (not honest). People in Motala Heights and elsewhere are frightened to give evidence (that is, to say anything) because they are afraid their lives will be in danger.

In Motala Heights, there has been corruption and intimidation (threats/people are made to feel afraid), the government has not kept to its principles, and basic needs have not been met:

o In late October and early November armed municipal security and municipal workers came to Motala Heights to destroy over 30 shacks. The shack dwellers were not told about this before it happened. During this process, the municipality fired guns, used spray guns on people, shouted insults (rude words and sayings), and threatened leaders.

o The government never consulted

(spoke to) the people.

o Some people had houses to move to in Nazareth, but over 15 families were left homeless. They have been sleeping outside without shelter ever since.

o Before the demolitions (destroying of the shacks), the government delivered housing application forms. Some people made their application and have been waiting months for a home, but the others paid money to get a house right away. Those without money cannot move. In South Africa, you are meant to get a house if you have an IDP book, but that is not what is happening here.

o One woman was told she could sleep with someone to get a house. Another was told that she needed to pay R2000 for a house.

o All were told if they did not leave Motala Heights, the water would be shut off.

o For those who have been given homes in Nazareth, there are many problems: § Nazareth is in Ward 16 while Motala Heights is in Ward 15. Residents need to live close to where they work and where their children go to school.

§ People were moved without being shown the facilities (houses).

§ The facilities at Nazareth are nothing more than "Formal Jondolos" (formal shacks). There is no running water, which makes sanitation (for example, toilets) impossible. There is no electricity and the houses are of poor quality (that is, not well made).

There has also not been transparency in the housing development process in Joe Slovo (that is, nothing is clearly told to people):

o People who were not living in the community before have been given homes there.

o One woman has been told that the city would destroy her toilet because they were laying a foundation there. The foundation would be for a house that would be given to someone else.

If you go through the responses, the documents are vague (not clear), out of date and, most importantly, do not have specific information on who is gaining from the housing allocations. There are no names of contractors (for example, who are the builders?) and no means of accountability (who is responsible? Who needs to answer?). There has been no public participation. We are treated like a bag of potatoes. And we are still asking:

**When,  
Where,  
Who, and**

# SISALINDE IZINDLU



## ODAC AND ABAHLALI APPLIED FOR INFORMATION

Ngonyaka odlule, uSobaba weTheku u Obed Mlaba wathi ngasekupheleni kuka 2006 amakhulukhulu Abahlali baseMjondolo baseThekwini bazonikezelwa ngezindlu ezikhonekayo (lezo izindlu ezingabizi kakhulu). Wathi zizokwakhiwa eNyakatho neTheku kuhlelo lwen-tuthuko kwezezindlu lwezi-R10 billion. Umphakathi usulinde ngaphezu kweminyaka eyishumi nane. Ngemva kokuthi usoBaba weTheku asho lokhu abahlali baseMjondolo ababange besezwa lutho, Sadinwa, Sacasuka ngoba uHulumeni awukwazi ukusitshela ngekusasa lethu. Abahlali baseMjondolo Movement okuyinhlangano elwela izimfuno zabantu abahlala emjondolo). Yafaka isicelo ngokomthetho wokunikezela ngolwazi ukuthola ukuthi yini esizoyenzelwa uhlumeni (nokuthi yini asezenzile). Kulelisonto uHulumeni wenzile (njen-gokufanelekile) ngomthetho. Imiphumela ayimihle neze .

Imibuzo yethu yayimi kanje\*

Uhlelo lokunikezela ngezindlu zentuthuko

Uhlelo ngezimali ezibhekelele ezezindlu

Uhlelo lwezidingo -ngqangi njen-gamanzi, ukuthuthwa kwendle, nodoti kanye negesi.

How? Umuzwa /Uvo lukaMasipala ngemililo emijondolo

Uvo lukaMasipala (nokuthi ucabangani) ngohlelo lweSouth Africa yonkana i-“Breaking new ground”.

Uhlelo lwendawo i- Motala Height ne Joe Slovo

Uhlelo lokuthuthukiswa komhlaba lapho kuzokwakhiwa khona imixhaso ukuze kungabi khona ukufudukiswa kwabantu (bekhishwa kumaWadi abakuwona) okungoWadi 15, 23, 25,31, 34 no 69.

Uhlelo lwezimali nemiqulu yokulungisela intshonalanga Phoenix ,eyaziwa nge Moreland Development.

### Sizithola nini izindlu?

Bathini? Uhlelo lwentuthuko kwezezindlu lukaMasipala weTheku luthembisa izindlu eziyi-120 000 ungakafiki unyaka ka 2017.

Bathi lokho kuzoqeda ukusalela emuva kokunikezelwa kwezindlu nokwezicelo ezifakiwe. Lolulwazi lwalukhishwe eminyakeni eyishumi eyedlule, kumqulu wezezindlu. Lokho bakusebenzise ukuphendula ngomthetho wokunikezela ngolwazi olwalufakiwe.

Kusho ukuthini lokhu: UMasipala uphinde wathi uzoqeda ukukhuculula imijondolo ngonyaka ka 2010 (Ngalokho

ngeke kusaba khona imijondolo).Kodwa uhlaka lwezimali lufishane kanye nezinsiza kusebenza njengemali nabantu akwanele, ngalokho izimiso zikan-yaka ka2017 zibukeka zingasezufeza ( lokho, kuwukuthi ngeke kwenzeka ).Kusho ukuthi umbimbi lwamakhan-sela aluhleli ,kodwa luginca ngokucabanga ukuthi kungakhiwa izindlu ngesikhathi esifushane bese zinikezelwa kumphakathi ohlwempu ungakashayi unyaka ka 2017 ,lokhu kungaphezu kweminyaka engamashumi amabili kusukela ekupheleni kweminyaka yobandlululo.

Kwenzekani ngemali engama-R 10 billion yohlelo lokwakhiwa kwezindlu endaweni yaseMoreland okwame-nyezelwa uMasipala ngonyaka odlule ?

Bathini: Ayikho imiqu-lu ekhona ngoba kusenezingxoxo eziqhubekayo.

Kusho ukuthini lokhu : uSobaba weTheku uObed Mlaba wathi ememezela ukuthi kuzothi ekuphele-ni konyaka ka2006, kuzothi abanye abahlali baseMjondolo bazohanjiswa ezindlini zabo ezintsha e-Phoenix (eNyakatho nayo). wayememezela azi ukuthi izivumelwano nabanikazi benda-wo, iMoreland kwakuqediwe ngazo. Asikho nesiqiniseko sokuthi izingxoxo ngesivumelwano ziyaqhubeka (kuyaca-ca alikho nethemba ngokuthi kukhona okuqhubekayo).Umhlaba wase-Moreland usagcwelwe izimoba hhayi izindlu.

### Luthini uhlelo lukaMasipala lokunikezela ngogesi, amanzi nokuthuthwa kwendle emijondolo?

Bathini: Uma izindlu zabiwe ngohlelo, uMasipala unganikezela ngogesi nge-nani eliphansi. UMasipala awufuni uk-wenza lokhu ngoba uthi ekuqaleni “Uk-ufakelwa ugesi kwakukhishelwe wonke umuntu”. Kokokuthuthwa kwendle ku-landela ukuphumelela kokuhlanzwa kwezindlu zangasese, lapho kwakusiza abantu abasemphakathini, lokho kwa-bekwa kumakomiti emiphakathi ukuthi aqinisekise ukuthi kuyenzeka.

Kusho ukuthini lokhu: Um-khandlu wamakhan-sela wanikezela ngemiqulu yayo okumele ilandelwe, kodwa yangaphendula ukuthi ubani os-ekomitini , nokuthi yini izinhlelo zalo kanye nokuthi liyahlangana yini . Uma-sipala awukhiphanga lwazi ngezinhlelo zokunikezela ngogesi -bakusho lokho uma kukhona abafuna ukuthi bazonika umphakathi.

Umakhelwane wami, uNkk Ngcobo,

wathi @

Sisagijimela emahlathini ngoba asina-wo amathoyilethi, kuyingozi kufanele ugijime uye ehlathini uma unesisu esi-gijimisayo phakathi kwamabili ebusuku nasemini imbala. Emahlathini izingane ezincane nabesifazane bangadlwengulwa. Uma uhamba eduze komjondolo kufanele uqaphele lapho unyathela kho-na. Lena impilo yabantu edinga ukubhekwa.

### Ngabe imali izoqhamuka nohlelo lwe (Breaking New Ground) ?

Bathini: Ayikho imali entsha ekhona ngokwe Breaking New Ground. Lokho kusho ukuthini: Uhlumeni wenza uhle-lo lokuzenza muhle emehlweni ezwe - kodwa i Breaking New Ground icishe ihlanganise zonke izimali zezezindlu.

### Kungabe uzokwazi ukuhlala kwimiphakathi yethu, kulamaWadi esikuwo ? Uhla lwezezindlu ?

Bathini: Uhla lwezezindlu kufanele lungakhishwa ngoba lwandisa ukubheka okungeyikho emphakathini (lapho um-phakathi ujabula kuze kweqe lapho ulu-tholile lusho nokuthi bazozithola nini izindlu uma kungasenzeki, inkinga).

Kusho ukuthini lokhu\* UMa-sipala uyakhombisa ukuthi naloluhla lwawo lwezezindlu lungamampunge uqo-bo lwawo. Loluhla lungolokubambeze-la ngezingxoxo nezimpikiswano ezinge-nasidingo nokunika ithemba elingekho kubantu ( ukubambisa udonga). Kodwa inqubo kaMasipala ilubeka eceleni uhla lwawo lwezezindlu ngoba vele ngeke uk-wazi ukunikezela ngezindlu.

### Uthini uMasipala ngezinqwaba nqwaba zemililo yasemijondolo ?

Bathini: Kwakunombuzo ngalokhu kuhlelo lokuthola ulwazi kuHulumeni, kodwa akakwazanga ukuwuphendula. Kusho ukuthini lokho: Umasipala awu-nazo izinhlelo zokuqeda ukusha kwemi-jondolo futhi awuzimisele ukufaka ugesi .Lokho kungasho nokuthi -bajabule ukubona besha bengenakwenza lutho ngoba baswele kunokuthi babanike amandla kagesi. Abafuni kuMasipala ukusebenzisa imali.

### Kungabe bavumelekile abahlali noma banalo ilungelo lokuqoqelwa udoti ?

Bathini: Njengamanje umjondolo ngamunye uthathelwe udoti isonto nesonto.

Kusho ukuthini lokhu: Akulona iqiniso leli . Lezo zakhiwe ezineminyaka zaba khona, azikaze ziqoqelwe udoti.

