

The Making and Re-imagining of Khayelitsha

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Report for the Commission of Inquiry into Allegations of Police Inefficiency in Khayelitsha
and a Breakdown in Relations between the Community and the Police in Khayelitsha

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PREFACE

During a working career that now spans 37 years I have worked in a number of institutions – i.e. VERITAS, the Surplus People's Project, W. Cape (SPP), the MANDLOVU Development Initiative and, the Development Action Group (DAG). In all of these I have both honed and applied incremental skills learnt from direct practice to design and implement programmes and projects related to urban land, housing, local government, community development and, capacity building in the context of a pro-poor agenda. Between 1996 and 2012 I also worked as a freelance development consultant and researcher through my small company, Social Trends Development Services, where I worked on numerous assignments for government, the NGO sector, and international NGOs related to the design and evaluation of a range of programmes and projects linked to reconstruction and development in the context of our democratic transition.

In between my professional work I have researched, written and published numerous articles, academic papers and books, three of the latter extensively cover various aspects of Cape Town's social history, with a special focus on past and present settlement life in the South-east Metro of the city. I am a Research Associate in the Archive and Public Culture Research Initiative based in the Social Anthropology Department at the University of Cape Town (UCT) and about to formally register as a PhD candidate in Historical Studies at UCT.

I currently serve as the Executive Director of DAG, an NGO operative in housing and the urban development sector since 1986. While some of my insights on the present and future possibilities with respect to Khayelitsha, the South-east Metro, and Cape Town as a whole draw on work presently underway across the city, most of what is captured in this statement, as well as the testimony I will orally (and visually) present before the Commission, draws on my earlier practical engagement in the South-east Metro, my academic studies, published and unpublished research and writing, my own archive (print and

visual) and, my own observations of past and present social and political reality in the city, Western Cape and, South Africa as a whole. While DAG fully endorses my giving testimony to the Commission on current challenges facing Khayelitsha, the organisation cannot in any way be held responsible or, accountable, for my written or oral presentation before the Commission. For this I take full responsibility.

The submission, which I will present at the Public Hearing scheduled for 23 January, 2014, will be presented as an oral narrative, accompanied by visual images to illustrate the story that lies behind the history of Khayelitsha. My statement covers the following: the specific context, often violent, that gave rise to the establishment of Khayelitsha on Cape Town's urban landscape in the early to mid-1980s under Apartheid; the shaping of Khayelitsha (spatial, political, social) in the decade preceding South Africa's democratic transition (1984 – 1994), with a specific emphasis on citizens, community-based organisations and, local government/governance (1986-1993); and, the re-shaping and growth of Khayelitsha during the first twenty years of South Africa's democratic transition. The final section identifies positive and negative trends and threads that run through its 30 year history, related to the present and, concludes with some thoughts and reflections for a re-imagined Khayelitsha, especially in relation to citizenship, governance and the need for a new paradigm in which both citizens and government begin to operate which strives to transcend our often violent past and, present.

My point of departure for the statement outlined below and what I will present to the Commission is the following: that my experience and observations, based on my work and as a citizen of South Africa and Cape Town, tells me that our history is a violent one. It also tells me that we are capable of transcending this aspect of our history, much of which has been internalised over generations and, finding creative solutions to both past and present day challenges. This means that, from my perspective or vantage point, one that covers almost 4 decades of urban history in Cape Town, this Inquiry into Allegations of Police Inefficiency in Khayelitsha and a Breakdown in Relations between the Community and the Police in Khayelitsha requires a nuanced understanding of the complexity that lies behind (past and present) what I refer to as "Greater Khayelitsha", as well as its meaning and place in a present and future Cape Town.

While I do not by any stretch of the imagination claim to be an "expert" on the above, I will do my best to offer a backdrop to present day impasses and, hopefully, open up new lines of inquiry and challenge or, affirm perceptions, on all sides, with respect to the current Inquiry. I thank the Commission for having an opportunity to present what I know and understand about the making and shaping of Khayelitsha to a wider public audience attended by a diverse range of individuals and institutions, especially those with a deep interest in its present and future.

SECTION ONE: INTRODUCTION

Cape Town, the oldest city in South Africa, is a place of natural beauty. This is manifested in its majestic mountain ranges, long stretches of white sandy beaches located along the Atlantic and Pacific Oceans and, a collection of fynbos (indigenous plants) unequalled in the world.

According to the 2011 Census the city's population is estimated to be 3.7 million people, a 29.3% increase since 2001 and, a 45.9% increase above the 1996 Census. In other words, Cape Town as a city is characterised by an escalating urbanisation process, with in-migration and natural growth largely responsible for this rapid rise in the city's population. While less profiled or, less visible, is the city's uniquely specific cultural diversity, an aspect fleetingly displayed to the rest of Cape Town citizens, the rest of South Africa, most of who view the Western Cape as a national anomaly and, the world at large during World Cup 2010.

But, there is another side to Cape Town. It is a city of multiple narratives - some known, some unknown, some disavowed, others ignored. Behind, beyond and beneath Cape Town lies what I call a subterranean "cadastral of pain". A long legacy of human suffering, linked to the city's colonial and apartheid past and, especially to the making of the Apartheid City, the end result of which was the systematic making of the Cape Flats, including Mitchell's Plain, within the making of a more clearly racially defined city (1960s – 1980s) and, alongside that, the making of new "formal" black African "townships" - i.e. Gugulethu, Nyanga and, a bit later, Mfuleni (mid-1950s to mid-1970s). The traces of this vast Apartheid spatial and social engineering project and process, implemented by local government and sub-contracted private housing developers, are evident and visible spatial symbols dotted across the city and, Cape Flats.

There is yet another narrative or, story. One that highlights the role of social agency, a push from below, a counter to the Apartheid City narrative, waged by thousands of black African people who fought tenaciously from the mid-1970s onwards for the right to live and work in Cape Town and the Western Cape – what today we would describe as "a right to the city."

The spatial symbols that illustrate this combination of agency from below and, the ways in which the then Apartheid government responded (1985-1990), are evident in places like Old and New Crossroads, Brown's Farm, KTC, Bloekombos and Wallacedene (Kraaifontein), Masiphumelele (Noordhoek), Imizama Yethu (Hout Bay), Marconi Beam (Milnerton) and, the heart of the establishment of Khayelitsha in 1983.

1.1 Introductory Comments on “Greater Khayelitsha”

Khayelitsha, recognised as the largest Black African settlement in Cape Town is officially “home” to more than 391 000 people (as per Census 2011). It is unofficially “home” to a contested local population, estimated as being somewhere between 400 000 to a million people, depending on which institutional data-set one takes as the benchmark.

While respected South African demographers and academics argue that the Census data collected on Khayelitsha between 1996 and 2011 “are broadly accurate”, based on “considerable mobility in and out of Khayelitsha”¹, many individuals living and working in and around Khayelitsha remain sceptical. However, what is not disputed is that Khayelitsha now represents one of the highest areas of population density (persons per hectare) within the Cape Metropolitan Area, with South-east Metro exhibiting the highest levels of population density.

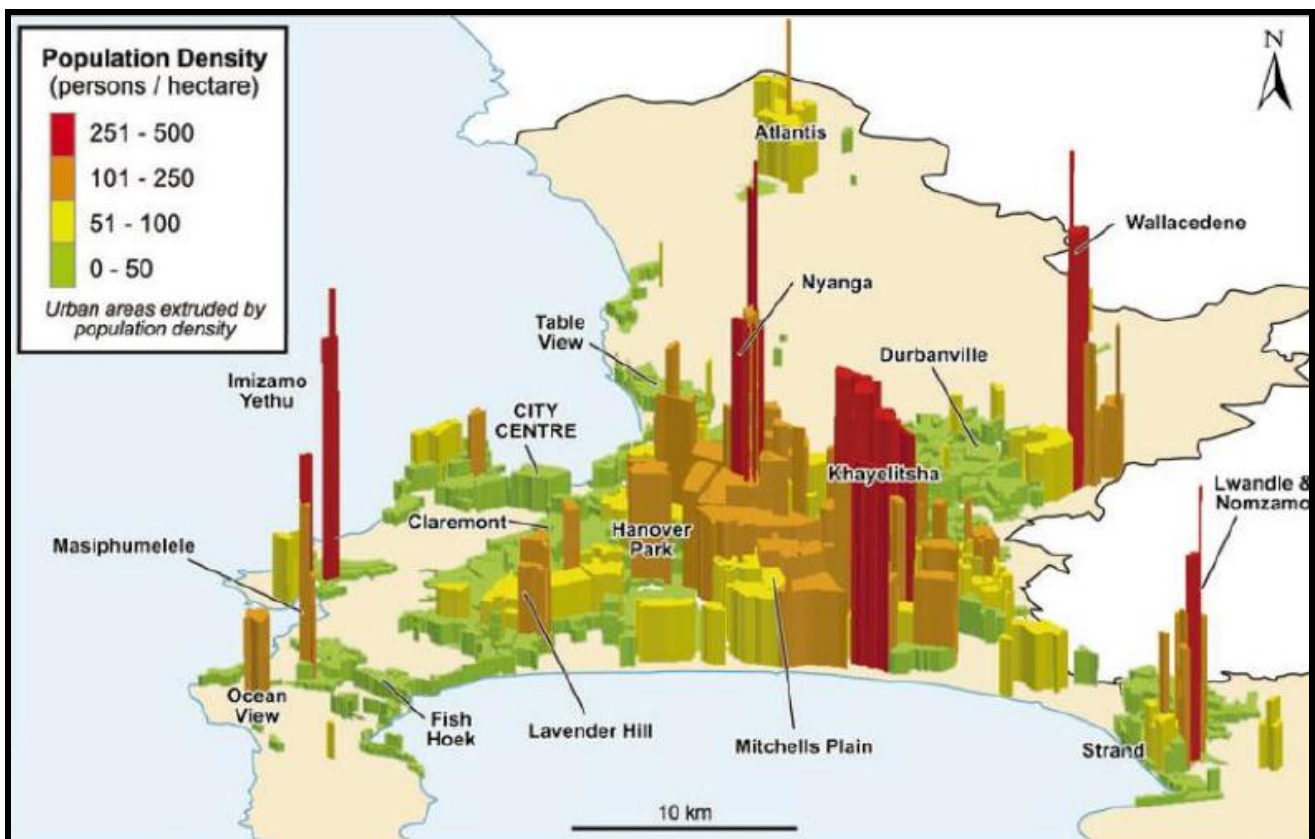


Figure 1: Distribution of the residential population across the city of Cape Town. Source: Ivan Turok, Ken Sinclair-Smith, Mike Shand in *Environment and Planning* (2010) Vol. 42:2295

¹ J Seekings, “Economy, society and municipal services in Khayelitsha”, p2

According to the latest data from Census 2011, population growth in Cape Town has been most prevalent amongst the black African population which expanded by 124% between 1996 and 2011. This finding, if accurate, goes a long way to explain an estimated metropolitan housing backlog of 425 000 (DoHS) and, one that is said to be growing at approximately 27 000 per annum, whilst delivery is put at below 10 000 per annum.²

Greater Khayelitsha currently consists of a mix of formal and informal human settlements located within what are referred to as 4 main ‘villages’ and, ten Wards, administered by Sub-council 9 under the Cape Metropolitan Municipality.

