

## BLACK LOCAL GOVERNMENT AND THE CRISIS IN KHAYELITSHA

### Background

The plan for the establishment of a new township, Khayelitsha, 'new home', was announced by the Nationalist government in March 1983. All African people living in Langa, Nyanga, Guguletu and Stellenbosch were to be moved there and the existing African townships turned over for 'coloured' housing. There was widespread suspicion about the state's motives and initially resistance to moving there. The state dropped the idea of full scale removals to Khayelitsha but the squatter communities of Old Crossroads were earmarked for removal and they fiercely resisted. However, several groups did move to Site C in Khayelitsha in return for 18 months temporary permits. Amongst these was the Cathedral group led by Mali Hoza.

The core houses in Khayelitsha were offered to backyard shack dwellers and they were soon filled up. Today Khayelitsha houses over 500,000 people and is growing with new arrivals every month.

### Build up

The roots of the 1990 crisis lie in the October 1988 municipal elections. The state saw Mali Hoza as strongman of the area and so backed him as mayor through Cape Provincial Administration officials, notably Graham Laurence, town clerk, Lingalethu West (name chosen by the CPA for the Khayelitsha local authorities) - this despite a long history of abuses by Hoza and his homeguards and headmen against residents, e.g.

- March 1987 - a court order awarded to the Joint Action Committee (group opposing Hoza in elections) to prevent Hoza and members of the Lingalethu committee from attacking them);
- August 1987 - 20 of Hoza's 'homeguards' stormed Malizo High School and beat schoolchildren with sjamboks and sticks "to teach boycotters a lesson";
- October 1987 - reports that at least 21 people were assaulted by Hoza's homeguards in a 'torture chamber' and then fined in a kangaroo court.

Complaints of harassment and assault made to local police by residents were not acted upon.

This action was seen as part of the state's strategy to co-opt conservative vigilante-type elements and use them to suppress progressive political organisations.

The October 1988 elections were contested by a group with progressive links (Joint Action Committee) in a vain attempt to keep Hoza out - hence the relatively high percentage poll. The Khayelitsha elections were hailed by the state as a triumph of local democracy. However, allegations of intimidation fraud and misconduct by Hoza, his councillors and CPA officials abounded.

After the elections, allegations of abuses by Hoza and Lingalethu West councillors continued unabated and seemingly unrestrained. In April 1989 Jan van Eck stated that Mali Hoza and his men, including kitskonstabels, councillors and others armed with

guns, swords and knobkieries had embarked on a violent campaign to force supporters of other leaders to change their allegiance to him. It appeared as if the state and provincial authorities supported the vigilante, warlord type activities of Hoza.

It appeared that Hoza, his councillors and homeguards received the active support of the SAP in Khayelitsha. In May 1989, allegations of police complicity with vigilantes in a court case related to 'witdoek' vigilante violence were supported by an entry in the information book at the Khayelitsha police station headed "Co-operation SAP-homeguard Site C". This urged the police to "treat very diplomatically complaints about the homeguard adding that "these people are rendering a very great help to the SAP".

With the Defiance Campaign preceeding the September 1989 parliamentary elections, opposition to Hoza found a focus and the newly established Khayelitsha civic gained support. On and around election day, 6 September 1989, 18 people were shot dead in Khayelitsha, allegedly by kitskonstabels, councillors and headmen. Eight Lingalethu West councillors and five others have made several court appearances in connection with seven charges of murder and three of attempted murder but have as yet not been formally charged.

After 2 February 1990, there was a general revival of civics and opposition to Hoza coalesced around the Khayelitsha Civic Association which grew in strength and posed a serious challenge to Hoza's control. Threats and harassment of civic members and leadership by Hoza and his councillors became more acute. There were rumours of a Lingalethu West 'hit squad' which planned to eliminate the civic leadership.

On 7 March 1990 four councillors barged into a civic branch meeting in a creche in Town Two and demanded that no meeting should take place without their permission. The Chairperson of the Khayelitsha Civic at the time (now chairperson of the Western Cape Civic) Michael Mapongwana was sent for and when he arrived, the councillors drew guns and shot at him. There were numerous witnesses but police steadfastly dragged their heels, claiming they could not find witnesses despite the fact that Mr Mapongwana had repeatedly offered to take police to the scene and meet with witnesses. As yet no-one has been charged although the identity of the councillors involved is well known.