Kungabe izakhamizi zendawo ziyaqashwa kokwenziwa endaweni, nabangahlali emijondolo bayaqasheka na?

Bathini: Izakhamizi zendawo ezibhek-elelwa kuqala, kodwa bahlulekile ukuk-hombisa okubhalwe phansi.

Lokho kusho ukuthini: Kunesizathu sokungaphatheki kahle. Isibonelo, ku-nomsebenzi oqhubekayo esibhedlela i-King George, ikomiti le-BEC le ANC baqasha amalungu emindeni yawo kanye nabalandeli be ANC. Ngezikhathi ezibomvu , Abahlali abayitholi imise-benzi lapho . Lokho kusenza sicabange ukuthi nakwizindlu zomxhaso kuzoba yiso lesi. Bonke abantu bathola iz-indlu babhekwa kwi-National Housing Subsidy System , okuyilapho bonke asebezitholile egcinwa khona amagama

abo. Konke okuchaza okungahambi kahle nobugebengu kumele kubikwe kuMasi-pala.

### Luthini uhlelo ngeJoe Slovo neMotala Height ?

Bathini: Kukho konke okulandelayo, akukho okuqonde ngqo.

Kusho ukuthini lokhu: UHulumeni uku-lungele ukushintsha ukungaboni kuye eku-shayisaneni nenqubo mgomo yawo ( uku-shintsha lokho athi ukholelwa ukuthi ngabe uyakwenza) Kodwa amakhansela agcwele inkohlakalo (nokungathembeki).

Umphakathi waseMotala Height nakwez-inye izindawo bayasatshiswa ngokuthi bangakhiphi noluncane ulwazi ngalobuge-bengu ngoba futhi izimpilo zabo zisen-gozini.

EMotala Height, kube nokukh-wabanisa nokusabiswa kwabantu , uHulu-meni akazange azigcine izimiso zawo, ne-zidingo -ngqangi azizange zifezekiswe\*

Ngasekupheleni kuka October nasekuqa-leni kukaNovember, abaqaphi bakaMasi-pala bafika bawisa imijondolo engamashu-mi amathathu . Abahlali baseMjondolo abazange baziswe ngalokhu. Ngesikhathi zifikile izisebenzi zikaMasipala zadabula ,zashaya ngethiyagesi bathuka baphinde basabisa abaholi.

Uhlumeni awuzange uxhumane naban-tu, kunabantu abasebenzindlu okufanele baye kuzona eNazareth , kunemindeni en-gaphezu kweyishumi nanhlanu abashiywa bengenamizi ,Basale belala emnyaango.

Ngaphambi kokuwisa kwemijon-dolo uHulumeni wagcwalisisa amafomu abanye bakhokha ukuze bathole izindlu. Labo abangenayo imali basala kanjalo. La eMzantsi ne Afrika umuntu onomazisi onamagabelo onelungelo lokuthola umuzi, kodwa lokho akwenzeki lapha.

Kunomama owatshelwa ukuthi kumele alale nomunye ukuze athole umuzi, omu-nye watshelwa ukuthi akhokhe u-R2000-00 ukuze awuthole.

Abanye batshelwa ukuthi kumele baham-be ,uma bengahambi bazovalwa amanzi.

Kulabo abanikwa izindlu eNazareth kunezinkinga eziningi eNazareth .

Ø INazareth isewadini 16 kanti iMotala Heights isewadini 15.Abahlali bafuna ukuhlala ngalapho besebenzela ngakhona nabantwana babo befundela ngakhona.

Ø Abantu bahanjiswa, bengakhonjiswa-ga

Ø Lokho okunikwa abantu akuhlukile kwimijondolo ethuthukisiwe. Awekho amanzi ahambayo okwenza namathoy-ilethi asebenze kahle. Awukho ugesi nez-indlu azikho esimweni.

Akubanga bikho nobulungiswa kuhlelo lwezezindlu nentuthuko eJoe Slovo (akukho, okusobala okwatshelwa um-phakathi).

- Abantu ababengahlali endaweni ekuqaleni sebethola izindlu.

Omunye umama watshelwa ukuthi ithoy-ilethi lakhe lizobhidlizwa ngoba bekuzo-kwakhiwa umuzi khona. Lapho bekuzo-kwakhiwa umuzi womunye.

Uma ubheka izincazelo azicacile kahle okunye okubaluleke kakhulu ,aku-caci ukuthi ubani ozuzayo kwezezindlu .Awekho amagama ezinkontileka. Isibone-lo : ngobani abakhi ,Akunasibalo, ngubani okuzoqondwana naye, Ubani okufanele aphen-dule ? Akekho obesebenzisana kanye nathi ngokubambisana .Sithathiswa okwamasaka amazambane. Namanje sis-abuza.Nini ?

Kuphi ?

Kubani ?

# UPGRADING VS RELOCATION:

## WHY DOES THE ETHEKWINI MUNICIPALITY INSIST ON RELOCATING INFORMAL SETTLEMENTS?

By Marie Huchzermeyer

### Introduction:

Understanding the terms upgrading and relocation and their implication is important for any discussion about government's response to informal settlements. In this brief article we critically look at the meanings of these terms, then at the housing policy shift in 2004 which for the first time enables upgrading rather than relocation. We look in more detail at the national Department of Housing's new Informal Settlement Upgrading Programme, which resulted from the policy shift in 2004. Lastly, we ask why this programme is not being applied to informal settlements in Durban. We find some answers to this question in the KwaZulu-Natal Elimination and Prevention of Re-Emergence of Slums Bill, 2006, and in the Integrated Housing Development Plan of Ethekwini Municipality.

### The terms 'upgrading' and 'relocation'

Upgrading means to improve, to upgrade as opposed to replace. In situ means in the same place, without moving. In situ upgrading of informal settlements means improving the settlement without moving the people from where they are staying. This improvement should be based on the priorities of the residents. It usually involves the extension of water and sanitation into the settlement, construction of walkways or staircases and spaces for community members to meet and children to play, construction of access routes for emergency vehicles, construction of a community centre and social facilities (crèches and clinics, if these are not accessible nearby) and facilities for trade. In situ upgrading would also involve assistance to residents to improve their houses incrementally in the same place where their shack is located. This first requires security of tenure, which is the formalisation of one's right to have a house in that particular place, i.e. long term protection against eviction.

The advantage of upgrading (as opposed to relocation) is that it disrupts neither the schooling of the children, nor the income generation of the adults, be this in formal employment or the informal market. Often, the informal trade in which informal settlement residents earn their living is within the informal settlement and depends on clientele from within the settlement, also providing convenience to the residents. This cannot easily be reconstructed in a relocation site. Another important advantage of in situ upgrading is that it does not disrupt the neighbourhood networks, the pattern of friendships and mutual support which are important when households face crises of any kind. Again, this is not easily recreated in a relocation area. All of these advantages mean that in situ upgrading of informal settlements is usually more successful in helping people improve their lives, than is relocation.

Relocation means being moved to a different area, and the most common example is that of being moved from an

informal settlement to a serviced site or to an RDP housing project. Relocation of households involves many challenges, and unfortunately these are usually ignored by those planning and carrying out relocations. These challenges include the new transport costs that are imposed on the household if it tries to continue sending its children to the same school and generating income in the same way as before. Relocation disrupts schooling not only in the days in which the move takes place, but also subsequently, if the household does not have the additional money to pay for new transport costs. Relocation is seldom planned to take place during school holidays, and often the schools in the relocation area are already fully occupied. Similarly, income generation for the household is disrupted on the days of the relocations and subsequently, due to transport costs. If the household depended on informal trade within the informal settlement, its livelihood is completely destroyed by the relocation. Further, relocation seldom gives households the choice of who they would like to live next door or nearby to. Often informal settlement communities are split up and allocated sites in a number of different relocation areas. It is difficult, if not impossible, to rebuild neighbourhood networks.

The biggest challenge for local authorities is how to get the affected people to agree to a relocation. Of course, households only agree to move if they can predict an improvement in their lives. Instead, they usually fear a deterioration in their lives and therefore resist relocation. Sadly, officials prefer to ignore the fears and the challenges, and use FORCE to get the residents to relocate.

Due to the realisations in 2004 that housing delivery and relocation was very disruptive to people's lives and was not resulting in a reduction of informal settlements, the national Department of Housing was tasked with developing a new housing programme. In September 2004, cabinet approved 'Breaking New Ground: A Comprehensive Plan for Developing Sustainable Human Settlements'. In this plan (p.17) there is a 'New Funding Mechanism for Informal Settlement Upgrading'

### The new national Programme for Informal Settlement Upgrading

The following are quotes from this new funding mechanism (in the Breaking New Ground document, p.17):

- 'The upgrading of informal settlements must be undertaken in a flexible manner to cater for local circumstances.'
- 'A new funding mechanism is accordingly introduced to support upgrading on an area-wide, as opposed to individual basis. [does not apply only to those qualifying for a subsidy]
- 'This approach will maintain fragile community networks, minimize disruption, and enhance community participation in all aspects of the development'

In the Informal Settlement Upgrading Programme itself, which was formalised as Chapter 13 of the Housing Code, states



Protests at Foreman Road

that relocation should only be considered as a last resort. Municipalities have to first investigate the feasibility of in situ upgrading, before planning for a relocation. The principles and the funding mechanism of the programme applies to upgrading and to relocation alike.

Funding is 'made available to municipalities for the undertaking of projects based on the upgrading of whole settlements on a community basis as opposed to the normal approval of individual subsidies in respect of qualifying beneficiaries' (p.6 of the Informal Settlement Upgrading Programme).

There is no ceiling for the funding for land purchase, be it the land already occupied or land required for relocation. This means that it is far more likely, that land adjacent to the settlement or within a 5km radius can be purchased in the market, if dedensification of the original settlement is required.

There is also no ceiling for the funding for land rehabilitation of the occupied land or of the land for relocation. This means that expensive engineering solutions to flooding, steep slopes, unstable soil, mine dumps, etc. can now be considered in order to make well located land available for upgrading and for relocation nearby.

Further, the programme sets funding aside for community empowerment and participation and for the development of social and economic facilities – this too was not possible before the policy change in 2004.

Councillors in other cities, particularly Cape Town and East London, have welcomed this programme, are demanding its implementation. Officials in these cities are gearing up for it. Why is this not the case in Ethekwini Municipality?

### Why the national Programme for Informal Settlement Upgrading is not implemented in Durban

Reasons for the non-implementation of this programme by the Ethekwini Municipality lie both with the Provincial and the Municipal administrations. Recent documents display this very clearly.