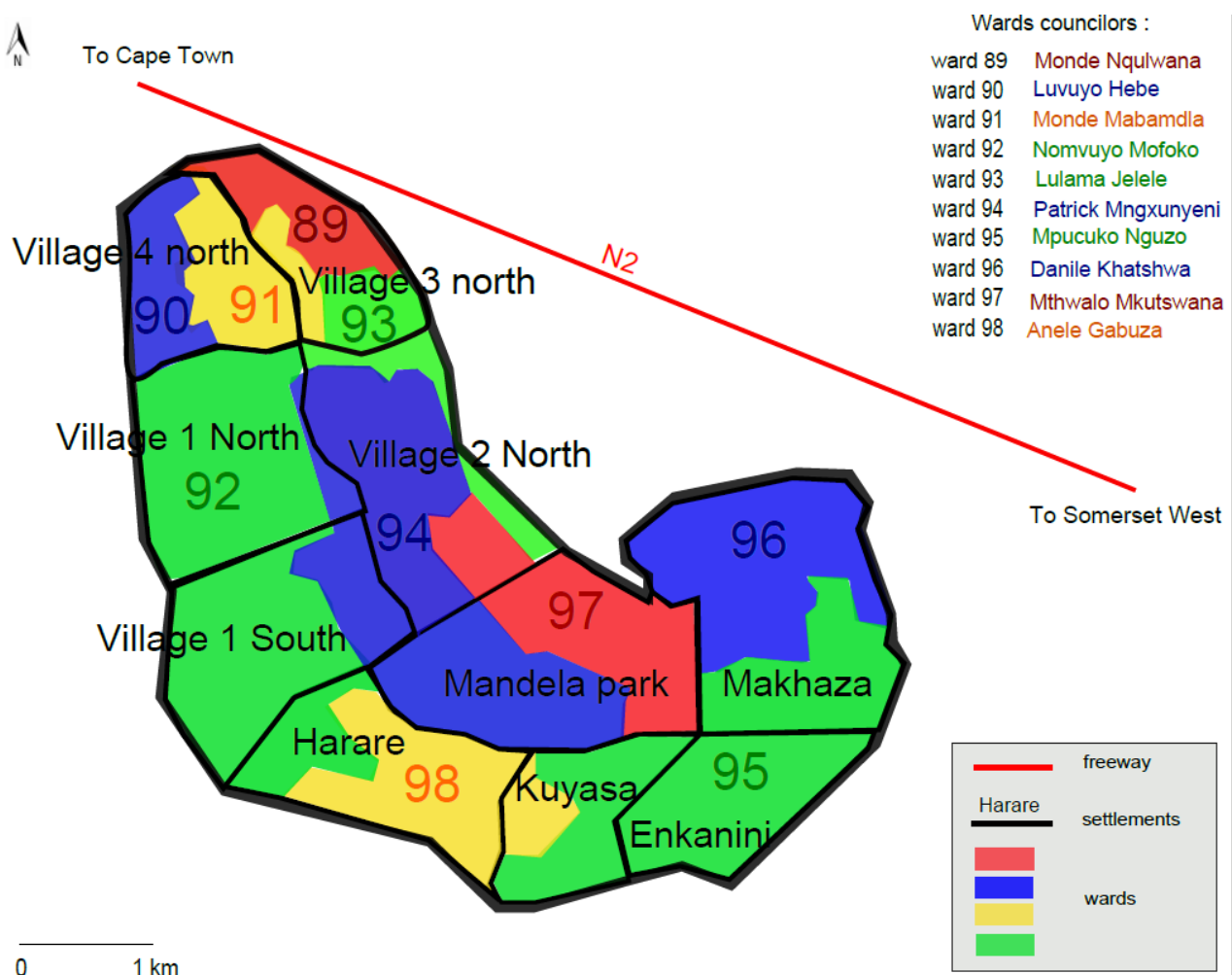


Figure 2: Map highlighting Khayelitsha Wards (Sub-council 9) and ‘Villages’. Source: DAG, 2014

² Development Action Group, Draft Concept Paper: Re-imagining the City: Towards a New Urban Order (2013) (forthcoming).

Many of the informal settlements within Greater Khayelitsha are vast and densely populated, with the larger ones consisting of smaller “neighbourhoods” – i.e. within Site B, Site C, Victoria Mxenge and, eNkanini. While the contours of this local topography is well known to its residents, Ward Councillors and, those working closely on the ground on projects and programmes in these areas, it is safe to say that most government departments (City and Province), as well as the wider Cape Town and South African citizenry, fail to grasp the significance or, logic of the area’s settlement patterns, especially with respect to development interventions.

Few, including more recent arrivals, understand the specific settlement histories (narratives and urban legends) that lie behind and beneath each formal and informal settlement, let alone its specific “cadastral of pain”, within Greater Khayelitsha. Whilst this paper cannot do justice to the issues raised above, they are raised here because the scope, scale and social history of each of the settlements making up Greater Khayelitsha offer potential clues and pointers on how to improve local service delivery and urban governance in the area as a whole, including the role and place of those charged with keeping “law and order” in spaces marked by spatial and local economic informality and, perceptions forged over generations of a South-east Metro experience of the city.

Since 2009 Greater Khayelitsha has become the recognised epicentre of what are termed “service delivery” protests in Cape Town and, in 2012 surpassed Nyanga as the “murder capital” of the Western Cape in a year in which the area’s three police stations - Harare, Lingeletu West and Khayelitsha - recorded 360 murders, 50 more than the year before (16% increase) and, 127 more than Nyanga. In addition to high levels of domestic and criminal violence and, reported murders, the area as a whole has witnessed episodic acts of “vigilantism” in which local residents, allegedly mistrustful of the formal organs of “law and order” – SAPS and the City’s Metro Police - mete out what is described as “people’s justice”.

In addition to a rise in “murder” there was a noted rise with respect to crimes related to sex; assault to do “grievous” bodily harm; residential burglary; kidnappings; and, hijackings. The Social Justice Commission (SJC) reported at the time that most crimes were not reported to the police who were viewed by local citizens as “unhelpful”. And, it was in light of this scenario that the SJC and Treatment Action Campaign began to loudly voice their objections to high crime levels in Khayelitsha (2011), calling on Premier Helen Zille to establish a Commission of Inquiry.

They cited a breakdown in relations between the community and the police, accusing the police of failing to protect people from harm and, in some instances, preventing the investigation of reported crimes. According to media reports at the time, all three police stations noted an increase in crimes dependent upon “police action for detection, including illegal possession of firearms and ammunition, drug-related crimes and, driving under the influence”.³

As research conducted elsewhere in South Africa indicates, one of the golden threads running through what are deemed to be “service delivery protests” 2008 is an apparent breakdown in communication and subsequent mistrust between local citizens and various government agencies, especially the police. In other words, what lies at the heart and centre of “urban protest” in post-Apartheid South Africa and, to a lesser and larger degree in areas like Khayelitsha, is a contestation over the terms and meaning of “justice” and, governance between those who govern and, those being governed – i.e. citizens. The most stark manifestation of anger, mistrust and loss of respect for those who govern being what is becoming known as the “poo wars” which appear to have their epicentre in Khayelitsha’s informal settlements.

But, there is also another and more positive side to Khayelitsha. It is also “home” to a local population that since the mid-1980s has incrementally transformed its neighbourhoods and settlements, sometimes with public or private support, into vibrant spaces with a unique mix of spaza shops, hairdressers, carpenters, welders and other informal traders and service providers.

The Greater Khayelitsha of today, densely populated, with high levels of urban poverty, unemployment, violent crime and, visible entrepreneurial and innovative spirit, is both a living testament to the Apartheid legacy in the city and, a testimony to the ability of marginalised South African citizens, living on the margins of Cape Town, to survive, adapt and, make something out of nothing. But, understanding what makes Greater Khayelitsha “tick”, including its more negative and positive characteristics, both in a present and potential future, demands an unravelling of how and why it was first introduced onto the city’s urban landscape in the early 1980s, how it has evolved over time and, the seeming inability of every City administration (from the 1980s to the present) to address the scale and scope of challenges exhibited; respond in a relevant way to the aspirations of its growing and essentially youthful population; or, embrace the assets and contribution Greater Khayelitsha and its citizens could make to the dismantling of the Apartheid city and, the city’s transformation as whole.

³ Weekend Argus, 22 September 2012 .

SECTION TWO: HISTORICAL BACKGROUND – URBAN LIFE BEFORE KHAYELITSHA

This section summarises the main contours of this history as it unfolded between 1955 and 1983. It draws extensively on my earlier and more recent published writings and research on the social history of Cape Town's informal settlements.

2.1. The Coloured Labour Preference Policy

In 1955, seven years after the National Party came to power in 1948, the Secretary of Native Affairs at the time, Dr W Eiselen, introduced a new policy known as the Coloured Labour Preference Policy (CLPP - an iconic form of influx control aimed at curtailing the scale of urban black African settlement (urbanisation) in the western half of the then Cape Province. The CLPP placed limits on the number of black African people who could access jobs, housing, land, education and, wider social opportunities. It specifically targeted black African women because, as Dr Eiselen argued, allowing women to live in the urban areas was a key driver for consolidating the presence of a settled and permanent black African urban population.⁴

In alignment with the CLPP Dr Eiselen drew an “imaginary line” separating the western from the eastern half of the Cape Province. This demarcation, historically known (if not remembered) as the Eiselen Line, adjusted twice to the east between 1955 and 1967, created a unique set of lived and material experiences for those caught up in its legal and social web on a daily basis. The CLPP was implemented through amendments to laws like the Black Labour Regulation and Urban Areas Act (1945).⁵

In line with this new policy thousands of black African women living in settlements across Cape Town were “endorsed out” of the city during the mid-1950s and, in the decade following the Sharpeville Massacre (1960). Some women and children were also sent to barren “resettlement camps” with infamous names like Sada and Dimbaza in the eastern part of the Cape Province. Others, with rights to work in the city but no formal housing, were resettled in “controlled” squatter (informal) camps located in Nyanga West (present day Gugulethu) on the Cape Flats.

⁴ W Eiselen, 1955, ‘The Coloured People and the Native’, Journal of Racial Affairs, Volume 6 (3), page 7

⁵ The Coloured Labour Preference Policy had a number of aims: reducing the size of the African population; freezing the construction of family housing; restricting African women from getting rights to live or work in the Western Cape, permanent rights or, legally bring their families to live with them in the city; and, after 1968, contract (migrant) workers could no longer qualify for permanent residential rights.

In the aftermath of Sharpeville and the repression that followed, black African women endured tremendous hardships but, in the early 1970s a new generation of women, most in their twenties and early thirties, many of whom had experienced increasing poverty in the eastern half of the Cape where they buried their young children who had died there, drew a line in the sand and said “we are not going”⁶

This shift in consciousness (and behaviour) was precipitated by the establishment of the Bantu Administration Boards (BAAB) in 1972, dedicated local government institutions established under the Black Local Authorities Act to administer black African urban settlements, a role previously played by City Councils. Once established, BAAB officials began to screen residents living in racially mixed informal settlements on the Cape Flats, numbering the houses of “Coloured” residents and placing their names on a formal housing waiting list and, “encouraging” residents identified as black African to either return “home” (to the “homelands”) or, resettle on vacant land in and around the black townships. A significant number were told about a piece of land located “at the crossroads”, between Lansdowne and Klipfontein Roads in Nyanga which, over time would become better known as Crossroads. Others opted to settle on land in and around the University of the Western Cape (UWC), marking the beginning of three new largely black African informal settlements (Modderdam, Werkgenot, and Unibel) and, the subsequent mushrooming of black African informal settlements in the early 1970s.

2.2. Resistance and repression: 1976 -1978

The Soweto student protests, which “rippled from their...epicentre into 200 communities across the country” by the end of 1976, signified a new mood of defiance in South Africa.⁷ In its aftermath, while scores of young black women and men fled across South Africa’s borders to escape arrest and detention, the business sector vehemently argued that the time was ripe for political reform and, began to actively lobby government for wider citizenship rights for black South Africans. But the then Apartheid government, led by Prime Minister BJ Vorster, was uncompromising and, turned its gaze and focus on regaining and maintaining control over the country’s potentially volatile urban areas, a top priority being the emerging and increasingly organised black African informal settlements in Cape Town.