On 4 August 1990 a march was organised by the Western Cape Civic Association in Khayelitsha which presented a petition to the police and one to Graham Lawrence, town clerk, addressed to the Provincial Administration calling for, amongst other matters, the resignation of the Lingalethu West Town Council. Graham Lawrence put the petition in his desk drawer and did not see fit to pass it on to his CPA bosses. Thus there was no response forthcoming from the CPA to the Civic other than that the Lingalethu West Town Council was elevated to City Council status at a swank ceremony attended by the Administrator of the Cape, Kobus Meiring.

Service charges were introduced in Khayelitsha which effectively doubled monthly payments by residents. This fueled tensions.

### The Conflict

At 2 a.m. on 18 October 1990, the home of Michael Mapongwana was

attacked by four balaclava-clad men who opened fire through his bedroom windows, killing his wife and injuring Mr Mapongwana. Their two small children escaped unhurt. The house was then petrol bombed. This caused tremendous anger and it was generally believed by the community that the attack had been carried out by Lingalethu West councillors. It was told to this monitor by Mrs Mapongwana on the afternoon before the attack that the family had not slept the previous night because a Lingalethu West combi accompanied by a police van had slowly circled the square in front of their house at about 10 p.m. and again at 11.50 p.m. Mr Mapongwana had decided to leave home and spent the rest of the night at a neighbour's house, fearing arrest or attack.

There was grave concern that given the long history of police support of the councillors and their activities, that the community would despair of getting legal redress and would take the law into their own hands. A Lingalethu West security guard suspected of being part of the alleged 'hit squad' was shot and killed by unknown gunmen in Site C and a councillor, also a suspect, was killed. Two councillors were later arrested in connection with the murder of Mrs Mapongwana.

On Thursday 25 October a march was organised by the Western Cape Civic Association to protest about the murder of Mrs Mapongwana and once again to call for the removal of the councillors. The Administrator, Kobus Meiring, was approached and agreed to use his influence to allow the march to proceed. It was felt that if the march was stopped, the situation would degenerate into uncontrolled violence. On the eve of the march all indications were that permission would be granted - the police and magistrate had no objection. However the Lingalethu West offices were bombed in the night and slightly damaged. The police withdrew their support and demanded the march be cancelled. The community however was mobilised and gathered on the morning. Police intercepted groups making their way to the starting point, skirmishes broke out. A crowd of several thousand gathered at the starting point. While ANC marshalls tried to negotiate a peaceful dispersal, with the police, the police gave the crowd five minutes to disperse and according to eye-witnesses, opened fire with teargas and birdshot almost immediately. Two men fell dead. Marshalls negotiated a stand off and the bulk of the crowd moved to Michael Mapongwana's house where a highly volatile situation was evident. ANC and community leaders decided to divert people to a sport stadium where an impromptu service was held, and addressed by priests and community leaders, to give the crowd direction and urge them to disperse peacefully. This seemed to successfully defuse the situation. However as people left the stadium, they were intercepted by police and teargassed indiscriminately. Monitors observed riot police firing teargas wildly into shack areas and at small groups of people in the road as the casspir raced by. Monitors further observed extremely immature and provocative behaviour on the part of riot police, taunting and threatening groups of people as they passed.

The day degenerated into one where police raced around teargassing people, there was retaliatory stone throwing and many people shot. Eight deaths were officially recorded although the toll was reckoned to be 12 or more. Over 80 people were treated for bird- and buckshot wounds at the Khayelitsha Day Hospital - many of them in the back.

Khayelitsha was declared an unrest area and a curfew was imposed. Lingalethu West workers went on strike in support of the Civic's demand for the resignation of Hoza and his councillors as they claimed that Hoza's activities and unpopularity in the community posed a threat to their lives.

The Civic, ANC, DP and other organisations called for the removal of the Lingalethu West City Councillors by the provincial authorities and their replacement by a neutral administrator and an advisory body representative of all political groupings in Khayelitsha. The CPA responded by saying that black local authorities should stay in place until a new constitutional dispensation had been negotiated. That despite the fact that in Khayelitsha there are several charges of murder and attempted murder pending against councillors.

It seems highly unlikely that there will be any real stability in Khayelitsha until the CPA and SAP stop supporting and bolstering a black local authority which clearly lacks community support and legitimacy and continues to threaten and harass residents with impunity.

Khayelitsha continues to simmer. .

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