On 26 October 2006, the Provincial Government of KwaZulu-Natal released a bill for the 'Elimination and Preven-

tion of Re-Emergence of Slums'. This bill displays a deep anti-poor sentiment, and is shockingly similar to the 1952 Prevention of Squatting Act which the apartheid government used for its massive eviction and relocation programmes. The proposed bill contradicts the Breaking New Ground policy and the way this intends dealing with informal settlements in many very blatant ways. Below are some contrasting statements from Breaking New Ground and from the KZN bill:

### Breaking New Ground - national:

'need to respond positively and proactively to processes of informal housing formation'

'A more responsive housing policy is expected to decrease the formation of informal settlements over time'

'need to acknowledge the existence of informal settlements and recognise that the existing housing programme will not secure the upgrading of informal settlements'

'Need to shift the official response to informal settlements from one of conflict and neglect to one of integration and cooperation'

### Elimination Bill – KZN

'it is desirable to introduce measures which seek to enable the control and elimination of slums, prevent their re-emergence & protect housing construction programmes'.

'Landowners ... must institute proceedings for the eviction of the unlawful occupiers' 'A municipality must ... prepare a status report with details of its slum elimination programme'.

### Conclusion

If in situ upgrading of informal settlements, as per the intentions of the Breaking New Ground programme, is to be carried out in Durban, several drastic changes will have to be demanded. Firstly, the proposed bill by the KwaZulu-Natal Provincial Government must be revised so as to be aligned with the clearly stated intentions of Breaking New Ground. Secondly, Ethekwini Municipality has to align its Integrated Housing Development Plan with the clearly stated programmes and funding mechanisms of Breaking New Ground. It is those regressive and deeply conservative individuals in the KwaZulu-Natal Provincial Government who conceptualised the bill for the elimination of slums, and those in Ethekwini Municipality that insist on implementing pre-2004 housing policy for informal settlements who need to be exposed and sidelined from urban development.

# INTUTHUKO VS UFUDUKO:

YINI UMASIPALA WETHEKU EPHOQA UKUTHI IMJONDOLO IFUDUKET

by Marie Huchzermeyer

Isibingelelo:

Ukuqonda igama ukuthuthukiswa lapho ukhona nelithi ufuduko kanye nemithelela yalo kubalulekile kuyo yonke ingxoxo ngokwenziwa uhulumeni ngemijondolo. kulesiqeshana sizobheka kakhulu umgomo wezezindlu ka 2004, okuyiyona evuna intuthuko kunofuduko.

Amagama: Ukuthuthukiswa la ukhona nokufudulwa uyiswe kwenye indawo

Ukuthuthukiswa kuleyondawo ohlala kuyona, kodwa okuphikisana nokubuyiselwa komuntu obevele ehlala khona (In situ). Lokhu kusho ukwakhelwa lapho ukhona unga-fudulwa. In situ up-grading of informal settlement kusho ukuthi imijondolo ithuthukiselwa lapho ikhona ngaphandle kokususa abantu la bekhona. Loluhlelo luvuna luhloniphe izidingo ngqangi zezakhamizakuleyondawo. Ngokujwayelekile abantu abasuke befuna ukwakhelwa lapho besondelene nezikole, imitholampilo nezinkulisa. Lokhokuyaphoqa ukuthi ukufakwa kwamapayipi amanzi, ukuthuthwa kwendle, kufakwe behleli khona lapho. Kwakhiwe nezitubhe ezisuke zivele zilapho, imijondolo phela. Kuyilungelo lawo wonke umuntu ukuthi akhelwe lapho ehlala khona, kubalwa neziqashi. Kuyenzeka ke uma umntu edliwe umgwaqo noma kunampayipi adinga ukufakwa aqondane nomjondolo waloyo muntu. Ngakho ke kuyenzeka ukuthi i (In-situ upgrading) ihambisane nokuhambisane nokufudulwa kwabantu kodwa futhi babhekelle umhlaba khona kuleyondawo ngoba basuke bengasuswa ngempopo kodwa bedliwe umgwaqo. Futhi akufanele bayiswe kude okwedlula amakhilomitha amahlanu ukuqhela endaweni abakuyo.

## OKUHLE NGALOLU HLELO

-Aluphazamisi ukufunda kwabantwana ezikoleni.  
-Aluphazamisi kulabo abaziphilisa ngokudayisa emgwaqeni.  
-Alukuhlukanisi nabangani, izihlobo, nomakhelwane. Kunalokho luthuthukisa izimpilo zabantu.

## UKUFUDULWA [RELOCATION]

Kusho ukususwa lapho ukhona uyo-fakwa endlini kwenye indawo kude nalapho ubuhlala khona. Lokhu kusho ukusuka eduze kwezikole, komakhelwane nezihlobo. Kusho ukuwa kwam-

abhizinisi kulabo abaziphilisa ngokudayisa emigwaqeni. Kunika abantu ingcindezi enkulu njengokubhekanekeninga yezithuthi. Kumele bgibele ngemali enkulu uma beya ematohweniabo, Baphinde bagibeze nabantwana uma beya ezikoleni abafunda kuzo ngalapho babesuswe khona. Futhi abalindi ukuthi zivalwe izikole. Izimpilo zabantu zicekeleka phansi kube nobubha. abantu bayahakazwa awubekwa eduze komakhelwane obubajwayele, impilo iba nzima ukuqala impilo nabantu ongabajwayele.

Inselelo enkulu ebhekene neziphathimandla zethu ukuthi bangenza kanjani ukuthi abantu abathintekayo ekufulweni baqonde ngaloluhlelo. Yebo abantu abaningi bayavuma ukufudulwa kodwa uma izimpilo zabo zizofike zithole ukuthuthukiswa lapho beyiswa khona. Esikhundleni sokujabulela ukuyiswa emixhasweni baye babe nokwesaba ukuthi izimpilo zabo zizoba njani phambili, ngakho ke benqabe ukufudulwa. Okubuhlungu ukuthi iziphathimandla azinandaba nenselelo nokwesaba kwabantu, basebenzise "IMPOQO", ukuze bafudule izakhamuzi.

Ukuthola kabanzi mayelana nomthethosisekelo wezezindlu nokufudukiswa owabekwa ngo 2004 usuka ku 1994 kuya ku 2004 utholakala ku (www.housing.gov.za/)

Ngaphandle kwezindlu ezakhiwa ngo 2004 okusho ukuthi sekufudukiswe imindeni esifudukiswe. Ubudlelwano benziwa obubili obokuqala iNational Housing Subsidy System ihlale idinga ukuthi kufudukwe kungaba ukuya kwindawo entsha noma ukuhlala kuyondawo kodwa esizeni esisha

Izindlela okubhekwana ngazo nemijondolo endaweni okuthiwa ayilungele ukuthi kungakhiwa kuyo.

- Ukuthuthukiswa kwezindawo zeRDP ngendlela ekhoneyayo.
- Ukubhaliswa kwemindeni yasemijondolo abakufanele ukutho izindlu
- Ukususa lemindeni iyiswe ezindaweni ezintsha.
- Ukuxoshwa kwabantu abangafanele ukuxhaswa. Ngaphandle kokubonelelwangezinye izindlela
- Ukudilizwa kwemijondolo nokuzama ukuvimba ukuthi kuphinde kwakhiwe kuleyondawo.

Izindlela zokubhekana nemijondolo emhlabeni okuthiwa ulungele

ukwakha

- Ukunikezelwa ebantwini abambalwa.

Uhlelo olusha lo-kuthuthukiswa kwemijondolo Lokhu kucashunwe esimisweni esisha sezoxhaso (Breaking New Ground document, p17)

Yini loluhlelo lo-kuthuthukiswa kwemijondolo Isizathu silele phakathi kwabo bobabili uhulumeni wesifundazwe sakaZulu nosihlalo bomasipala. imiqulu emisha ikuveza ngokusobala lokhu.

Ngeminingwane bheka ibreaking New Ground -National Elimination Billi-kzn. I-Integrated housing Development plan yamasipala weTheku iveza



Max Ntanyana - Anti-Eviction Campaign supports abahlali protest march



In-situ Upgrade in progress in Brazil Santo Andre

## IQHAZA ELIBANJWE ABAHLALI BASEMJONDOLO MOVEMENT OF SOUTH AFRICA UKULWA NE HIV/AIDS

by Zandile Nsibandé - Abahlali baseMjondolo co-ordinator

Kunesikhungo sokusiza abantu abajula yigcikwane lengculazi nezintandane Sikuphi: 286 Kennedy Road Community Hall

Igamalaso: Clare-Estate Drop In Centre

Iziphi izindawo ezisi zakalayoi ku ward 25

1. Burnwood Road
2. Lacey Road
3. Sydenham Heights
4. Foreman Road
5. Kennedy Road

Amaclinic esisebenzisana nawoi

1. Sydenham clinic
2. Clare Estate Clinic

Izinhlango esisebenzisana nazo

1. Hope World Wide
  2. Department of Social Welfare
- Izikole esebenzisana nazo
1. Palmiet Primary School
  2. S.m. Jhavy Primary School
  3. Clare Ville Primary School

Senzani Kwabanegcikwane lengculazi

1. Sibanika amaphasela okudla labo abasa linde imali yo kugula (igrant)
2. Sibavaka shela emakhaya sifundise imindeni yabo ukuthi bopthawe kanjani

-Abangenamndeni siyabageza sibafunze uma bengasa kwazi ukuzenzela 3. Sibahambisa eclinic, sibize iam-bulance uma eseshonile sixhumana nomndeni siwazise uma ogulayo ehlala yedwa simumemele kuma support group.

Esisiza ngakho ezintandaneni

Iyini intandane?

-Intandome umuntwana oshonelwe unina kusukela enganeni ezelwe kuya ku 18years (0-18years)

Uma ingane isafunda, isaziphethe okwe-ngane, ingakaipitile, ingazele

1. Sibanika amaphasela okudla, abancelayo sibanika amathini obisi.
2. Sivakashela emakhaya sibone-

ukuthi ngokusobala ukuthi isasebenza ngohlelo oludala.

Isiphetho

Uma ukuthuthukiswa kwemijondolo ngokohlelo lwe Breaking New Ground .kumele lwenziwe eThekwini noshintsho oluningi kuzomele lwenziwe .okokuqala isimemezelo sikahulumeni wakwaZulu -Natal sesabelozimali kumele sibuyekwezwe .Okwesibili uma sipala weTheku kumele acacise ngesu lakhe lohlelo nokwabiwa kwezimali ngokweBreaking New Ground.