⁶ IBID page 11

⁷ C Bundy, 1986, “South Africa on the Switchback”, New Society

Modderdam, Unibel, and Werkgenot

In early January 1977 the government announced its plan to demolish Modderdam, along with nearby Unibel and Werkgenot. The wider Cape Town public first became aware of Modderdam when the Cape Times ran a front page story, accompanied by a full length colour photo of the settlement and a banner headline reading “Teeming Camp Comes Under the Axe”.⁸

At one glance citizens and politicians alike were faced with the size and scale of the number of black African people living and working in Cape Town under the Apartheid radar screen, without “legal” rights and, a palpably visible housing crisis. Thus began a daily avalanche of images and stories that began to reveal a bitter and specifically black African tale of the Mother City. Over the next six months (February to July 1977) the city’s media made visible a strong public response to these threatened removals. Despite numerous pleas from all quarters for a stay of eviction and, in an ironic twist of fate, the newly “independent” Transkei government (1976) openly criticised the South African government for mistreating its “citizens” and trying to turn the Transkei into a “dumping ground” for returning Transkei “citizens”.

But, the Vorster government was beyond moral persuasion and on the 8th August 1977 the demolitions began in earnest, as local government workers, backed by the police, tore down the first 40 make-shift “homes” in Modderdam. Five days later the last of Modderdam’s “homes” fell, some allegedly set alight by angry community residents.

At the end of this an estimated 15 000 people were rendered homeless. And, in less than a week the apartheid government had obliterated from view, if not from memory, this well-organised, and vibrant black African urban informal settlement in Cape Town. The forensic evidence of human suffering that followed, linked to a loss of place in the city, is vividly captured in scores of photos and stories written by local and international journalists covering this time of lament and attrition in the city. A fortnight later, despite a huge public outcry, Werkgenot and Unibel were demolished, once again leaving thousands homeless in the city, looking and finding sanctuary in Churches and religious institutions across the city.

The demolitions, together with the death in detention of Black Consciousness leader Steve Biko and, clamp-down on anti-apartheid activists and institutions in October 1977, seriously dented South Africa’s image abroad and, fundamentally altered the consciousness of a growing number of people living inside the country.

⁸ Cape Times, 2 February 1977

After 1977 things were never the same. Lessons learnt and the solidarity networks that emerged became the new building blocks for growing open defiance against the next onslaught against black African men and women west of the Eiselen Line, this time spearheaded by a strong group of women leaders in Crossroads.

The threatened removal of Crossroads

Between 1976 and 1978 Crossroads, protected by its legal status as an Emergency Camp, became incrementally transformed into a well-run and lively informal settlement in the city, beyond the reach of the BAAB. The Crossroads of then, not of now, was built with the sweat equity of the women and men who lived there, supported by a range of churches and organisations. By 1978 Crossroads, with its karate, boxing and football clubs, quasi-traditional local government administration, two (locally built and run) primary schools, crèches, churches, dance-halls and, cultural group, was well on its way to becoming a Cape Town “Sophiatown”.

In addition, Crossroads had an exceptionally strong group of women leaders who served on the Women’s Committee, one of three committees that “administered” the settlement. The women had been at the forefront of forging and fostering links with churches and organisations since its establishment in 1975. By 1978 they were even more determined to stay than they first announced (1975) that they “were not going” anywhere. And, between 1978 and 1979, the Crossroads’ women leaders spend all their energy, as did many others, doing everything in their power to make sure that the then Vorster government did not destroy their homes, their families and, the place they called “home”, Crossroads.

Between February and November 1978 Crossroads became a national and international symbol of resistance to forced removals, supported by a diverse range of local, national, international organisations, faith-based and anti-apartheid groups.⁹ The ensuing “Save Crossroads Campaign” became an expanded and more strategic version of the 1977 anti-demolitions campaign that included protest meetings organized by citizens and groups from Cape Town to Washington to Sydney; a huge and highly successful media campaign; a community-based petition; all-night vigils and weekly prayer meetings organized by priests inside Crossroads with a roster of visiting clergy, including Archbishop Desmond Tutu, the then Secretary General of the South African Council of Churches; a large inter-faith Crossroads Day of Prayer on 31 July 1978 that was held

⁹ See J Cole , IBID, for a detailed account of the public “Save Crossroads Campaign” and ensuing negotiations.

simultaneously in Crossroads and across the world; and, included prayers of intercession by the Pope and the Vatican.

But the Vorster government held its ground and, on the night of the 14 September 1978 the government conducted a massive raid in Crossroads, clandestinely planned at the Castle in central Cape Town.¹⁰ During the raid, which went on relentlessly from midnight to 6 am the following morning, a local resident (Sindile Ndlela) was shot and killed, becoming the first Crossroads martyr and, hundreds of local residents arrested.

2.3. The ushering in of a new “reformist” agenda - the PW Botha era

This event dovetailed with the ousting of what were called “verkramppte” (hard-line) Afrikaner under the Vorster administration and ushering into power a new “reformist” Afrikaner faction led by PW Botha and, supported by “verligte” (enlightened) Afrikaners and the business community. In a surprise turn of events the newly appointed Minister of Cooperation and Development, Dr Piet Koornhof, on hearing that a new raid was being planned for Crossroads, personally visited the settlement. And, on his first day of office initiated negotiations in order to defuse what had by now become a highly “embarrassing” and damaging situation for the “reform” image being projected by the Botha administration.

After a lengthy and hotly contested negotiation process, Koornhof offered Crossroads the first of many once-off or “ad hoc” solutions proposed by him to defuse what by now had become “hot” squatter-related issues in the western half of the Cape. In April 1979, five months after the negotiations began, Koornhof announced his plan: a new township - New Crossroads – to be built a few kilometres away from (Old) Crossroads along Lansdowne Road and, future upgrade of a smaller (Old Crossroads). The downside of the plan was that it physically divided the original settlement into two separate areas and, as history would show, became a plan that was never fully realised. The upside was that it marked the beginning of the Apartheid government’s fundamental break with the CLPP – building the first formal family housing for Black African people living behind the “Eiselen Line” since the late 1960s. As importantly, it set a precedent for other groups waiting in the wings for access to “passes and places to stay”¹¹.

¹⁰ Argus, 14 September 1978

¹¹ The deal, announced in April 1979 consisted of a promised new housing settlement (New Crossroads) to be built in two phases on land 2kms away from (Old) Crossroads; and, an in situ upgrade in Old Crossroads (phase 3)

The leaders of Crossroads were openly divided on whether or not to trust Koornhof and the settlement on offer, especially in the absence of a written guarantee. Koornhof in a press statement issued after the plan was announced made it clear that as far as the government was concerned the “deal” he had brokered for Crossroads should be viewed as “ad-hoc”, and planned to “tighten up” influx control in the Western Cape. Within days of issuing the press statement Koornhof released the Western Cape Chief Commissioner of the Department of Cooperation and Development (Timo Bezuidenhout) from his “regular duties” to implement a “new” plan – the eradication of “illegal” African informal settlements from across the Cape Peninsula.¹²

2.4 The struggle for the right to the city escalates: Nyanga informal settlements and KTC

In the years between 1981 and 1983, the more specific backdrop for the establishment of Khayelitsha, the lines became drawn between thousands of black African men and women and the then Apartheid government as they fought tenaciously for the right to live and work in the Western Cape. This long-held aspiration was given new impetus when Koornhof negotiated a “deal” for a new settlement for the residents of Crossroads in 1979. By the early 1980s it was already evident that this was not going to be an easy battle for the apartheid government and so began the next phase in one of the most tenacious and protracted struggles waged for the “right to the city” in Cape Town – Nyanga Bush and KTC.

The Nyanga Land Invasions (1981)

In late 1979 officials from the renamed Western Cape Administration Board (WCAB), led by Timo Bezuidenhout, began to resettle hundreds of black African residents said to be living “illegally” in Hout Bay, Tableview, Killarney, Phillipi, Philadelphia, Kommetjie and Noordhoek. Many were resettled in migrant worker “single-sex” hostels in Langa where they lived under conditions described as “disgraceful” by the local media. When one of the owners of the hostels decided to renovate and transform them into family housing units for his workers it became the catalyst for a new wave of land invasions onto vacant land alongside Old Crossroads.¹³

¹² Argus, 6 April, 1979

¹³ One of the key reform-minded employers and owners of the Langa hostels was Murray and Roberts

Emavundleni¹⁴

In mid-March 1981, an estimated 500 people living in the Langa hostels were evicted to make way for planned renovations. To make certain that nobody would return officials from the WCAB cordoned off the hostels. Those evicted, with no place to go, sought and found refuge in nearby St Cyprian's Anglican Church. Within less than a week of being at the Church the "refugees", assisted by community workers from the Quakers and Women's Movement for Peace, decided on a new strategy – to invade and occupy an open piece of land along Lansdowne Road adjacent to Section 2 in Old Crossroads.

This group, estimated at 200 men and women, lived in makeshift shelters of plastic and wood, facing daily arrests and harassment prompting some of the women to come up with the ingenious idea of dismantling and burying their shelters and other personal belongings in the sand each morning and, rebuilding them at night. This stand-off between the group, the WCAB, and police continued until 22 May when 55 women and children were arrested and deported, en masse, to the Transkei. But this group of women, showing the same kind of determination as the Crossroads women had, hired a bus with support from the Catholic Church in Umtata and funds donated to them by the Transkei government. Within a week they were back on the same piece of land next to Old Crossroads.

In early June Koornhof made his next concession, the first since the Crossroads "reprieve" in 1979, offering the group another one of his "once-off" deals: qualified residence permits (Section 10 (1) (d) of the Urban Areas Consolidation Act of 1945 and permission to erect 81 shacks on a stretch of open land alongside Mahobe Drive, next to Section 4 of Old Crossroads

¹⁵Although qualified, this second concession of "passes and places to stay" for 81 families, the second breach of the CLPP, and subsequent establishment by the group of an informal settlement they named Emavundleni (Nyanga Extension) was the thin edge of the wedge and inspiration for the next wave of people demanding "passes and places to stay" west of the Eiselen Line.

¹⁴ Emavundleni was alternatively referred to as "Bez's Valley" after Timo Bezuidenhout the Chief Commissioner and eventually became known as Nyanga Extension.

¹⁵ IBID, page 73

Esigangeni - Nyanga Bush

Within less than a month (13 July), an estimated two thousand people, many evicted during ongoing renovations to the Langa hostels, defiantly invaded land right next to Emavundleni, a few yards away from the administration offices of the WCAB in Nyanga. No sooner had they arrived at the site when the police raided the area and arrested hundreds of people. When the group appeared at the Langa Commissioner's court the next morning they were cheered by hundreds who had escaped arrest, as well as residents living in Langa and the nearby townships. With nowhere else to go and strengthened by the unexpected show of support and solidarity, the group decided to go back to the same piece of land.¹⁶

Over the next few weeks, in the middle of winter, countless raids and arrests took place that were followed by solidarity meetings, public outcries and increasingly critical media reports, both local and overseas. In response, Koornhof adopted a different strategy, announcing that some of the land invaders would be legalised, while others would be offered jobs in the Orange Free State and Transvaal. In the same breath he emphasised that the government had no intention of tolerating temporary squatting in the Western Cape, demanding that women and children living on the land return to the "homelands".