Kulezidingo ezimbili inhanganano enjenga Bahlali akumele ime yodwa. Bonke abasezikhundleni kuhulumeni nabazimele kumele baxhase abantu abasemazingeni aphantsi nemibono yabo.

wkuthu injani inhlalo kubona nalabo obabogadile (caregivers)

3. Sivakashele ezikoleni sibone ukuthi baqhuba kanjani sisize othisha lapho kufanele sisize khona.
4. Sizovula ama support group kulezikole engizi balile ngenhlakuze sisize abantwana abanegeikwane nezintandane
5. Silekelela ekubhali seni amagrants eg foster care ne child support grant uma ingaphuni ngokuxhumanane welfare

Sizisiza ngani izitandane

Esikhungweni sethu kune nkulisa (crèche)

Sifundisa abantwana kusukela ku 2 yrs Abano 5 yrs bangena ku Pre-school ukuze balungele ukuya ku Grade 1 ezikoleni engizibale ngenhla Ukudla kukhona noma kushoda siyaludinga usizo ekudleni Abakhokhi lutho abantwana

Izinqinamba esibhekene nazo (challenges)

1. Alisebenzisani nathi ikhansela
2. Izinhlango ezifuna ukusebenzisana nathi ziba nenkinga
3. Amavolontiya ayahamba esethole amadlelo aluhlaza ngoba sinecane kakhulu is typend esibanike sona
4. Ukwanda kwabantu abahaqwe yigcikwane
5. Bayashona abantu besafundiswa ngama ARV's
6. Ubuphofu (poverty)
7. Ukungasebenzi (unemployment)
8. Ukungabikho kwamatoilet (lack of sanitation)
9. Amanzi akhiwakude (long distance to the top)
10. Izinga le T.B. Liyenyuka (TB stats is very high)



Upgrade in progress in Brazil

# VICTORY FOR THE PEOPLE OF MOTALA HEIGHTS

By Louisa Motha, Bheki Ngcobo and Antonis Vradis

Today, Wednesday 13.12, the municipality came inside Motala Heights with the intention to demolish yet more shacks and with no respect to what has been agreed in court, to our lawyer or to the people of Motala Heights. They never reported that they would come neither to us, the court or our lawyers. But today they understood they they cannot simply ignore us, that they have to respect the will of the people of Motala Heights.

The Municipality's plan was to demolish five shacks while most of their tenants were away at work. They started with shack number B83, leaving Thathazile Mkhize, Sbu Mhlongo, Sibongine Danisa, Bheki Mkhize, Zama Nzuza and Bafana Gummede homeless. Shortly after we reminded the municipality workers of Section 26 of the South African Constitution, specifically that they cannot demolish a house without the consent of everyone living in it (not just the consent of the owners but the tenants too). Since they didn't have that consent they would need a court order for every one of the planned demolitions. After they made clear that they did not have that either, we immediately asked for police reinforcements to come from Pinetown and once they arrived, we explained that the municipality workers were breaking the Law and demanded they were arrested should they continue. Only a few minutes ago, the municipality workers

were leaving Motala Heights.

Last time that they visited Motala it was a completely different story. Committee members Bonginkosi Mazibuko and Nkosi Ngcobo had demanded R2,000 from each of us in order to provide us with a house in Nazareth. Those who didn't have that money were told they would not be given a house. One house might have 8, 9 or even 12 tenants but only its legal owner is offered a house in Nazareth. All the rest are made homeless once the shack owner is relocated. We estimate that to date, over fifty people have been made homeless in our area.

Most people in Motala Heights are either unemployed or work as domestic workers (the women) or temporary gardeners (the men). Domestic workers earn 15 rand per day on average, while gardeners will get 25 rand for a day's work. While they can now simply walk to their jobs, relocating to Nazareth would mean they would have to spend 16 rand per day on taxis (two each way)! So it's clear that people simply cannot afford to move. Children now walk to their school; the Motala Heights clinic is nearby and factories in the area that are in need of temporary workers will just drive to Motala and pick up some people, offering them a job for



## Resisting evictions in Motala: Obani bengathinta amaBhubehesi?

the day. All of this would be lost should we be relocated to Nazareth.

The way the Government and the Municipality treat us makes us feel like non-citizens, as if we do not belong to South Africa. The eThekweni municipality is constantly ignoring the South African constitution: it is as if they are operating under some constitution of their own!

We have been told that new houses will be built in Motala Heights by 2007. But

who will they build them for, if we are all relocated before then? Going to Nazareth would mean we would be worse off than today.

They have to understand that if they choose to tear down our houses, we shall sleep in the bushes. And if they want to relocate us they'd better find some big cells to put us in, because we are not moving, we are not going to Nazareth!

## IZIFUNDO EZANIKWA

AB AHLALI NGAMALUNGELO EZINDLU NGU STUART WILSON.

Ustuart Wilson ungummeli osez-ingeni eliphezulu. Useke wamisa ukufudulwa kwabantu uMasipala waseGoli.ngo Disemba ka 2006 .Weza ukuzokwabelana ngolwazi eWorkshophini yaBahlali eyayihlelwe yi COHRE. Wachazela abahlali ngesigaba sika 26 (3) womthethosisekelo uthi\*

AKEKHO UMUNTU OKUMELE AXOSHWE ENDLINI YAKHE NOMA EMZINI WAKHWE ,NOMA BATHOLE SEBEDILIZELWA IMIZI YABO ,NGAPHANDLE KWEMVUME YENNKANTOLO EYENZIWA NGEMVA KOKULANDELA IMIGUDU EFANELE."

Lokho kusho ukuthi ukukhishwa kwabantu ingekho imvume yenkantolo akukho emthethweni .Uma uzwa ukuthi ungase udilizelwe vele uthole ummeli uyise uMasipala enkantolo.

INKANTOLO AYIKWAZI UKUNIKA IMVUME INGABHEKAN-GA LOKHU \*

Banesikhathi esingakanani behlala khona labo bantu.

Kungabe ikhona indawo elungele ukuhlala abantu ,lapho bezogcinwa khona.

Uma usuhlale isikhathi eside ,usebenza khona endaweni ,ingekho enye indawo ozoyiswa kuyo, inkantolo ayinayo imvume.In-dawo elungele ukuhlala ,ileyo enezidingo ngqangi,njengezikole ukuze izingane zifunde.Umjondolo othuthukisiwe ehlahini , njengezindlu zomxhaso ePargate akuyona indawo elungele ukuhlala.

Akukho emthethweni ukuthi uMasipala afudule abantu engabazisanga ngencwadi ezinsukwini eziyishumi nane ngaphambi kokufudulwa.,kumele ibhalwe ngolimi lwakho oluzwayo ,ichaze kabanzi ngokususwa kwakho.wazi ukuthi unelungelo lokuyisa udba enkantolo ukuvimba lokho.

Amandla ethu thina esimfufu avela kubuningi bethu, uma sihlalene sinamandla ,futhi ngokuba nabameli abasezingeni eliphezulu kungasiza ukuvimba inkantolo ukuthi inikeze ngemvume yokuchithwa kwemijondolo.

Umasipala ufuna ukukhipha abantu abampofu eThekwini,wenzela indebe yebhola lomhlaba ngo 2010 ukuze bangabi semehlweni abacebile basemazweni.Uma singahlangana silwe ndawonye ,emigwaqeni nasezinkantolo sizobanqoba oMasipala ,sibaphoqe ukuthi basithuthukise lapho sikhona.

## LESSONS FROM STUART WILSON'S ON HOUSING RIGHTS



Stuart Wilson is a top lawyer. He has stopped evictions from the Johannesburg city centre where the Municipality there tried to force the poor out of the city. On 2 December 2006 he came to share his knowledge with Abahlali at a workshop organised with COHRE. He explained to Abahlali that Section 26 (3) of the Constitution says that:

**"NO ONE MAY BE EVICTED FROM THEIR HOME, OR HAVE THEIR HOME DEMOLISHED, WITHOUT AN ORDER OF COURT MADE AFTER CONSIDERING ALL THE RELEVANT CIRCUMSTANCES."**

This means that any eviction for demolition without a court order is illegal. This means that the Municipality is breaking the law all the time because they always evict without court orders. If you hear that your settlement will face evictions or demolitions you should get a lawyer straight away and take the Municipality to court.

A court is not allowed to give an order for an eviction without considering:

- How long people have lived on the land where they are staying
- Whether or not "suitable alternative accommodation" is available to the people to be evicted

If you have lived in an area for a long time, if you work there, and if suitable alternative accommodation has not been arranged for you then the court should not grant the eviction order. Suitable accommodation is accommodation of good quality that is not too far from where you live and where your children go to school. A formal jondolo in the bush, like the 'house' in Park Gate, is not suitable accommodation.

It is also illegal for the Municipality to evict you if they have not given you notice in writing at least 14 days before the eviction. That written notice must also be clear and in a language that you can understand. It must also tell you why they want to evict you and it must tell you that you have the right to go to the court to oppose the eviction and that you have the right to ask legal aid to represent you.

# UMYALEZO KAMONGAMELI / PRESIDENTIAL MESSAGE

Sekuyisikhathi sokuthi sizazise futhi senze njengokusho kwethu .Siyimele imiphakathi yethu futhi sibeke imiphakathi yethu phambili. Kumele sibe nezisombululo kwesikwenzayo nokusamele sikwenze.

Sizama ngayo yonke indlela ukulhlanganisa imiphakathi ekusebenzisaneni noHulumeni.ekufezeni izethembiso zakhe. Noma kunjalo izwe lethu ngeke lakhiwe ngamanga nezitatimende ezingatholakali. Iprojethi yaseMoreland nezigidi ezishumi ezamenezelwa uSobaba weTheku uObed Mlaba ngoDisemba 2005 iyisibonelo esihle seziphathimandla ezicabanga ukuthi ngeke ziphonselwe inselelo ngenxa yezikhundla zazo.Lawo manga weMeya awaqedi umdlandla kuphela kodwa ayinhlaba kulabo abalinde izithelo zamanga ukuthi zithele kodwa lutho.

Abahlali baseMjondolo, abampofu abanamandla sebekhombise olukhulu uxhaso kumalungu awo. Ithembele kulabo ebakhethe ngokubathemba . Njengoba izikhundla sikhethe abanye esihlala nabo emjondolo ukuthi basihole.