As expected, this announcement acted like a magnet, attracting thousands of people looking for jobs in the western half of the Cape to flock to the open piece of land. Within a few days the population visibly tripled in size. But, just as some had predicted, the government used the opportunity of having a huge contingent of black African people together on the site to unleash a massive raid. And, in the early hours of the morning of 19th August 1981 more than one thousand people were arrested, taken to Pollsmoor Prison and, separated into groups of "Ciskeians" and "Transkeians". The "Transkei citizens" were almost immediately put on railway buses and deported to Umtata. Koornhof informed a by now somewhat sceptical press that he (once again) intended to "nip" illegal squatting "in the bud as soon as it reared its ugly head".¹⁷ He backed this up by setting up roadblocks between the Transkei and the western part of the Cape to "stop" the deported "aliens" from returning.

¹⁶Two mass meetings were held in the townships (Old Crossroads) in the aftermath of the raid during which 43 community organizations and trade unions pledged their support to the group led by what became known as the Nyanga Bush Committee.

¹⁷ Argus, 26 August 1981

Within eight days of this deportation to the Transkei an estimated 900 squatters were already on their way back to Cape Town and, on their return “disappeared” into the surrounding townships. A few months later, in late October, a smaller group of about 500 people, all of whom had lived together in church halls in Umtata, returned to Cape Town. This group, in a defiant mood, decided to return to the same piece of land next to Emavundleni and rebuild their temporary shelters.

The group, now publicly known as the Sand Dune Squatters, faced constant raids and arrests and, no matter how many religious leaders or secular institutions pleaded for a more humane resolution, the government continued to implement its apartheid agenda. On the 26th January 1982, police in camouflage uniforms and WCAB officials raided the temporary settlement on the dunes, this time leaving four men wounded from gunshot wounds and arresting seven people for public violence. The group living on the dunes refused to budge, defiantly rebuilding their temporary shelters. Two days later the police were back again, this time initiating a series of staggered early morning raids - 12.35 am, 3.15 am and 6 am. After this last onslaught the residents, desperate and afraid, publicly appealed to the WCAB officials to listen, rather than shoot. Some, by now highly traumatised, went looking for safer places to stay in churches in the surrounding black townships.

Bezuidenhoud announced in the press that he was prepared to meet with the group to discuss how some could become legal contract workers but warned that the shelters around the “sandy knoll” near (Old) Crossroads would be demolished and no new ones would be tolerated. He, described the group living on the sand dunes as “a hard core of about 300 people who ignore everything we say and keep coming back”. In early February he offered them contract labour agreements which would be signed between the “homelands” and South Africa. They rejected this outright, arguing (rightly so) that contract labour was an unstable form of employment that “wrecked family life”.

The Apartheid government was not yet prepared to totally jettison influx control, especially west of the Eiselen Line. While representatives of the group were in the midst of talks on possible alternative “options” with Bezuidenhoud a huge raid took place on the Sand Dune Squatter settlement in the early hours of 10 February 1982. This was followed nine days later by another in which 50 people were arrested and, once again, deported to the Transkei. In the aftermath many sought, and found, refuge with friends and families living in Nyanga and Gugulethu and, in two local churches known to be sympathetic to their cause – St Gabriel’s Catholic Church in

Gugulethu and Holy Cross Church in Nyanga. But it wasn't long before these places of relative sanctuary were also targeted and raided and, in the light of this, many felt the time had come to adopt a different strategy.

During this period of intense local resistance and repression, the members of the fluctuating group came together often at Holy Cross to plan their next steps in what had become a relentless battle between themselves and the apartheid government. Although tired and traumatised, many remained "thirsty" for something to change and adamant that they would do whatever it took to live and work freely west of the Eiselen Line. At this point there was a strategic parting of the ways. One group opted to return to the land next to Emavundleni, while others explored options that were less openly confrontational. When the idea of going into St George's Cathedral to fast and pray was mooted, 57 women and men stepped forward and volunteered to put their bodies on the line.

The fast at St George's Cathedral (1982)

In March 1982 57 Black African women and men, along with some children, moved into St Georges Cathedral in Cape Town to pray and fast for their right to live and work in the city. The decision to go to the Cathedral was based on a number of reasons: firstly, it had a well established reputation as a church openly critical of apartheid policies, especially migrant labour and forced removals; it had the outspoken Dean E.L. King; and, the Cathedral was located in the centre of the city, close to the media, politicians, Parliament and, a wider public. This meant that many more people, especially those with the power to influence change, could more closely observe and interact with members of the group and, in the process, understand why they were so determined to break through and live west of the Eiselen Line. Nobody in the group anticipated how long or how hard the fast would become. The duration of the fast was eventually determined by how long it took the government to respond to the group's demands and, how long and how much the fasters could endure.

The fast in the Cathedral went on for 23 days, taking a large physical toll on the group, some of whom were hospitalised. It was widely publicised in the South African and overseas media and drew the attention of the wider Cape Town public and local clergy who argued daily for the Apartheid government to recognise and acknowledge the right of black African people to live and work in the city and, end the fast.

After a series of talks held between the clergy (led by the WPCC) and Koornhof, a four-person delegation from the fasters, accompanied by the clergy group, met with Koornhof who promised to treat their case with “compassion” and conceded to their demand – the settlement offered by him should include 850 names submitted to him by the negotiating committee. He agreed and offered the 850 people on the list three weeks immunity from arrest while negotiating a “solution” - providing the group fasting at the Cathedral ended their fast and left the Cathedral.¹⁸ On 1 April 1982, the fasters ended their fast, left St George’s Cathedral and, relocated to Holy Cross Church in Nyanga where they expected to stay for three weeks while the government worked out a longer term solution.

The making of the Crossroads Complex and KTC

Finally, in early June 1982, the first 100 of the 700 squatters now living at Holy Cross, were given permission by Koornhof to erect tents near Crossroads in a new “no-name camp” located on a piece of land situated between the Sand Dune Squatters and Nyanga Extension. The WCAB allocated the site, promising to install water and ablution facilities. Within days of their arrival the WCAB officials carried out a survey to establish just how many people were living in the Sand Dune and Cathedral Group settlements at the time, issuing some – not all – with 3-month permits valid until 20 September 1982.¹⁹ The relocation and issuing of these permits marks the third concession Koornhof and the Apartheid government made between 1979 and 1982 to bend the letter and law of the CLPP. For the rest of the year the Nyanga “refugees” lived in a state of “tenure limbo”, with some staying at Holy Cross and others either at the “no-name” camp or, living in nearby settlements.

In late September, just before the three-month permits were due to expire, Bezuidenhoud issued a press statement informing the Nyanga groups that their issue was still under review and that “sterner measures would be taken against those people who come to the Peninsula without the necessary authority”. On the same day he announced that 4 000 people waiting to qualify for 12-month permits to live in Old Crossroads had not in fact qualified in terms of the 1979 Koornhof agreement (“deal”) and, that a meeting planned to decide the fate of 5 000 Crossroads and Nyanga squatters had been postponed because the commissioners had “further questions”. The Apartheid government appeared to be stalling for time or, reneging on previous agreements made all over the place. At the same time the government appeared to have no alternative

¹⁸ Cape Times, 1 April 1982

¹⁹ Although an estimated 3000 people were living in the two settlements at the time, only 737 received the temporary permits.

solution on offer, in a context in which the “illegal” (undocumented) population in the Western Cape was now estimated to be well over 40%.

The “solution” arrived in the inevitable form of new legislation - the Koornhof Bills – one of which was the Orderly Movement and Settlement of Black Person’s Bill, a piece of legislation that specifically targeted people deemed to be living “illegally” in urban areas. Following a huge outcry from business, the churches, community organisations and international bodies, the government withdrew the controversial Koornhof Bills. And, as 1982 turned into 1983, life became increasingly brutal and harsh for those living on the edge of Old Crossroads and nearby KTC.

The KTC land invasions

In early 1983 numerous people living in backyard shacks in the townships who had passes but no houses, drew a new line in the sand. By February 1983 hundreds of plastic shelters were erected overnight in KTC, part of a mass protest action to highlight the lack of housing in the townships. The shelters were almost immediately smashed to the ground by a “huge cordon of police with dogs and armoured vehicles” but, the group refused to leave. Many interviewed by the press in the aftermath of the raid said that they were living in Cape Town “legally” but, had nowhere to stay.

The KTC land invasions, along with all those that preceded them, forced the Apartheid government to find a new “solution” and, in March 1983, Koornhof publicly announced a new plan – the establishment of a new “high density township”, Khayelitsha, to be located to the east of Mitchell’s Plain. This time all “legal” Black African people in the Western Cape faced the prospect of being relocated to Khayelitsha. At the same time Koornhof adopted a hard line against people occupying land at KTC. Following weeks of daily demolitions and arrests, he offered the land invaders another one of his famous “deals” - 200 homes on the site for the “most deserving cases”. When this was rejected, he offered the group 2 500 sites for the “legal” lodgers. By late March, in the midst of on-going confusion fuelled by his divide and rule strategy, the settlement was informally split into three distinct groups: “legals”, “illegals” and, a mixed group. The daily onslaught against “illegal” occupants at the KTC site continued and between March and May 1983, an estimated 207 shacks were demolished and 72 “illegals” arrested.²⁰

²⁰ J Cole, *Crossroads: The Politics of Reform and Repression* pages 79-80

Eventually, in a show of brute force, WCAB officials, backed up by police, dogs, teargas, and sneeze machines raided the site. The raid was met by youths throwing stones and wielding sticks and a number of women from KTC marched on the WCAB offices in Goodwood to protest the raids. By the middle of May the Apartheid government made its intentions even more clear when KTC was sealed off with barbed wire and spotlights trained on the area to make sure that nobody re-erected new shelters. By June all the “illegal” occupants were reported to be “gone”. In nearby Old Crossroads more than a thousand people who had been tenants of former residents became a roving, homeless population when their “landlords” incrementally relocating to New Crossroads – the “bed people”²¹

But the Apartheid government was clearly on the defensive and, now more than aware that it was losing the battle on the question of a settled black African population in the Western Cape, searched for new ways to manage and control the urban areas. Part of this solution was the establishment of a “new home” for all “legal” black Africans in the Western Cape – Khayelitsha.

SECTION THREE: KHAYELITSHA (“NEW HOME”) - THE RISE OF A NEW DORMITORY TOWN

3.1 The unveiling the Apartheid government’s plan

On the 30th March 1983, the then Minister of Cooperation and Development, Dr Piet Koornhof, announced plans for a new settlement for black African people in Cape Town, to be located on land to the east of Mitchell’s Plain. In answer to a question posed to him in Parliament in June 1983, Koornhof gave the following reply, characterised by him as “one of the most important replies to a question” put to him in his lifetime in Parliament:

“As a result of a recent in loco [inspection] by the Honourable Prime Minister, myself and other the Government has laid down specific guidelines regarding the settlement of and township development for members of Black communities in the Cape Metropolitan Area for purposes of planning and execution by the departments concerned.

- (a) The uncontrolled influx of Black people into the Cape Metropolitan Area must be countered as far as possible by means of creating significant avenues for employment in development region D, in which the Transkei, Ciskei and Eastern part of the Cape Province are included. Such creation of employment opportunities should go hand in hand with meaningful [development] in the physical, economical, and social fields.

²¹ In early October the WCAB began removing tents provided by the Red Cross as shelters for the people living in the Crossroads Complex, tearing down plastic shelters and, prohibiting the Red Cross from providing any more shelters over the course of the week.