Ukungabi nalungelo lokukhuluma ngenkululeko ,Ukungabi namsebenzi ,namazi , nagesi,nokungabi

nelungelo lokwazi, ukusha kwemijondolo, ukungcola komoya esiwuphefumulayo ,nokungabi nomhlaba nezindlu kusenze saba yimbumba saqina .Kumele senze okusemandleni ukusiza nokubongela umkhandlu kazwelonke wezezindlu kulomtheho omusha wezezindlu othi “ Breaking New Grounds” okufanele umnyango wezezindlu Ethekwini ukuthi uwusebenzise .Sesiyazi ukuthi umthethosisekelo wakuleli muhle futhi owethu sonke emaphephandabeni ,emisakazweni ,nakomabonakude.Asiwusebenzise umthethosisekelo ngendlela ezosiza nalabo abampofu.

Inhlangano seyenze ukuqwashisa ngezindlela ezihlukene kuzigidigidi zabantu base Mzansi abalitshelwe ,abampofu nalabo abahlala emjondolo. Siyazi ukuthi akumele siphile kanje ,Siyazi ukuthi lelizwe linothile ,Siyazi ukuthi sibizwa ngezilima ,Siyazi futhi ukuthi kuwumsebenzi wethu ukunakekela izihlobo ezigulayo sibe sibheke nokuthi abantwana baphephile emakhandleleni , nokubhamuka kwesitofu. Ukwakha lelizwe akuwona umsebenzi kaHulumeni neziphathimandla kodwa sonke sineqhaza esingalibamba njengamadodana namadodakazi aseMzansi Afrika.

It is high time we begin to define ourselves. It is high time that we walk the talk. Let us be passionate for our communities. Let us put our people first, let us have resolution with solution, an action plan with action.

We are busy rolling up our sleeves and mobilizing to partner our government to deliver to its promises. However our country cannot be built by lies and unfound statements like the Moreland Project and the 10 billion Rands to pay for it announced by eTkhwini Municipality Mayor, Mr. Obert Mlaba in December 2005. This project does not exist a year later. Mlaba's lies are a good example of authorities who think that because of the public office they hold they can just go unchallenged. Such lies by the mayor are not only immoral but are an insult for those who wait in vain for lies to bear fruits.

Abahlali baseMjondolo, the strong poor have shown good support to its own members who have entrusted its mandate to its chosen executive. Since status does not pay we have chosen our fellow shack dwellers to lead our movement. The no freedom of speech, the no jobs, the no electricity, the no water, the no right to know, the shack fire, the poisonous air we breath and the no land and housing has brought us together and made us strong. We must do whatever we can to assist and congratulate the national ministry of housing with this new housing

policy “breaking the new grounds” which we support and which we must force the eThekwini Dept. of Housing to implement. We are beginning to know how good our constitution is for all of us and we have discussed this in papers on radio and on television. Now is the time to practicalise the constitution in a meaningful sense to the poor citizens.

The movement has made many people in South African and around the world aware of various activities of the millions of forgotten South African Shack Dwellers and poor people. We have shown the world that we know that we are not supposed to be living the way we do. We know that our country is rich and we know exactly what makes it rich. We know that we were once regarded as short minded and now we insist that we will think and speak and act for ourselves. We are poor in life but not in mind. We know that it is our duty to look after our sick ones while keeping our own children from falling candles and stove explosions. We are not stupid or lazy. What we want is for everyone to realize that to build this country is not only the duty of government and authorities but that we all have a role to play as daughters and sons of South Africa. Talk to us, not for us. Let us be part of making our future. Let the time of our people being pushed around the country at the barrel of a gun come to an end. Let the time of respect for the lives and experience and intelligence of the poor begin.

by Sbu Zikode



Sbu Zikode released from prison to a heroes welcome

## THE AB AHLALI AGM: PURE DEMOCRACY, PROFESSIONALISM, TRANSPARENCY AND FREEDOM WITH FAIRNESS

by Mnikelo Ndabankulu

Abahlali held their first AGM on 26-11-2006 at the Kennedy Road Hall. From the beginnings of the preparation the AGM was announced through all Abahlali meetings and on community radio.

ABM did not appoint a single person to be a candidate. All Abahlali settlements and branches were given the mandate to hold open assemblies in their areas so that each settlement and branch could elect its own candidates. Each settlement and branch also had to elect and mandate its own delegates to the AGM because there was only space for 300 delegates. No area could have more than 20 delegates. This was to make sure that the voice of all areas came through carefully and that the areas closer to the

hall didn't dominate everything. Most of the delegates were women. Abahlali is always putting izimbokodo at the front. To be a participant you had to be an Abahlali member. Membership costs R7 per annum. Even the very poor can afford this but because we are many all the R7 put together is enough for Abahlali to keep its freedom from those donors and NGOs who think that they can buy themselves a movement to say and do what they want it to do. We always do no to breyani money. Abahlali only belongs to its members.

The candidates nominated by all the different areas were contesting for seven positions. These positions were: Secretary: Thoko Zikode; Co-ordinator: Zandile Nsibandze; Treasurer: Louisa



Voting in the abahlali elections

Motha PRO: T.N. Lembede; Vice secretary: Philani Ntanzzi; Vice President: Philani Zungu; President: Sbu Zikode

It was not compulsory for an area to contest all 7 positions. For example the Foreman Road Development Committee contested six of the positions and won one of them when Philani (Star) Ntanzzi was elected as the new Vice-Secretary.

The Church Land Programme is an NGO that works with Abahlali to make the strong poor even stronger. We respect the Church Land Programme like we respect COHRE, ODAC and the FXI. The Church Land Programme agreed to be our IEC and they did a very good job.

Abahlali had a very successful 'No Land, No House, No Vote' campaign in the March local government elections. That campaign shook the country. But at the AGM we voted in a real democracy. That was the end of our no vote campaign. There were seven ballot papers and seven ballot boxes. Each delegate had been elected and their vote was their secret. They were voting for real leaders, leader who work for the people, leaders who work to make the strong poor even stronger. They were not voting for breyani councillors who work for the rich and throw some crumbs to the poor. Breyani councillors are useless for the poor.

When the results of our election come out everyone was very happy. No single individual or area asked for by-elections.

This was real democracy.

Now we say 'Vote for Land and Housing!'

(Continued from Page 1)



The police attack on the Abahlali leadership was followed up the armed and violent demolitions of shacks in the Motala Heights, Juba Place and Palmiet settlements. In each instance owners were removed to new houses, many against their will, and renters were left homeless. In Motala Heights Bheki Ngcobo tried to hand the police a copy of a lawyers' letter to Mayor Mlaba stating that the majority of residents had signed a power of attorney form and instructed their lawyer to oppose illegal evictions. He was pepper sprayed at point blank range and the demolitions continued until Abahlali went to court and won another victory.

The willingness of the local state to act violently and illegally against the poor means that Abahlali will have to do a lot of work to stop evictions and forced removals and to win upgrades where people live. Abahlali is working very hard to mobilise people to stand up for the rights, to win the support of the media and to take the Municipality to court each time the break the law.

**There is a major struggle on.**

A large number of people, including children and grannies were left homeless. Then the municipality gave those homeless only the Sunday (9th) to move out from the area with all their belongings. They were told that if they didn't move out with all their belongings by the end of the day then they would bring the police security force to remove them and guard the area. People got stranded and frightened not knowing what to do and where to go. The ABAHLALI BASEMJONDOLO MOVEMENT SOUTH AFRICA arrived at the scene, listened to the story and tried to get an alternate place to stay for people. Fortunately places were found in nearby shack settlements (Pemary Ridge & Mpolweeni) and the movement also managed to get a community hall in the area for emergency accommodation. Woman and children went to the hall. A list was made of people who had been left homeless and who were still in the area and it come to 35 people. A court case was opened against the municipality (eTekhwini) at the Durban High Court. This was all done with the aid of Legal Resource Centre – and NGO, like COHRE, ODAC and the FXI that respects the human dignity of shack dwellers.

Abahlali and the LRC took these evictions as an abuse to human dignity. The constitution says "The people shall govern," and "There shall be shelter for all." That must be fulfilled. It hurts as this turns out to be a habit to the municipality. When ever they relocate they leave people homeless. The break the law all the time. There's even an old mother who owned a shack and didn't get a new house after the shack was demolished. Her house was given to another woman who was a tenant in another house. There is always this corruption in every relocation. That mother is now homeless. This is why Abahlali is fighting every day. We will stop forced removals and we will stop evictions. We will force the municipality to upgrade the settlements where people are living. We will force the municipality to obey the law.

We will force the municipality to talk to shack dwellers and not for shack dwellers.

Sekwanele!

## UKUFUDULWA KOMPHAKATHI WASE JUBA PLACE

By M'du Hlongwa

Ukuhlala emjondolo kubuye kube nobubi kwakho. Abanye abantu bakuthatha njengento engeyona umuntu ngenxa yendawo ohlala kuyona. Abanye bakuthatha njengomuntu onemqondo omfishane, ohlale enza izinto ezimbi. Abanye baye bafune ukuduma emhlabeni besebenzisa igama labantu abampofu abahlala emjondolo. Isibonelol uMasipala weTheku ufudula abantu ubasusa ezindaweni abahlala kuzona emjondolo bese uthi wenzela unyaka ka 2010 (wendebe yomhlaba yebhola). Indawo yase Juba Place ingenye yemjondolo ehlaselwe ilesisihlaba. Iyadabukisa into eyenzeka laphaya. Lendawo iyindawo ebisendaweni yase Reservoir Hills ngaphesheya kwase Newland East.

Kwafika izisebenzi zikaMasipala ngomhlaka 09 November 2006, zathi abantu bazofudulwa. Batshelwa kuthi bazothuthwa ngomhlaka 11 kuyo lenyanga. Bafika ngengempela njengokuthembisa. Badiliza benika izindlu labo abangabanikazi kuphela, bashiya inqwaba yabantu behlezi emnyango. Labo bantu babehlezi nabanikazi laba abanikwa ezabo bona bashiywa ngaphandle. Abanye babo babegadisiwe imizi. Kukho konke ukunikizelwa kwezindlu kuba nenqwaba esala dengwane. NgoMhlaka 11, izisebenzi zikaMasipala zathembisa ukubuya futhi ngoMhlaka 14 kuyo lenyanga ngoba babengaqedanga ngosuku lokuqala. Abantu ababesele dengwane bathathe izimpahla zabo bazigcina komakhelwane ababengakadilizelwa. Awuqedanga futhi uMasipala wabuya ngoMhlaka 16 no 18.

Abantu abaningi okuhlanganisa ogogo nabantwana basala dengwane lapho. Umasipala wanika abantu usuku loMhlaka 09 ukuthi baphume baphele endaweni. Batshelwa ukuthi uma bengasuki bazothathelwa izim-

pahla ziyotshingwa edampini. Futhi nendawo bathi izogadwa amaphoyisa. Abantu bazithola bengazi ukuthi benzeni nokuthi baye kuphi. ABAHLALI BASEMJONDOLO MOVEMENT SOUTH AFRICA bafika balalela okwenzekile base bezamela abantu indawo yokuthi bahlale okwesikhashane. Ngenhlanhla indawo yatholwa emjondolo eseduze eMpolweni. Kwayiswa abantu abadala nezingane khona. Kwenziwa nohlu lwabantu abasala dengwane okwenza inani eliyizi-35. Kwavulwa necala enkantolo enkulu yase Tekhwini. Konke lokhu kwenziwa ngosizo lwe-Legal Resource Centre (LRC), okuyinhlangano elwela amalungelo abantu ikakhulukazi abahlwempu nesithunzi sabo.

ABAHLALI no-LRC bathatha lokhu kufudulwa njeng-okuhlukumeza isithunzi sabantu. Umthethosisekelo uthi "Abantu bayabusa", nokuthi "Umuntu uyokwakhelwa umuzi" Lokho kumele kufezekiswe. Sekujwayelekile ukuthi uMasipala uthi uma uthutha abantu ushiye inqwaba dengwane. Umasipala uhlale uphula umthetho. Kunanomama omdala obenomjondolo wakhe okwathi sekudilizwa wanganikwa owakhe kodwa wanikwa enye intombazane eyayiqashe komunye umjondolo. Kuhlale kuba nalobugebengu njalo uma kukhishwa izindlu. Lowomama kuyimanje akazazi ukuthi ahlale kuphi. Yikho lokhu okwenza ABAHLALI bahlale belwa. Sizokuqeda ukuthuthwa ngenkani nokufudulwa. Sizowuphoqa uMasipala wakhele abantu lapho behlezi khona. Sizowuphoqa futhi ukuthi ulandele umthetho wenze okufanele. Sizowuphoqa futhi ukuthi uMasipala ungakhulumi ngabantu abahlala emjondolo kodwa ukhulume nabo.

## JUBA PLACE EVICTION

Living in shack settlements sometimes has its disadvantages. Some take you like you are not a living human being, just because of the shack area you are living in. Others take you like a short-minded person, someone who is always doing wrong. Some people try to get the attention of the eye of the world through shack settlements. For an example the Ethekwini municipality is trying to evict all people from all shack settlements for the 2010 World Cup. Juba Place is one settlement that has already been attacked. What happened to Juba Place shack settlements hurts so badly. Juba Place is a small shack settlement, which was situated down the hill at Reservoir Hills opposite Newlands East.

On Thursday, the 9th November 2006 the Municipality told people in Juba Place that they would be relocated. They were told that they were coming to evict on the 11th (Saturday) of same month surely and they did come and they did evict on that day. They destroyed the houses (shacks), giving a house to the shack owners only, leaving homeless all the people who were staying with the owners and all those who were guiding houses for owners who were for years at farm, or no longer living in the area. With every eviction most of the owners are relocated but the people staying with them are just left homeless. On the 11th after demolishing people's homes the municipality promised to come back on the 14th (Tuesday) as it didn't finish on the first day. People left homeless on the first day then took their belongings to the other houses that hadn't been demolished to try and keep them safe. But the Municipality came back to complete its destruction of people's houses and lives and the community on Thursday (16th) and then Saturday (18th)



# POLICE BRUTALITY

Nowadays police brutality has become a daily bread, especially at informal settlements. Whether you are a male or female to the police it's the same. I don't know where did the police bury their conscience.

Long time ago when you see the police van you felt safe, but now things have changed. In Kennedy rd informal settlement they come whenever they want. They go door to door searching men, beating them without reason, make them do "push ups".

On the 15 March 2005 we were marching against our councilor who doesn't do his job as a councilor, the police were there to play their role. They chased us with their vans and grabbed 14 comrades, including 2 teenagers and a pregnant woman. They took them to the police station and beat them. One of the teenagers, they let their dog bite her in her leg. That was abusive. Again above all that they sent them to Westville prison. "Our 14 heroes" won the case.

On the 14 November 2005, we had the march from Foreman road to the City manager Mike Sutcliffe. Again the police came to show how brave they are when it comes to deal with the poor. In that march, I was in the front.

The police asked us to wait and we waited. They said they wanted to

talk to our leaders. By the time we waited, we were singing our "mza-balazo" songs. Suddenly the police took out their shields and guns and started to fight us, not fighting with us because we were defenceless. We didn't fight them, they were fighting us. I tried to run but one of the police pushed me and I fell on my knees. I tried to get up but he hit me with something I didn't see. I fell on my face and lost my front tooth.

They took us to the police station with other comrades while we were injured, just like that. Later they released us cos they were done with us. We tried to open a case, but we were ignored, cause we are nothing to them.

Today whenever I see the police van, I see no safety but enemies of the poor, bullies who do not have a conscience. The government is doing nothing about the police brutality in this country.

If we cant control the police as his children, how can he deliver the needs of the poor, if he cant even defend them. He cant even punish those cruel police. That's why I see no freedom for us poor people, I see no justice, no equal rights but only oppression for us. This must end.

All the poor people must unite and fight back in a strategic way. We are not "punching bags" to be beaten by those downpressors. People united will never be defeated.

By System Cele



the extent that 3 people were admitted to King Edward Hospital and kept their under police guard. One other lady went to hospital on her own. Her situation is still very bad. She was already on strong medication before the police assaulted her so cruelly. According to Ntombi Fikile policemen were even breaking down people's door to assault them in their own houses. We have also seen this in E-Section, Umlazi where one man was even shot in his own home and in Foreman Road.

Abahlali baseMjondolo counted eleven people who had been badly injured after being assaulted by the police but there were rumours that more people had been hurt and were hiding in case the police came back to hurt them again.

My personal point of view is that as far as Section 205 of the 1993 Regulations of Gatherings Act goes the police in fact committed a crime in Siyanda. Just as they have committed crimes in Foreman Road, in Kennedy Road and in Motala Heights. In all of these places they have disobeyed the constitution of our country. This behaviour needs to be condemned. Serious steps need to be taken against the regular breaking of the law by the police because while they break they law they criminalise us. The police are getting paid for their work on days when they commit these crimes even though they fail to understand that their duty is to the people and the constitution that protects the people and not to the powerful. The police are there to work for us. Abahlali have struggled to make them understand this in some places and will continue to struggle

to make the police serve the people. In Umlazi, E-Section, there has been a big success with the arrest of the councillor's hired assassins. There the police are now protecting the people from the powerful. Like in other police attacks in other settlements the people in Siyanda lost their cell phones and had the doors to their homes broken. In fact what happened is that they suffered from armed robbery but the armed robbers were the police. Then the victims of the criminal behaviour were charged in court with public violence! It was the police that committed public violence! More than 100 Bahlali have been charged in the last year and a half but every time the charges have been dropped. This is because the police arrest us to intimidate us but never had any evidence against us. For them they use arrest just like tear gas or dogs or bullets. It is just one of their weapons.

Our communities need the South African Police Service to do their job. We want to enjoy our rights and to feel safe. The behaviour of the police is therefore a challenge for Abahlali baseMjondolo, a social movement who loves the poor people and who will defend the poor people. We need to push for a strong campaign to conscientise the media, our people and the police about our rights and what the police are really supposed to be doing and who they are really supposed to be working for. All we need to do is to get the police to obey the constitution. When it stops the police from attacking the poor it will be real and it will be strong.

# THE STRONG POOR AND THE POLICE

by Philani Zungu

Abahlali have discovered that when the strong poor speak for ourselves the people who are paid to speak for us, from local councillors, to Mike Sutcliffe and some NGOs and academics, call us criminal. They ignore the fact that it is hundreds of years of crimes against our ancestors that have driven us into the shacks and that even in these shacks the municipality breaks the law when it demolishes our homes. It seems that when ever we want the same rights as other citizens we will be called criminal. Often the powerful people who call us criminal for telling the truth get the police to attack us.

The South African Constitution gives us all the right to gather and to protest and say what we want to say. It is therefore unacceptable that every time there are mass gatherings of the poor and that every time we raise our voices the police are sent to oppress us. The police are sent to break the law and to stop us from marching and from speaking.

In a democratic society the police would exist to maintain the law and to ensure the safety of our communities. The police would be there to ensure our safety

when we organise mass gatherings. But when we organise mass gatherings the police are there to make us unsafe! They assault us and shoot at us when they should be protecting us. Police brutality is not the exception. We suffer from illegal police brutality all the time.

On the 3rd of December 2006, the day after Abahlali and the AEC protested together at the SMI, the people of the Siyanda settlement blockaded the Inanda Road to protest against eviction and forced removals. They had a memorandum to hand over to their councillor. Abahlali and AEC were there. Before the councillor could arrive to receive the memorandum he, like so many other councillors, instructed the police officials to act on his behalf. Residents of Siyanda said that one of the police officers told them that they had been personally instructed by the councillor. The same thing has happened in settlements like Kennedy Road and Motala Heights. The councillor for Siyanda instructed the police to attack the people. He said that he would personally love to be there to help.

People were assaulted very badly to

# Abahlali kwi -Internet: www.Abahlali.org

I-internet iyibhuku elikhulu emhlabeni. Inamakhasi ayizigidigidi, abalwe abantu, izinkampani futhi ikhasi ngalinye linodaba oluhlukile. Noma ikephi emhlabeni, umuntu angazibhekela, futhi athole lokho akufunayo.

Manje nabaHlali baseMjondolo sebenekhaya labo nabo kwi -website ethi www.abahlali.org.

Kubalulekile kubaHlali ukuthi babelane ngolwazi nabantu ezweni lonkana. Uma iphephandaba lifuna udaba kuMike Sutcliffe kunabantu abampofu (abaswele), Leyo ngenye yendlela yokuthi Abahlali baveze olwabo udaba.

Le-website isikwaze ukuvundulula amanga kaHulumeni ngosizo lomthetho welungelo lokunikwa ulwazi oludingayo uma ulufuna. Ikhombisa nezithombe zamaphoyisa ayizigebengu alimaza abantu emijondolo yaseSiyanda.

Le-website inokungaphezu kwezindaba, inezithombe, namaVideo, izindaba ezisuselwa kumaphephandaba, ama-press release nemisebenzi yezazi kumzabalazo waBahlali ukuthi bazazise futhi baziwe nangabantu abebengeke bakwazi ukuzwa ngemizabalazo yaseThekwini. Njengamanje le-website inamakhasi angamakhulu amathathu (300) nezithombe ezininginingi.

Eqinisweni, kuningi okukule-website ongaqeda isikhathi esiningi uzibheka ezingakushaya ngaphakathi. Lamakhasi enziwe ngezindlela ezihlukene.