- (b) It is the Government's conviction that the Western Cape as the traditional place of the White and Coloured communities should be retained as such and the importance of the development of Atlantis as the Northern hinterland for the Coloured community is confirmed.
- (c) It is necessary for the orderly development of the Cape Peninsula that provision be made for the consolidated housing needs of the Black people in the Metropolitan Area of the Cape. For this purpose the development of the Drift Sands/Swartklip area to the East of Mitchell's Plain should be undertaken without delay and funds will be made available to ensure that the development of the residential area can be started as soon as possible, on an imaginative scale. To promote these objectives no further filling in between or increasing of the density of the existing Black residential areas in the Cape Peninsula (including Mfuleni and Kaya Mandi in Stellenbosch) should take place.
- (d) With the development of the new Black residential area not only will the provision of housing be concentrated upon but the emphasis will be placed on community development to stimulate the orderly and voluntary settlement of the Black community of the Cape Peninsula in that area.
- (e) As space for residential development in the Cape Metropolitan Area is very limited, special attention will, with the development of the new Black township at Drift Sands/Swartklip, be given to higher density accommodation to ensure the optimal utilisation of the limited space.
- (f) With a view to the best utilisation of available funds, the standard of housing provided will have to be controlled strictly to ensure that it will fit into economic circumstances. In this connection methods (including the possibility of sectional titles) will have to be investigated to ensure the optimal and planned utilisation of the Drift Sands/Swartklip area as a Black residential area for the Cape Peninsula.²²

According to Hansard and, based on information supplied by Koornhof to Parliament, the black African population in the Cape Metropolitan Area as of June 1982 was estimated to be 226, 224, of whom 68% were deemed to be "legally" resident in the area.²³

²² Hansard, columns 891-893, 30 March 1983

²³ IBID, Column 730, 18 March, 1983

The first phase of the township development was to consist of 1000 plots of 170 square metres each on which a “fletcraft” tin hut costing R1 010 would be erected for each family, with one tap supplied for every four plots, one bucket toilet per family, high-mast street lighting, and a rubbish removal service. Infrastructure to be supplied included: a school, a clinic for preventative health care, a mobile post office, two public telephones, a mobile shop and a bus service. Construction on the new township began in May 1983 and, according to Koornhof, a total of 439 people (112 families) were living in Khayelitsha by August 1983.²⁴

Koornhof made it clear that the first residents who would be encouraged to relocate to the new area would be “legal” residents living in informal settlements like Crossroads, Nyanga Bush, Nyanga Extension and KTC, “along with any other Africans with Section 10 (1) (a) or (b) squatting in the Western Cape...next Old Crossroads...then those 5882 families on the waiting list for housing in the Western Cape”.²⁵

The Apartheid government’s plan was to only “turn its attention” to the other four African townships – Langa, Nyanga, Guguletu, and New Crossroads – after all the “legal” squatters across the Western Cape were living in Khayelitsha. This was envisaged as a 20 year plan which some political observers at the time argued was not impossible, given that the same government had already forcibly moved more than 200 000 “Coloured” people from their homes in Cape Town over a twenty-year period.

“The Government is going to do everything in its power to make Khayelitsha such an attractive and complete community that it will act as a magnet and can become a consolidated Black township par excellence here in the Cape Peninsula. At this stage there is already a tremendous demand by Blacks who want to build their own homes, particularly on the plots with a view of the sea, people who can afford to do so. There is plenty of potential to create proper beach and community facilities for people. I am convinced that Khayelitsha will become for the Blacks what Mitchell’s Plain has become for the Coloured [people] today”.²⁶

²⁴ IBID, Column 1951, 24 August 1983

²⁵ Cape Times, 26 May 1983

²⁶ Dr G Morrison, Deputy Minister of Cooperation and Development, in Hansard, Column 8693, 6 June 1983.

3.2. Mounting opposition – Asiyi Khayelitsha

The new plan was met with opposition from a range of quarters. Some argued against it on principle – i.e. dividing the Black population into “legals” and “illegals” and, relocation of the entire Black “legal” population in the Western Cape. Others, including the Chamber of Commerce, argued against it with respect to its access from the city and inadequate service provision. Those who lived in the affected Black townships protested on both counts.

In an article written by Professor David Dewar and Vanessa Watson in the Cape Times in late June 1983, they evaluated “from a planning perspective” what they viewed as the “negative impact of the decision to relocate Black residents in the Western Cape to Khayelitsha and, on the city of Cape Town as a whole:

“There are two aspects of this decision which require examination: firstly, the location, and secondly, the form of self-help housing planned for the first phase. As far as location is concerned this kind of development – the creation of “new towns” on the outskirts of a city – is not new concept. It has been tried in many parts of the world and, in Cape Town we have recently seen the emergence of the “coloured urban homelands” of Mitchell’s Plain and Atlantis. These precedents allow us to predict the likely consequences for Khayelitsha:

- The first consequence will be higher construction and service costs. New bulk services or lengthy connections have to be developed to provide water, sewerage, and electricity. Transport of materials to the site costs more....for example, almost double the cost of service provision on sites closer to Cape Town
- The second consequence is that Khayelitsha has absolutely no chance of becoming a booming “city” in the true sense of the word, the more so because it will be populated almost entirely low-income people. The essence of the concept of a city is that it contains a full range of living, working and recreation opportunities and that each part of the city and, each resident, can benefit from facilities that cannot be supported by local areas operating in isolation.
- There is no intention of creating a full range of jobs in Khayelitsha: it has been explicitly developed as a dormitory suburb. Khayelitsha will be dependent upon large-scale daily commuters to Cape Town, The cost of this, both to the inhabitants and to society at large, will be enormous. ...Further, many working parents will have to leave home

around 4.30am to get to work on time and will have return only late in the evening, travelling under extremely difficult conditions. The effect of this in terms of fatigue, destruction of family and community life....inadequate parental supervision, crime etc. will be all pervading.

- Moreover, there is little chance that inhabitants of Khayelitsha will enjoy an adequate range of community or commercial facilities. There is no possibility that sufficient funds could be generated from within such a low-income community. Atlantis and other townships have shown that isolated concentrations of low-income people are unable to support a full range of shopping facilities and, furthermore, shop owners take advantage of the monopolistic position offered them by isolation.
- The Khayelitsha proposal, therefore, is a recipe for a social and economic disaster. The combined effects of high rents, high transport costs, high commodity prices, lengthy and enforced daily commuting, inadequate social and recreational facilities and isolation from the rest of the city, on a group of people already experiencing severe social and economic problems, is hard to imagine.
- Khayelitsha will cost the government many millions of rands to build. The money will be infinitely better spent on upgrading the existing townships and building more housing on nearby, better located land, of which there is a considerable amount....even within existing group areas, available land is usually defined in terms of large parcels of land which can be developed by a single contractor. If land is defined in terms of small parcels of land, there is plenty of land available.
- In all, therefore, it is clear that there no effective management of urban development is occurring: the city grows through a series of ad hoc reactions. Decisions (like that of Khayelitsha) are resulting in a haphazard and inefficient city form and as time goes on this will be increasingly difficult to rectify. The creation of Khayelitsha cannot be justified in planning terms. The only possible conclusion that can be drawn is that it is a dumping operation involving the creation of an intra-urban “black homeland”, the aim of which can only be to establish total social control over the black population of Cape Town.²⁷

²⁷ Argus, 30 June 1983

The anti-Khayelitsha campaign

The growing resistance to Khayelitsha dovetailed with the establishment of the United Democratic Front (UDF). At its launch in August 1983, the UDF adopted a resolution against forced removals and, by throwing its weight behind the anti-Khayelitsha campaign, politicised the local ant-removals struggle to a new level within a growing anti-apartheid movement.

The Western Cape Civic Association (WCCA), a civic organisation based in three black African townships in the city, joined the campaign and “totally rejected the removal of people from these areas to Khayelitsha”²⁸ But the biggest resistance to the threatened removals came from those living in the informal settlements in and around Old Crossroads. And, when Dr Morrison, the Deputy Minister of Cooperation and Development, announced in September 1983 that “Crossroads [would] be cleared up and there must be no doubt about that”, leaders from Old Crossroads publicly aligned themselves with groups living on the edge of Old Crossroads.

As the pressure from government to move black African people living in Greater Cape Town to Khayelitsha mounted, there were signs of tensions in the Crossroads Complex as various leaders vied for control of the mushrooming area. And, by the end of March 1984, Bezuidenhoud had been released from his regular duties as Chief Commissioner of the Western Cape “to do a special task” in a context where WCAB officials were estimating the “illegal” African population in the Western Cape to be in the region of 60 000 people. When questions were raised in Parliament as to why government had not as yet made a decision on the future of the 850 Nyanga squatters - two years after their return to the land from Holy Cross Church - Bezuidenhoud replied that the “situation of the Nyanga squatters” was “receiving attention”.²⁹

In July 1984 Bezuidenhoud and Koornhof agreed to stop the raids, giving the Nyanga groups permission to build more shelters, provided no new residents were added to their groups. By early August, Graham Lawrence, a senior official at the renamed Western Cape Development Board (WCDB), told the Financial Mail that the WCDB had been given firm orders to take action against KTC “every day” in 1983 and, that despite this action “the government was failing to stop the illegal influx of people” because it was “clearly impossible to try and stop the urbanisation process [in the Western Cape]”.³⁰

²⁸ Cape Times, 13 July 1983

²⁹ See J Cole, *Crossroads: The Politics of Reform and Repression* for extensive details on these events and newspaper coverage – January to March 1984. .

³⁰ Financial Mail, 3 August 1984

With old style influx control measures no longer viable the Apartheid government had to adapt its urban strategy and approach. At the end of September 1984 a Cabinet Committee under the then Minister of Constitutional Planning and Development, Chris Heunis, was established to address “the position of blacks outside of the homelands, as well as urbanisation”.

In the same week PW Botha announced that squatters in the Western Cape could have 99-year leasehold rights and, that the Coloured Labour Preferential Policy (CLPP) would soon be abolished. After thirty years of endless suffering and violence, the apartheid government had reluctantly accepted the right of black African women and men to live and work permanently in the Western Cape. But, when this historical moment came, the country stood poised on the brink of one of the most violent decades in South African history, signalled by the Vaal Uprisings in September 1984. From the end of 1984 onwards, things would never be the same, especially for the thousands of people living in the sprawling Crossroads Complex.

3.3 Urban protests and escalating violence

During 1985 the government tried a range of different tactics to regain control over an increasingly militant black urban African population, in a national context of wide scale mobilisation and anti-apartheid resistance. The year began with a new round of struggles taking place in New Crossroads, sparked by a local boycott against high rentals. The boycott turned violent when a number of residents were arrested by police for attending an “illegal” gathering on an open piece of land in the area. Following the arrests a large crowd of mainly “youths” roamed the area with a list of so-called “sell-outs”. By the end of the day the homes of five people, most of whom were former leaders in the Old Crossroads Women’s Committee, were either burnt or destroyed. In mid-February five people died and 29 people were injured in a clash with police at Old Crossroads. This event was sparked by rumours of a removal squad of Tswana-speaking people in the city tasked with the job of forcibly relocating people to Khayelitsha and arrival of police vans in Old Crossroads. The violence quickly spread to nearby Nyanga East and, over the next few days, a total of 18 people had been killed. An estimated 230 people who were “seriously wounded” were treated at the SACLA (Empilisweni) Clinic in Old Crossroads. According to the clinic staff, most of those treated were youths who had been shot in the back by either birdshot or rubber bullets.

When more than a thousand Old and New Crossroads residents marched to demand the release of Old Crossroads leader Nxobongwana, arrested for his participation in the rent boycott in New Crossroads, police responded with teargas. In the same breath the Apartheid government offered a number of concessions: 99 year leasehold for all black people living in the Western Cape; the completion of Phase 2 in New Crossroads; and, upgrading of Old Crossroads as promised in the Koornhof “deal” of April 1979.

In March 1985 Bezuidenhoud focused his attention on negotiating a relocation deal with the leaders of the various (Nyanga) settlements on the edge of Old Crossroads, offering them an “opportunity” to move “voluntarily” to a new area in Khayelitsha – Site C – and a promise of 18-month permits if they resettled there. While the offer was immediately rejected by the Nyanga Bush group, led by Melford Yamile, two other leaders, Sisa Nyandeni and Mncedisi Maqula, signed a written agreement with Bezuidenhoud to say that they had agreed to “voluntarily” relocate to Site C in Khayelitsha. This was followed by an agreement signed by Mali Hoza indicating that his group of 12,000 would move.³¹

On the 15th April, 1985 the first families began to move to Site C and Bezuidenhoud announced that the areas where they had lived next to Old Crossroads would remain vacant and be prepared in anticipation of the promised “upgrading of Old Crossroads”. To ensure that this would be the case, the vacant areas were sealed off with barbed wire on the same day. At the end of May, the three remaining leaders on the land held a meeting with Minister Gerrit Viljoen from Constitutional Planning and Development to request their demand for full (not temporary) rights to be in the Western Cape.

PW Botha goes on the offensive

This relocation to Site C in 1985 coincides with a moment in time when the Apartheid government, under the leadership of PW Botha and State Security Council, went into fifth gear in Cape Town (and elsewhere), arresting hundreds of UDF-aligned activists and, “eliminating” key leaders, like the PEBCO Three in Port Elizabeth (March) and the Cradock Four (June). By July 1985, Botha had declared a State of Emergency over two thirds of the country. By mid-September and, against this backdrop, an estimated 35 000 people were reported to have “voluntarily” relocated from the Crossroads Complex to Site C in Khayelitsha. An estimated 70 000 people

³¹ Three of the estimated twelve groups living on the site at the time - Nyanga Bush (Melford Yamile), Portland Cement (Christopher Toise) and Nyanga Extension (Alfred Siphika), consistently refused to relocate to Site C in Khayelitsha. These three settlements, along with KTC, bore the brunt of the 1986 forced removals.

were said to be still living on the land adjacent to Old Crossroads (the Crossroads Complex) and, in nearby KTC. In late October the government clamped down on rising opposition in the Western Cape, detaining hundreds of anti-apartheid and UDF-aligned activists on the 25th October and, a day later, extending the national State of Emergency operative in the rest of the country to the Greater Cape Town area in the Western Cape.

The fires of 1986³²

During 1985 the government was incrementally rolling out its plan to regain control of the urban areas and, as we now know from testimonies subsequently told to the Truth and Reconciliation Commission, eliminate or “neutralise” leaders known to be actively opposed to the Apartheid government through overt or, covert action. By 1985, the country was firmly under the control of the State Security Council which, through its aligned National Security Management System, closely monitored areas deemed to be “hot-spots” and, therefore a threat to national security.

The Crossroads Complex, by now a sprawling and densely populated mix of informal settlements along the edge of Old Crossroads, known as a hide-out for MK and, a breeding ground for the mobilisation of anti-apartheid and ANC recruits, was identified as a “national security threat” and, as a consequence, earmarked for deconstruction and/or, destruction.

This deconstruction process, which began with the “voluntary” resettlement of some to Site C in Khayelitsha in early 1985, was transformed during 1986 into the biggest forced removal to ever take place in Cape Town.³³ Those groupings who refused to resettle in Khayelitsha when offered an opportunity to do so in early 1985 were about to pay a heavy price – the brutal destruction of the Crossroads Complex and KTC between May and June 1986.

This event was preceded by a series of separate and potentially inter-linked ones that go back to New Year’s Eve, 1985 when hundreds of UDF-aligned activists were reported fleeing New Crossroads in fear of their lives. The event was allegedly provoked by the death of a councillor on Christmas Eve. By February 1986 the press was reporting a series of attacks emanating from the Crossroads Complex on security forces patrolling the area. And, in early March 1986, seven

³² See J Cole Ibid, for a more extensive coverage of these events, as well as Cape Times and Cape Argus Jan- June 1986

³³ Evidence gathered and presented at the Truth and Reconciliation (TRC) public hearings in November 1997 confirms that the Crossroads Complex and KTC were viewed at this time by the State Security Council (a powerful apparatus already in charge of the country under the leadership of PW Botha) as major security threats and, havens for ANC MK guerillas and commanders.

young men, now known as the Gugulethu Seven, were killed, execution-style, in an ambush that took place in Gugulethu, assisted by askaris from the notorious Vlakplaas³⁴

In the aftermath of the Gugulethu Seven killings the offensive moved into Old and New Crossroads and to settlements in the Crossroads Complex.³⁵ The first attack began in Portland Cement when the house of Christopher Toise, leader of the area and one of the original Cathedral Group fasters, was surrounded by police at 3 am in the morning looking for “arms and weapons”. A few weeks later the police and SADF sealed the Crossroads Complex off with 15-ton concrete blocks (15 cm thick and 10 metres long) placed across all the major access points.

By 16 May, people living in the Crossroads complex reported hearing gunshots in the area and, a day later, attacks began on Portland Cement around midnight. Further attacks and burnings took place and by 10 am the next morning Toise’s house had been burnt down by “witdoeke” residents from Old Crossroads who wore bits of white cloth (“witdoeke”) to identify themselves, allegedly accompanied by two white policemen. In the afternoon of the following day, the attacks shifted to Nyanga Bush and Nyanga Extension and, by evening, residents living along Lansdowne Road were attacked and the remaining houses in Portland Cement razed to the ground.

These events unleashed a massive relief operation for an estimated 20 to 30 000 “refugees” who fled the area and sought refuge in churches, township homes and a newly erected “refugee” camp established at the Zolani Centre in Nyanga. While protest meetings were taking place in Cape Town, attended by the churches and service organisations, security forces erected barbed wire along Mahobe Drive in Nyanga. A raid on nearby KTC prompted the leaders of the area to seek assistance from the Legal Resources Centre (LRC) and Surplus People Project (SPP) to bring a court interdict against the security forces and “witdoeke”, restraining them from entering KTC.

³⁴ This incident, widely covered at the time, has since been verified by askaris and Vlakplaas operatives who testified about their role in these events in front of the TRC in 1996.

³⁵ In Old and New Crossroads there were a series of revenge attacks. A number of houses were burnt and two New Crossroads Committee members killed, found hacked to death in the early hours of the morning. A few weeks later, 20 March, an estimated group of 300 men, armed and wearing “witdoeke” moved into New Crossroads to “fetch the belongings” of former residents driven from the area a few days before. In the battle that ensued between “witdoeke” and residents, seven “witdoeke” were killed. This was followed by a killing spree in which nine men said to be loyal to Ngxobongwana who lived in Old Crossroads were killed by “comrades” in New Crossroads. Shortly after this event Ngxobongwana left Old Crossroads and went to his family home in King Williams Town in the Eastern Cape.

And the Urban Foundation who, up to this point had been planning to assist with an upgrading project in Old Crossroads, pulled out of what it now considered to be a “controversial project”.

Nothing could stop the second attack on KTC which began on 9 June when “witdoeke” gathered at the WCDB office in Nyanga, next to the former Crossroads Complex. Eyewitness accounts described a systematic attack that began with the Zolani Centre where many of the “refugees” were staying, and then moved onto KTC where they burnt and looted houses while members of the security forces stood by, watched and did nothing to stop the attack. The destruction, amidst KTC protests, continued into the following day.³⁶ In the aftermath, former residents of areas like KTC and the Crossroads Complex ended up once again scattered across Cape Town – some going to Khayelitsha, some to homes in the townships, others deciding to rebuild new settlements in and around Gugluethu and Nyanga East.

The crucial impact of the “fires of 1986”, beyond the dismantling of it as a deemed security “hot-spot”, was that it fundamentally altered the urban landscape in and around Old Crossroads. It also set in motion the beginning of a black African diaspora across the city (and province), forcing thousands of black African residents who once lived there to find a new place and “home” in the city, leaving little alternative but to relocate to Site B in Khayelitsha. It severed well-established linkages and relationships between the leaders of the informal settlements and its residents with a wider progressive movement, in itself increasingly under attack. And, with respect to the focus of this Inquiry, marks the repositioning of Khayelitsha as an alternative “new home” for black African residents across the city and province and, by doing so, ushered in a new wave of threatened removals and, new contestations between the landless who refused to relocate to Khayelitsha and the Apartheid government. At a less visible level it left behind untold and, as yet unexplored, psychic wounds and unarticulated resentments. These lie deep in the hearts and memories of thousands of black African citizens in the city, many of whom, together with their families, voluntarily or, involuntarily resettled in Khayelitsha where they, once again were faced with rebuilding a sense of home and place in the city.

³⁶ An estimated 1000 KTC residents advanced down NY5 and created a defensive barrier, while a group of women, with their babies, protested outside of Parliament in town. In the midst of the chaos relief operations collapsed as running battles continued between the “witdoeke” and comrades, all of this covered by journalists, some of whom were injured in the process. One of them, George De’Ath, who was caught in the crossfire, was brutally killed by a group of “witdoeke” in the vicinity of Old Crossroads.

This was a time of turning points. In July 1986 the Abolition of Influx Control Act was passed, paving the way for new strategies towards informal settlements and urban areas in the country and, a new and more sophisticated form of urban management in which new Regional Service Councils (RSC's) and restructured local government administrations were identified as key institutions for managing "orderly urbanisation" at the community level. Within this paradigm, Old Crossroads and Khayelitsha were identified seen as strategic lynch-pins for a new urban strategy that was essentially a security strategy in the Greater Cape Town area. The upgrading and development of Old Crossroads, as well as the establishment of functioning (BLA's) in both Old Crossroads and Khayelitsha integral to this post-1986 urban strategy whose guiding principles were urban management and control.

SECTION FOUR: LIFE IN THE "AFTERMATH" – THE BLACK LOCAL AUTHORITIES

A reading of the TRC Reports vividly illustrates the level of overt and covert violence that ran in parallel with urban reform between 1987 and 1989. In the shadow of a State of Emergency that left progressive organisations on the defensive, with many of its leadership was either in detention or hiding, the way was clear for radical local and central government interventions in both Old Crossroads and Khayelitsha and, ushered a new era of forced removals in urban and rural areas across the city, Province and country as a whole.

4.1 Shifting political alliances

Another dynamic was that not all the residents of the surrounding informal settlements had moved to Khayelitsha. Those that resisted resettlement occupied various bits of vacant land in and around Nyanga which remained under the former informal settlement leadership – i.e. Christopher Toise, Alfred Siphika and, Melford Yamile. And, although a large proportion of KTC had been destroyed during 1986, many of its residents returned and re-grouped under the leadership of the then Mascinedane Committee.

This sense of "going it alone", as well as the different realities affecting the informal settlements led to considerable discussion and debate within the leadership about the need for a separate civic association for the informal squatter settlements. This sense of marginalisation was re-enforced by a variety of bad experiences with the UDF in the townships and, especially with certain leaders within the WCCA accused of treating the squatter leaders with "disrespect". Marginalised and alienated from the progressive movement, the squatter leadership became increasingly disillusioned with progressive organisations and their seeming lack of concern for the issues and struggles affecting informal settlements in the black townships.

By late 1987 polarisation between the squatter leadership and progressive organisations intensified. A unilateral decision on the part of the WCCA to set up a Steering Committee in KTC, bypassing the existing Masincedane Committee, erupted into open violence. It was understood by the squatter leadership as a direct challenge by the WCCA on their legitimate right to operate as autonomous community-based structures. During the last quarter of 1987 wide-scale violence erupted in KTC. This was followed by a concerted effort on the part of UDF-aligned organisations and the trade union movement to mediate in the conflict but, establishing "peace" proved impossible. Tensions between the squatter leadership and individuals within the WCCA ran high, with evidence of "undemocratic" practices on both sides.