Uma ufuna ezintsha ngaBahlali kwiphepha, kwisolezwe uma ngisho isibonelo uya kwi “Newspaper Coverage”

Uma ufuna izindaba ezingesizulu -kuneziyisithupha njengamamnjeya ku “Zulu” ezokukhombisa izindaba ezinjengo “Izimpilo Zethu / Our Lives”, izithombe ezenziwa omama base-Kennedy Rd, Foreman Rd, nase Jadhu Place, nezindaba ezathathwa kwi-Solezwe.

Le-website iyilapho kutholakala khona izindaba ezibhalwe ngaBahlali baseMjondolo -ungakuthola ngokuya ku “University of Abahlali

baseMjondolo”. Uma ochwepheshe abehlukene befika bezokwenza ucwaningo oluhlukene emijondolo, baye bashiye amakhophi abawenzile ukuze ofikayo awubone.

Akubona ochwepheshe kuphela ababaxhaso kumsebenzi waBahlali. Noma ubani onekhumpyutha uyakwazi ukusiza ngokuveza imibono anayo, izithombe kanye nezindaba mahhala. Kuyimanje le-website inezindaba ezibhalwe ngoS’bu Zikode, Philani noBhekuyise Ngcobo.

Inkinga eyodwa ukuthi kumele ubenekhumpyutha ukuze ukwazi ukusho noma ukuveza indaba yakho.

Ilokhukwenza le-website ingabisezingeni ukuthi imijondolo eminingi ayinawo ugesi. Ngokuhamba kwesikhathi abantu bazokwazi ukukuthumela imiyalezo yabo ngeSMS kule-website.

Yebo, lokhukuvimbi ukuthi abantu bayahluleka ukufunda izindaba zabo ezikwi-website. Yingakho sizama ukuthi umphakathi ungavimbeki ukufunda izindaba zawozesiZulu nengisi. Kuzofanele sazise ngalokhu kushicilelo olulandelayo.

*Zulu translation by System Cele, Mdu Hlongwa and Zama Ndlovu.*

## Abahlali on the Internet

by Raj Patel

The internet is the world’s biggest book. It has billions of pages, written by people and corporations, and every page tells a different story. From anywhere in the world, someone can search for information, and find what they’re looking for. And now, Abahlali baseMjondolo has its own home on the web at [www.abahlali.org](http://www.abahlali.org)

It’s important for Abahlali to be able to share information directly with the world. If the newspapers decide that they want to get their news from Mike Sutcliffe rather than from poor people, it’s a way of claiming back the space for bahlali to tell their side of the story.

The site has recently been able to share the lies sent by the government around the PAIA request, and post

pictures from the criminal police assault at the Siyanda informal settlement.

But the website has much more than news. It contains pictures, videos, newspaper articles, press releases and academic work from Abahlali’s struggle. It is both an archive of Abahlali baseMjondolo’s past, and a way to reach people who otherwise wouldn’t hear about the struggles in Durban. At the moment, the site has over 300 pages and dozens of photos.

In fact, there’s so much on the site that you could easily spend a long time looking for what you’re interested in. So the pages have been organised in lots of different ways. If you want to find the latest items about Abahlali in The Mercury, for

instance, just click on “Newspaper Coverage”.

If you’re looking for articles in isiZulu – there are 16 at the moment – just click on “Zulu”, which will lead you to stories like “Izimpilo Zethu/Our Lives”, the photography project by women in Kennedy Road, Foreman Road and Jadhu Place, and a range of newspaper articles from Isolezwe.

The site is also home to many articles written about Abahlali baseMjondolo – you can find them by clicking on the “University of Abahlali baseMjondolo”. When different researchers come round the settlements, they’ll leave a copy of their research there for everyone to see.

And it’s not just researchers who can contribute to the site. Anyone with access to a computer can get share

their ideas, pictures and stories, free. Already, the site has writing from S’bu Zikode, Philani Zungu and Bhekuyise Ngcobo.

One of the problems with it is that you need to have a computer to be able to tell your story. This is what makes websites less than perfect when most imijondolo don’t even have electricity. In the future, there will be a way for people to SMS their stories to the website.

Of course, this still doesn’t solve the problem that most people won’t be able to read their stories once they have been put online. That’s why we’re also working on a way to share stories sent by SMS in a newspaper in isiZulu and English. We’ll have an update on that in the next issue of the Abahlali newspaper!

Ward Name Area, No of sites/hholds

**In-situ upgrade**

complete 25 Burnwood Road Clare Hills	100
25 Puntans Hill (Silverwillow) Springfield	124
short term 15 Mpola phase 3 Thornwood	800
(2003-2007) 15 Tshelimnyama Phases 1 & 2 Tshelimnyama-Mpola 1620	
15 Thornwood Upper Thornwood	921
15 Mpola Thornwood & Tshelimnyama-Mpola	1675
23 Rainbow Ridge Palmiet	110
25 Lacey Road Sydenham	109
25 Puntans Hill (Silverwillow) - ext Springfield	234
25 Jadhu Place Springfield	556
34 Jamaica (Triumph/Myhill Roads) Sea Cow Lake	500
34 Parkington Kenville	220
34 Johanna Road (Box wood Road) Sea Cow Lake	208
34 Gumtree Road (Kenville) Sea Cow Lake	300
34 Smithfield Road Sea Cow Lake	125
34 Havelock Road Greenwood Park	127
34 Mysore Road (Temple Road) Sea Cow Lake	308
69 Bayview Bayview	137
med-long term 15 Motala's Motala Heights	8 (2008-2017)

**Relocation**

short term 23 Dunstan Garden/ Senzokuhle Reservoir Hills	30
(2003-2007) 23 15 Palmiet Palmiet	95
23 75/85 Palmiet Palmiet	535
23 99/109/111 Palmiet Road (LSection)	
Palmiet I Sherwood	300
23 Quarry Road West Reservoir Hills	500
23 Shannon Drive/Emsahweni Reservoir Hills	90
23 Dangelo Place Reservoir Hills	45
23 Kies Avenue Reservoir Hills	16
23 New Germany Road Reservoir Hills	164
23 Pmary Ridge/ Mpolweni Reservoir Hills	65
23 Pemilton Avenue/ Ekuthuleni Reservoir Hills	55
23 Pridley Park / Croft Reservoir Hills	24
23 Annet Drive / Ezingadini Reservoir Hills	13
23 Battersea Avenue/ Juba Place Reservoir Hills	139
<b>25 Kennedy Road Clare Hills</b>	<b>2600 ***</b>
25 Hoffman Place Springfield	10
25 Burnwood Road - ext Clare Hills / Springfield	105
<b>25 Foreman Road Clare Hills</b>	<b>1000 **</b>
34 NCP (Briardene Industrial) Briardene	94
34 Ringside Road Hippo Road	8
34 Sim Place Kenville	945
34 Siyathuka Sea Cow Lake	250
med-long term 15 Emmaus Westmead	65
(2008-2017) 15 Motala Farm (Pushcar) Motala Heights	145
15 Surprise Farm D Motala Heights	20
31 Umkhumbaan (Bellair Road) University 2	33
34 Umkhumbaan (UND) University 2	4
69 Bulbul Drive Bulbul Drive	3

**Greenfields**

complete 34 QuarryHeights Quarry Heights	2474
34 S2 Quarry Heights Melkhoute	307
34 Mount Moriah phase 1 and 2 b Piezangs Rivier Industrial	1106
69 Lamontville North West Lamontville	277
short term 15 Emmaus Tshelimnyamal Tollgate	400
(2003-2007) 15 Tshelimnyama phdse 4 Tshelimnyama-Mpola & Tollgate	450
15 Tshelimnyama phase 3 Tshelimnyama-Mpola & Tollgate	1220
25 Habitat for Humanity Sherwood	300
34 Mount Royal Southgate-Cenentar/Piesangrivier	
Open S 1081	
34 Avoca Quarry - Corobrick Land Melkhoute	600
34 Mount Moriah - new Piesangrivier Open S/Piesangrivier Indust/Duffs Road	2200

**EZASE MPOLA**

Ngiyilunga lomphakathi waku-Ward 15 ngaphansi komkhandlu weTheku, sithanda ukwethulela uthulumeni isigqoko ngentuthuko asezenzele abantu bakulelizwe umzansi Afrika. Siphinde sigxeke yena futhi, uhulumeni ngokungalusukumeli udaba lwale ward oselugede iminyakanyaka lungaxazululwa. Inkinye enkulu udaba lwezindlu kanye nentuthuko jikelele.

Mhleli uma singabhala ngodaba lwezindlu zoxhaso ezingekho, kube kuthiwa zikhona kungaphela amakhasi – namakhasi kuleliphelapha ndaba lethu. Sibone kuyicebo elingcono ukuba siyixoxe ngembuzo lendaba yezindlu.

Iziphathimandla zehhovisi

likaNgqongqoshe uMabuyakhulu ziyalwazi loludaba eminyakeni, yicolu lansukuzonke la kwaWard 15. Sibona bengalusukumeli yingakhoke sesithe cha ayiye kuZwelonke lenkinga ngoba umkhaya umathintanyawo.

Ngqongqoshe Sisulu

- Kuyenzeka yini uhulumeni nomNyango wakho akhiphe uxhaso lwendlu levemali kuR2775.00 ?
- Ngenxa yeholo lakho wean oxhaswayo, unikezwe R5750.00 bese kuthiwa ukuze thole itayitela khokha R9832.00 (Pay in) wumthetho kaHulumeni yini osho njalo?
- Kungumthetho yini ukuthi thina esingabokudabuka kwaWard 15 nesisahleli khona kulezondawo zethu esaza-

**Imali yesikole yemfundo yezingane**

Imfundo iyilungelo lomuntu kanti futhi ibalulekile ekukhuliseni izinga lezingane zethu ukuba zibe ngamalunga akhuthule emiphakathi. Abazali bahlala njalo bekhuluma ngokwanda kwemali yesikole okungukuthi uma ihlanganiswa kanye nemali abayikhokhela umasipala kwanda ubunzima kwezizimali kwabantulayo. Iningi labazali alazi ukuthi uhlelo lukahulumeni lemali yesikole lusebenza kanjani, nokuthi ngalo loluhlelo kungenzeka bangayikhokhi nokuyikhokha. Nansi indlela elula ongayilandela eyizinyathelo eziyishimi kuphela engakusiza ukuba wazi ukuthi ufanele yini noma cha ukukhokha imali yemfundo yezingane ngonyaka ozayo.