The violence and tensions between the WCCA and squatter leadership reached extreme proportions in January 1988 when a key leader of the Masincedane Committee (Stormont Madubela) was brutally murdered at the hands of alleged "comrades". This event drove a deep wedge between the squatter leadership and progressive organisations – i.e. the WCCA. It also removed one of the more talented and widely-respected squatter leaders. It also confirmed pre-existing perceptions on the part of the squatter leadership to establish a separate civic body for squatter settlements.

The 1988 KTC violence was a turning point in any overall analysis of squatter politics in this region. It intensified an already fragile relationship between the squatter leadership and the progressive civic movement in the Western Cape. The ANC in exile was not oblivious to the significance of this event and requested that key leadership involved on both sides of the KTC violence visit them at their headquarters in Lusaka in March, 1988.

The squatter leaders, accompanied by activists from the civic movement and trade unions aligned to the UDF, including former Cape Town Mayor NomaIndia Mfeceto, met with the ANC and discussed the background to the conflict and potential ways to resolve the township-based divisions. Although the meeting helped at one level to defuse some of the existing tensions, each group are said to have left Lusaka with their own interpretation of the meeting's recommendations.

The squatter leaders believed that the ANC had given them a green light to mobilise a separate squatter organisation in the Western Cape. Civic members and UDF representatives, on the other hand, believed that they had been given a green light to build one civic movement in the region. The failure to build one civic movement until the 1990s can be traced back to some of this history.

4.2. Contestation over local control and administration

Against this backdrop a key event took place in 1988 in Crossroads and Khayelitsha in 1988 – local municipal elections. Johnson Ngxobongwana, who was deposed as Mayor in 1987 due to an illegal procedure (a technicality) in his original appointment, was elected unopposed as the Mayor of the Crossroads Town Council. In Khayelitsha, following a bitter and violent struggle led by the Joint Action Committee (JAC), Mali Hoza and his supporters won all 20 seats on the new Lingeletu West local authority.

Even though these new BLA's had little public credibility, their formal establishment created vehicles for new development initiatives and, resource allocation in a resource poor environment. The 1988 municipal elections set the parameters and, created a new set of objective conditions within which community struggles took place in these areas right up to the advent of democratic transition in 1994.

In early 1989 a number of new struggles began to merge within Crossroads and Khayelitsha contesting the authority and legitimacy of these new BLA's, as well as development projects and processes unfolding within the two areas. In Old Crossroads struggles emerged around the new Phase Two housing development, resulting in the breakaway of 14 of Ngxobongwana's 19 headmen, led by Jeffrey Nongwe. By the end of the year there were reports of wide-scale conflict within Old Crossroads as Ngxobongwana and his supporters were forced onto the defensive. In Khayelitsha battle lines were drawn between the new Khayelitsha civic, led by Michael Mapongwana, and the Lingeletu West community councillors, led by Mali Hoza.

Research undertaken by myself in 1993, using documentation from UMAC files and press reports of the period, revealed consistent calls by various organisations and individuals, especially Jan van Eck, for the dismantling of "corrupt" BLA's and investigations into escalating violence in both areas. These localised struggles dovetailed with the re-emergence of UDF-aligned organisations during 1989 aligned with the Mass Democratic Movement which re-kindled a spirit of open challenge to the then apartheid government – i.e. the 1989 Defiance Campaign. By the time De Klerk made his now famous speech to parliament in February 1990, where he announced the unbanning of the ANC and other political organisations, the conditions were in place for an escalation of violent confrontation in informal settlements located in the South-east Metro.

4.3 The pre-transition years (1990-1993) and “politics of development”

The pre-transition period is characterised by extreme violence most of which was located in and around informal settlements in the Greater Cape Town area. It is also the period when new and old development actors moved proactively into the informal settlements, along with the police, a variety of organisations and, urban legends like Conrad Sandile who flew mysteriously in and then out of the Khayelitsha and the wider city landscape. This gave rise to new sets of settlement dynamics within what were already a complex set of urban dynamics. .

The squatter struggles of the early 1980s; the destruction of the Crossroads complex; the formal Abolition of Influx Control; the smashing of progressive organisations between 1985-1988; the establishment of RSC's and restructuring of BLA's in 1986 as part of a new “orderly urbanisation” strategy that entrenched the privatisation of housing and land; the spate of threatened removals and anti-removals struggles that marked the period; state and private-sector development initiatives in Crossroads and Khayelitsha post 1986; the 1988 municipal elections; the “mooting” of a new development fund by De Klerk with significant resources (IDT); and, the 1989 Defiance Campaign led by the Mass Democratic Movement, all set the terrain for an unfolding 1990s.

Against this complex background and history “development” was used to drive a restructuring of urban governance in the pre-transition period. Evidence reveals that the “development” field became extremely crowded in the 1990s as various individuals and organisations vied for the participation of target “communities” in various programmes and projects in a context within which, Steve Friedman has argued, mainstream South African development had undergone what he called a “paradigm shift”.³⁷

This began in the mid-1970s, in the aftermath of the 1976 urban uprisings, both the government and business sector moved rapidly into development imposed “from above”. Social movements which operated outside of official structures were hardly ever consulted about these projects. They were certainly never seen as partners in the planning and execution of these development projects. This approach to development reached new heights in the late 1980s when the National Security Management System devised a strategy to upgrade what were seen as “oil-spots” like Crossroads and Alexander, part of a deliberate strategy to marginalise “radicals” who challenged official structures.

³⁷ S Friedman, “The Elusive Community: The Dynamics of Negotiated Urban Development”, CPS Social Contract Series, Research Report No 28, 1993,

Friedman argued that by the 1990s this strategy had largely failed and, in its place, in theory if not in practice, a new approach to development emerged – local-level negotiations with the "real leaders" of communities, rather than with leaders whom the government had chosen to deal with in the 1980s.

While beyond the scope of this submission to explore, it is important to acknowledge the importance of an ever-changing background within one has to locate development strategies taking place in informal settlements in the 1990s. In a context where the formal political space was opening up in the transition period, the conditions were being created for the introduction of new development and political strategies towards informal settlements.

When we review the history of squatter settlements in the Western Cape in the 1980s we can see that the central government, as well as the security institutions, had realised that social and political control of the growing squatter settlements was essential to the overall political control of the region. This assumption did not disappear in the 1990s. I would argue that "development" was seen as a key component of an overall political strategy.

As noted above, a guiding principle of the new development strategies of the 1990s was what has been referred to as a "negotiated development" process. A key government institution in this process in the Western Cape was the Cape Provincial Administration (CPA). And, in relation to development in informal settlements in this region, the Community Services Department of the CPA headed by the then Regional Director of Community Services, Fanie Naude.

During the 1990s new "development" actors moved into various development projects in the informal settlements impacting in various ways on internal dynamics within these communities. Although all of these development actors subscribed to the principle of "community participation" in their efforts to access development finance and produce viable and concrete projects, most entered into "unholy alliances" with a variety of key individuals, individual squatter leaders; and, individuals within progressive organisations.

In informal settlements, where democratic ways of operating were sometimes at a premium, where opportunities for corruption abounded, and where the control of access to resources provided a strong base for leaders to entrench control and leadership, these development processes played a role in fuelling pre-existing tensions and divisions. My research at the time led me to conclude that "the development strategies of these various government and private institutions directly or indirectly, influenced the level of violence taking place within these

communities". While completely under-researched, there is sufficient evidence to indicate that the period 1990-1993 in Khayelitsha, elsewhere in the city and, South Africa as a whole, was a politically murky one in which new and emerging political and business elites surfaced and, made new and long-lasting alliances.

4.3.1 Conflict and violence in Khayelitsha – 1989 to 1993

There was not sufficient time to do justice to unpacking the scale, nature or, drivers of past episodes of "vigilantism" or, violent conflict in Khayelitsha. Nor was there enough time at my disposal to explore how the term is understood or, mediated by the media, a wider public or, by citizens in a given space and time and, in this case, Khayelitsha.

For the purposes of this submission and, with a view to extracting trends and lessons from the past that talk to Khayelitsha in the present, I have opted to end this section of the submission with a brief chronology of events, researched and compiled by myself in the early 1990s, based on newspaper reports of the time (Argus and Cape Times), which describe conflict, violence, the role played by local councillors; thwarted attempts to bring those allegedly responsible to book; and, provide something of a sense of the level of conflict prevailing at the time.

Khayelitsha chronology of events³⁸

1989:

- In early 1989 (24/3) and, in response to an enquiry by Jan van Eck, the Minister of Constitutional Development and Planning, Chris Heunis, stated that mayors and town committees of black residential areas had no authority to act on their own accord to allocate houses in areas under their jurisdiction.
- Contestation over the municipal elections continued with Mali Hoza stating (25/3) that as far as he was aware his group had won the October municipal elections fairly and that despite rumours, he had no proof that his men cheated.
- Inside Khayelitsha the conflict continued. On the 5/4 a Khayelitsha community councillor was convicted in the Cape Town Regional Court of 18 counts of fraud and theft involving R52, 341. The hearing was adjourned to 18 April for sentencing.
- MP Jan van Eck stated that Mali Hoza and his men, including kitskonstabels, councillors, and others, armed with guns, swords and knobkerries had embarked on a violent campaign to force residents in areas who supported other leaders to change their allegiance to him. Methods used included intimidation, assault, and the demolition of shacks. Van Eck publicly argued that the government and provincial authorities supported the vigilante-type, warlord activities of Mali Hoza.

³⁸ Extracted from J Cole, Draft Chronology of Events, Informal Settlements 1986-1993 (unpublished)

- On the 13/4, shacks were demolished by homeguards and Lingeletu Town Council employees with their contents inside at Site B, Site C, and Green Point. This action is watched by councillors Sebenzik Gubayo and Jackson Nonjaca, who threatened other families in the area watching the demolitions that they would return to "destroy more shacks to make you realise who's the real boss around here". The notebook of a reporter viewing the proceedings was taken and attempts made to prevent him taking photos.
- A JAC community leader alleged further intimidation of communities opposing Hoza, arguing that their warnings and fears were not being listened to by the authorities. These allegations were dismissed by Graham Lawrence, Chief Executive Officer of the Lingeletu West Town Council who described his mayor as a "wonderful, kind, and understanding man".
- A group of armed homeguards, carrying sticks, pangas, stilettos and guns who supported Mali Hoza, allegedly assaulted a Khayelitsha family of 8 and ransacked their home during a night raid. This action was contested in the courts.
- On the 22/4 the Argus reported that Mali Hoza and a councillor undertook in the Supreme Court not to participate in, assist in, or permit an unlawful attack on two residents; and, to prevent, as far as possible, any of their servants or agents from perpetrating any unlawful acts.
- In early May (5/5) the Argus reported certain allegations of police complicity with vigilantes in a court case related to "witdoeke" vigilante violence. This was supported by evidence - 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 home-guard, adding that "these people are rendering a very great help to the South African Police".
- On the 27 May, Mali Hoza, the Lingeletu West Town Council, and three town councillors, the subject of an urgent application in the Supreme Court, undertook not to attack, interfere with, or prevent pupils from entering or leaving Malizo Senior School. This came after councillors and others armed with sticks, iron, and firearms occupied the school for two weeks following orders of Mali Hoza, and attacked pupils.
- On the 1 June Zolani Dala, a prominent official and treasurer of the Committee of Ten was assassinated by an alleged hit squad of Hoza's homeguards.
- On the 3 July members and councillors of the Lingeletu West Town Committee were asked not to take the law into their own hands, and to ensure that a Supreme Court order preventing any unlawful attacks on two residents who alleged that they were ordered to attend a kangaroo court is adhered to.
- On the 5 September the Argus reports that a "strongman" in the township who is one of the taxi operators, toured the streets in a kombi accompanied by kitskonstabels, and accused youths of interfering with his taxis. After this there were numerous incidents of violence involving gunfire.
- One day later a 60 year old woman, six year old, and fourteen year old died when a house in Greenpoint was attacked and set alight by twenty masked men with guns. By early morning of 6 September there were bodies with gunshot wounds in several areas of the township – notably Greenpoint, Zola Budd, and M section. Kitskonstabels guarding the bodies, some of which lay there for 24 hours, threatened anyone attempting to remove or go near them.