**Isinyathelo 1:**

Buza kuthishanhloko noma unobhala ukuthi isikole singezinye sezikole ezisohlelweni lokungakhokhi ngo 2007. Uhlelo luyatholakala ehovisi laBahlali noma esikoleni. Umangabe isikole sikhona kuloluhlelo okusho ukuthi akumele uyikhokhe imali yesikole.

**Isinyathelo 2:**

Umangabe isikole singekho ohlelweni, buza kunobhala wesikole ukuthi iyimalini imali yesikole yokufunda kwezingane. Uma ucaba nga ukuthi ungomunye walabo okungamele bakhokhe imali yesikole cela ifomu lalabo abangakhokhi imali yesikole kunobhala wesikole (bheka ifomu ikhasi12). ISIKOLE ASINALUNGELO LOKUKU KHOKHISELA UKUBHALISA)

**Isinyathelo 3:**

Uma ungakwazi ukufaka isicelo sokungakhokhi, uthisha noma uthishaNhlolo wesikole KUFANELE akusize. Ungathintana futhi Education Rights Project kulenombolo (011) 717 3355 noma ku (033) 260 6186 ukuze usizakale noma ufuna ukwaziswa kabanzi.

**Isinyathelo 4:**

Bona isibonelo sesibili ukuze wenze izibalo zakho uqinisekise ukuthi kumele yini ukhokhe. Uma usubalile wase uyabona ukuthi kumele ungakhokhi, noma ukhokhe ingxenye, gcwalisa ifomu lesicelo ulihlanganise kanye nencwadi engubufakazi bezindleko ukuthi uthola imali engakanani nokuthi kuyoyonke imali oyitholayo usebenzisa engakanani.

**Isinyathelo 5:**

Balela uSihlalo we SGB incwadi, uyithumele kanye nefomu oli gcwalisile, nayoyonke imininingwane ebalulekile kuNobhala (SGB). Kubalulekile ukugcina ikhophi lalezizincwadi ngakuwena.

**Isinyathelo 6:**

I SGB kumele ilibone ifomu lakho bese ikubhalela ingcwadi ukuze ikwazise ngesinqumo esithathile. Lokhu kumele kwenzeke ema sontweni amabili noma amathathi kusukela

mhla isicelo safakwa.

**Isinyathelo 7:**

Uma ngabe isicelo sakho siphumelele, i SGB izokwazisa. Noma singaphumelele i SGB izokunika izizathu kanti futhi ikucebise ukuthi ungazikhalela mayelana nalesisinqumo nokuthi kanjani.

**Isinyathelo 8:**

Uma ungavumelani nezinqumo se SGB kanti ufuna ukuzikhalela mayelana naso ungabhalela inNhlolo yomnyango wezemfundo (uDr Casius Lubisi). Kumele ukwenze lokhu zingapheli izinsuku ezingu 30 ngemuva kwesinqumo esithathwe yi SGB.

**Isinyathelo 9:**

Zingekapheli izinsuku ezingu 14 eyitholile incwadi evela kuwena uDr Lubisi, uzobhalela uSihlalo we SGB mayelana nencwadi yakho yokuzikhalela bese emcela usihlalo ukuba amthumelo zonke izincwadi zakho zesicelo kanye nama minithi omhlangano we SGB.

**Isinyathelo 10:**

Zingekapheli izinsuku eziyi 7 ezitlile izincwadi sesicelo sakho ezivela ku sihlalo we SGB, uDr Lubisi uzokubhalela wena kanye neSGB izincwadi anazise ngesinqumo asithathile kanye nezizathu saso.

**Isibonelo 1:**

Masithi mhlawumbe imali yesikole yengane eyodwa ingu R700 ngo nyaka owodwa (R70 ngenyanga). Uma ngabe imali oyiholayo noma oyitholayo ingaphansi kuka R7 000 (R700X10) akumele ukhokhe imali yesikole. Umangabe imali oyiholayo noma oyitholayo ingaphansi kuka R21 000 (R700X30) kumele ukhokhe inxenye yemali yesikole. Uma ngabe imali yonke oyiholayo noma oyitholayo iba ngu R21 000 isiphelele kumele ukhokhe yonke imali yesikole.

**Isibonelo 2**

Masithi mhlawumbe imali yesikole yengane eyodwa ingu R300 ngonyaka owodwa (R30 ngenyanga). Uma ngabe imali oyiholayo noma oyitholayo ingaphansi kuka R3 000 (R300X10) akumele ukhokhe imali yesikole. Umangabe imali oyiholayo noma oyitholayo ingaphansi kuka R9 000 (R300X30) kumele ukhokhe inxenye yemali yesikole. Uma ngabe imali yonke oyiholayo noma oyitholayo iba ngu R9 000 isiphelele kumele ukhokhe yonke imali yesikole.

Qaphela: umangabe iholo lakho lingaphezu ngo 30 kumali yesikole, kodwa unengane eyodwa, kungenzeka ubengomye waba ngakhokhi ngezizathu ezithile. Lokhu kusho ukuthi ungakhokhela ingane eyodwa.

lelwa kuzo kuthiwe asithenge lomhlaba esazalelwa kuwo nesisahleli kuwo ngemali engu R14375.00 ekhokhwa ngumuntu ngamunye (land purchase price)

- Siwuthenga kubani lonhlaba, ubiza malini?
- Umasipala wasePinetown ungawalahla kanjani amatayitela omphakathi bese kuphinde kutholalalwe, esethengile e-Hardware (missing beneficiaries) kuphinde kungthathwa sinyathelo?
- Kungenzeka kanjani ukuthi uma esigcemeni esithize seWard, kunamapayipi athutha indle bese kuthiwa ngeke siwut-

hole umbxhaso wezindlu. Ngoba imali yezindlu yathathwa yafakwa emapayipini lawo athutha indle?

- Singakhokhiswa kanjani ama-Rates emhlabeni esakhe kuwo ungenazingqalazidingo, nezakhiwo zonke ezifanele?
- Kwezeka kanjani ukuthi ningekho ohlelweni lwama – Rates, ningaziswananga lutho ngalwo bese, uthi uma uthola itayitela lifike nesikweletu?
- Impela okwakWard 15 kuxakile, sukumani ngokushesha isikhathi sezithembiso sidlulile, saphela amaqili.

by Mbongeni Msomi



# NO FEE SCHOOLS

Education is a basic human right and important in the development of our children to become active members in our communities and society. Parents talk more and more about the increase in school fees which, together with the payment for other basic services, put a lot of financial strain on the poor. Many parents don't know how the government's policy on schoolfees works and they may not have to pay any schoolfees. Here is a simple procedure of 10 steps you can use to see if you don't have to pay school fees next year.

Step 1: Ask the principal or the secretary if the school is on the List of no Fee Schools for 2007. You can get a list from the Abahlali's office or at the school. If the school is on the list it means that you don't have to pay schoolfees.

Step 2: If the school is not on this list, ask the secretary how much the schoolfees are. If you think you qualify for an exemption, ask the secretary for an Application for Exemption form (See form 1). **IT IS ILLEGAL FOR A SCHOOL TO CHARGE A REGISTRATION FEE.**

Step 3: If you don't know how to apply for an exemption, a teacher or the principal of the school **MUST** help you. You can also contact the Education Rights Project at 011 717 3355 or 033 2606186 for help or for more information.

Step 4: See example 2 to make the calculations to see if you have to pay schoolfees or not. Once you have done the calculations and you can see that you qualify for a full, conditional or partial exemption, complete the Application form and attach proof to show your income and expenses.

Step 5: Write a letter to the Chairperson of the SGB and attach the completed form with all the necessary documents. Hand the document to the secretary. It is important to keep a copy for yourself.

Step 6: The SGB must look at your application and write you a letter in which they tell you about their decision. This should be done within two (2) weeks of the date on which the application was made.

Step 7: If your application is successful, the SGB must tell you. If the



## APPLICATION FORM FOR EXEMPTION

SOUTH AFRICAN SCHOOLS ACT, 1996 (NO. 84 OF 1996)

EXEMPTION OF PARENTS FROM THE PAYMENT OF SCHOOL FEES REGULATIONS, 1998

(GOVERNMENT NOTICE NO. 1293 DATED OCTOBER 1998 – GOVERNMENT GAZETTE NO. 19347)

### Particulars of School

Name  
Address  
Tel  
Fax

### Particulars of Applicant

Name of Parent:  
I.D Number:  
Name/s of Learners:

### Residential Address:

Tel:  
Fax:

### Application for:

#### 1. Full exemption (Regulation 3(1)(a))

Combined annual gross income of parents : R.....  
Annual school fees per learner : R.....  
(Only applicable if combined annual income of a parent is less than 10x the annual school fees per learner)

#### 2. Partial exemption (Regulation 3(1)(b))

Combined annual gross income of parents : R.....  
Annual school fees per learner : R.....  
(Only applicable if combined annual income of a parent is less than 30x but more than 10x the annual school fees per learner.)

Partial exemption maybe accepted on a sliding scale as contemplated in paragraph 132 in terms of the National Norms and Standards for Funding published in the same Government Gazette as this document)

#### 3. Additional information which you request to be considered by the governing body:

4. All supplementary documents to prove the application for exemption must be attached for the consideration of the governing body.

5. The application form and accompanying documents must be sealed in an envelope and addressed to the chairperson of the governing body and be marked for his/her attention.

Signature of Parent

Date

SGB turns your application down, they must give you a reason and must also tell you that you can appeal and how to do so.

Step 8: If you don't agree with the SGB's decision and you want to appeal, you have to write a letter to the Head of Department (Dr Cassius Lubisi). You must do this within 30 days after the SGB tells you of their decision.

Step 9: Within 14 days of receiving your letter, Dr Lubisi will write to the Chairperson of the SGB about your appeal and give him/her all your documents. He will then ask the Chairperson to send him documents about your application including the minutes of the SGB meeting.

Step 10: Within 7 days of receiving the information, Dr Lubisi will write to you and the SGB to tell you about his decision with reasons.

#### Example 1

Let say the schoolfees for one child is R700 per year (or R70 per month). If your total income is less than R7,000 (R700 X10) you don't have to pay any fees. If you total income is less than R21,000 (R700 X 30) you should only pay a part of the fees. If your total income is more than R21,000 you have to pay the fees.

#### Example 2

Let say the schoolfees for one child is R300 per year (or R30 per month). If your total income is less than R3,000 (R300 X10) you don't have to pay any fees. If you total income is less than R9,000 (R300 X 30) you should only pay a part of the fees. If your total income is more than R9,000 you have to pay the fees.

Note: If you earn more than 30 times the schoolfees, but you have more than 1 child, you might qualify for a conditional exemption. This means you would only pay for 1 child.