- The bodies of eight people were found on a vacant piece of land in Site C, on election night 6 September. Although the police claim them to be victims of a faction fight, many residents believe the killings were politically motivated. Two people died when four men in a minibus, armed with shotguns, fire on mourners attending a vigil of the 6 September violence.
- By the 27 September a Lingeletu West Town Committee member, G Magqaza, attending a meeting between the Committee and senior police officers, said that closer co-operation between the police and the committee was necessary in order to ensure full control of the township.
- On the 31 December a youth was wounded and two children shot dead in Skosabane Stree, Site C, allegedly by a Mr Skosana, a headman loyal to mayor Mali Hoza.

1990

- On the 3 January 1990, Welton Macu, also known as "Skosana", appeared in the Mitchells Plain Magistrates' court in connection with the fatal New Year's eve shooting of two youths. He was not asked to plead and was remanded until 8 January.
- In a report submitted to UMAC by Michael Mapongana (dated 27/1/1990) he talked about the stabbing of a member of the Khayelitsha Civic Association. The assailant confessed that he has been paid to kill the civic member and that there was a mission to eliminate members of the civic.
- A headman in the area of Town 2 and a councillor Gaba harassed and threatened civic members in the area. They also warned Mapongana would be killed. That evening, three vehicles stopped outside Mapongana's house and the occupants acted suspiciously. Civic members surprised three men who drove away in a Chevrolet, the registration number of which was taken.
- On the 1 March 1990 eight Lingeletu Town Councillors and five Khayelitsha residents appeared in the Wynberg Magistrate's court in connection with 7 charges of murder and 3 of attempted murder arising from incidents which occurred on and around election day 6 September, 1989. They were not asked to plead.
- On the 7 march there was an attempted assassination of Mapongana, chairperson of the WCCA, allegedly by four Lingeletu West Town councillors. Two women were wounded in the attack.
- 23/6: Khayelitsha - L Block, Site C: In late June there were reports of continuing conflict between community councillors and progressive civic members. PAC burnt down houses of ANC supporters and ANC burnt down 10 houses of PAC. This led to ANC/PAC talks - "first time there is such violence in Khayelitsha".
- On the 17 October there are media reports of continued harasssment and intimidation of Mapongana. People working in the Lingeletu West offices reported that they heard councillors saying that they were going to "get" him.

- On the night of the 17 October a Lingeletu West kombi and a police van with 2 white policemen in it were seen slowly circling the empty square in front of Mapongana's house. Mrs Nomsa Mapongana was murdered and an attempt made to murder her husband, chairperson of the WCCA. On the 25 October a hit list is discovered containing the names of prominent Khayelitsha civic leaders, including that of Michael Mapongana.
- In response to this a protest march was organised by the Khayelitsha Civic Association demanding the removal of councillors. The march was stopped by police who fired on marchers, resulting in at least 10 people being killed that day. Over 50 residents were treated for wounds at the Khayelitsha Day Hospital during the day.
- The newspaper reports (26/10) that the Minister of Planning and Provincial Affairs, Hernus Kriel, responsible for local government, stated that the government was not able to simply disband councils unless they are found to have acted fraudulently or with criminal negligence.
- On the 27 October an application was brought in the Supreme Court by the executive of the WCCA and its chairperson Mapongana against the Minister of Law and Order and the Lingeletu West Town Council. The order called for restraining the police from interfering with and harassing people attending the funeral of Nomsa Mapongana. The hearing was postponed until 2 November.
- Before his death on 25/10, a 13 year old boy claimed that he was shot by gunmen wearing balaclavas who had fired from a passing car, supporting several allegations by residents of similar incidents during this period in Khayelitsha.
- On the 1 November Graham Lawrence, Town Clerk of Khayelitsha, stated that "if I discover that any of the councillors are involved in illegal acts I will be the first to march them across the street to the police station. But I don't believe that you must hang a man until he is proven guilty".
- 12/11: Jan Van Eck writes letter to De Klerk on the "Crisis in Khayelitsha".

1991

- Site B, D Block, R Block 1 dead, 19 injured, 12 shacks and a creche burnt (11/1)
- Site C and D Block - Attack on WECUSA by civic and supporters - 3 dead, an unknown number injured; 31 shacks destroyed; 3 WECUSA vehicles destroyed. WECUSA hears that civic is going to attack Oliver Memani and Jerry Tutu. (18/2)
- 13/3: Newspaper reports that numerous shacks are burnt down.
- 17/3: At the ANC Office in Athlone, Steve Tswete, tries to resolve the WECUSA/WCCA conflict. The ANC offers to replace WECUSA vehicles destroyed by WCCA.

1992

- 13/4: An ANC Youth League demo ends in chaos when Khayelitsha councillors fire shots to disperse a crowd of 500 people. The Goldstone Commission's Cape Town unit is to look into the shooting. ANCYL delegates claim they were assaulted by councillors. The ANCYL were demanding the resignation of Lingeletu West councillors and an independent commission of inquiry to examine allegations of council corruption.

1993

- 15/3: Khayelitsha - Taxi Conflict: The wife of a sangoma was caught red-handed sprinkling "muti" in the house of a former WEBTA member in the area yesterday (14/3). She claimed that she had been sent to the house by three executive members of CODETA. Members of the former WEBTA have called for an urgent meeting to investigate the matter. The woman was taken to the police. (Cape Times)
- 10/4-14/4: Khayelitsha: "Shots Fired at Demo": An ANCYL demonstration ended in chaos on Wednesday Khyayeltisha councillors fired shots to disperse a crowd of about 500 people. Councillors said they "panicked for their lives" and dispersed the crowd with gunfire. The Goldstone Commission is to investigate the shooting. An eight-person ANCYL delegation inside the building at the time discussing their demands claim they were assaulted by councillors. No-one was hit by the gunfire but minor injuries were sustained in the scramble to get away.
- Lingeletu West town clerk, Graham Lawrence disagreed with the delegation's statement that their "only weapons were our mouths". He said protesters "pushed the locked gates open and stoned the offices", leaving the councillors no choice but to defend themselves. The Youth League was demanding the resignation of the Lingeletu West councillors and an independent commission of inquiry to examine allegations of council corruption. (South 10/4-14/4/93)

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This chronology highlights a litany of reported events linked to conflict and violent acts taking place across Khayelitsha, many of which indicate the high level of contestation between the BLA, the civic and, local citizens. The issue was flagged as early as 1989 by Jan Van Eck (UMAC) as a "crisis" to be urgently investigated and resolved. But, in Khayelitsha and, South Africa as a whole at this time, violence had already become endemic and, a daily part of everyday life for many citizens. This is the backdrop against which Khayelitsha and its residents moved into South Africa's new democratic transition in 1994.

SECTION FIVE: READING THE PAST IN THE PRESENT – SOME REFLECTIONS ON KHAYELITSHA: PAST, PRESENT AND, FUTURE

This Commission of Inquiry takes place in the midst of a year poised to both celebrate and reflect upon what we have or haven't achieved after 20 years of democratic transition. A transition is about moving from one political era or administration into another, as yet unknown, one. And, in the case of South Africa, from the Apartheid era towards becoming a country founded on constitutional principles that are enshrined in our much revered South African Constitution. But, change is not easy and, it is also not always easy to discern. How do you change perceptions, attitudes, and ways of practice in any given society in a context in which what one has known or, experienced in the past, in another era, continues to haunt or confront you in the present. And, what needs to happen or, change to make it possible to transcend "the old" and arrive in a place where life and experience is not only different but, better. A place where one's quality of life is so palpably improved, at an individual, neighbourhood, settlement, city and, country-wide level that one can safely say that "we have arrived", we have moved beyond the moment of "transition to democracy" into a country not only of our imagination but, of our aspiration, the country imagined and articulated in our South African Constitution. But, as this Commission of Inquiry signifies, we still have a long way to go.

5.1 The past is ever present

At one level Khayelitsha, as noted earlier in this submission, can be viewed as a living spatial symbol of the thinking, attitudes, and kind of Apartheid urban planning logic that prevailed in the late 1970s and 1980s. At another level it is also a testament to the power of the human spirit and, of social agency and determination in the making of place in the city, especially for those classified black African under Apartheid.

This submission places a significant emphasis on both the social history and urban contestations that preceded and followed the establishment of Khayelitsha in 1983. It does this because, at the end of the day, I believe that history matters and that it matters even more if one is in the midst of a transition. Moving from one "era" towards another, becoming something else, something different, hopefully something new and fresh, something better than what was experienced in "the other", means that some things, perspectives and, ways of thinking and being need to shift and change. A transition is a movement towards a new paradigm in a given society and, it can go in different directions – at the positive level it can lead to an exponential improvement in the quality of life for all or, it could lead to back to a negative space if not handled sensitively and, strategically. My sense

is that we sit on the edge of this dilemma twenty years into our transition and, that an inquiry into the relationship between the police and community in Khayeltisha is, at its heart an interrogation of post-Apartheid governance and how resources get prioritised and allocated in our transition.

A reading of this moment in the city's social history, the one played out in the South-east part of the city, overlaid by the various other layers of social and political life between 1976 and 1994, tells us that the journey towards "a right to the city" and, that the road travelled to Khayelitsha was not easy, for many it was violent, painful and, traumatic. And, once there, new arrivals were confronted by a new set of challenges and dynamics that included a harsh and often violent physical, political and, social environment.

The submission touches on present-day social and demographic trends in the area, including high levels of crime, violence, poverty, unemployment, and, "service delivery" protests, all indicators of high levels of social and economic distress. It also notes the lack of precision with respect to the area's level of population, a trend with respect to Khayelitsha since 1983 and, in particular since 1994. From a developmental point of view, the difference between 400, 000 and 700 000 or 1 million people in a given area of the city is huge when it comes to resource allocation and prioritisation.

Like it or not, South Africa is perceived to be, because it is, a violent country. The whole world knows that for R10 000 (maybe even less) you can hire an assassin to kill someone at your will. We have all seen the footage or, listened to the testimonies of the TRC, therefore we know what South Africans, under a specific set of circumstances, are capable of doing to other human beings, to fellow citizens. We have seen how protests can easily morph into violent confrontations and, we have seen how citizens and community groups take the law into their own hands when levels of frustration and rage become drivers to brutal beatings and killings. We are bombarded daily by media reports of rape, murder and, domestic violence and abuse, the most horrific being violence against infants and children and, the aged.

Countries or, societies characterised as "violent" have this reputation based on a structural, overt and, in our case, a covert violent past. Cape Town has the same reputation, with epicentre on the Cape Flats. And, on the Cape Flats, an epicentre that revolves around Nyanga-Philippi and Khayeltisha, with reputations, based on statistics, of being the "murder capitals" of the Western Cape. Alongside or, the flipside of violence and conflict is the issue of trauma or, psychic wounding.

Everything about the past and present, with respect to the social history of Cape Town and, in particular the making of the South-east Metro, including that of Khayelitsha, signifies the presence of violence and conflict (visible and hidden) and, therefore, high levels of trauma, at both individual and collective levels. It also tells me that we are creative, adaptable, innovative and, as a consequence, resilient – survivors.

There is something about this past that continues into the present and, there is something about this present that reminds us of the past. And, there is something about both the past and the present that sops us from moving forward into a better future. Understanding and finding ways to work through, beyond or, with this social reality, lies at the heart of the present Commission of Inquiry.

January 2014