

## **Democracy in Danger in the Western Cape**

**The proper delivery of services to the poor by the public administration in the Western Cape Province and across the country is inadequate, and it is understandable that poor people are feeling frustrated and angry. Everything must be done to get rid of bottlenecks and improve the service delivery situation here and across the country. However constructive engagement on the best way forward is possible and necessary, without resort to violence, and without fomenting hate or disrespect.**

**There is at present an assault on democracy taking place in the Western Cape. The Provincial Government that was freely elected, and represents the democratic choice of the majority of the people, is under attack by politicians and activists who were not chosen by the electorate, who are attempting to make the City and Province ungovernable. This attack on democracy is a denial of everything the freedom struggle was about, and is being carried out in a dangerous spirit of hate.**

**We call on all citizens of good will to stand up to and repudiate these actions and the spirit in which they are carried out, which denies the dignity of the activist's political opponents and demeans the standing of those involved as citizens of this country. We call on the faith community to give the lead in restoring the democratic values that are being denied by these actions, and to join us in creating an Implementation Plan for the Bill of Rights, which is Chapter Two of the Constitution, that will be spread across the country in a nationwide movement to restore the values of the Freedom Charter. We call on those carrying out these actions to reconsider and change to constructive methods of engaging in the future.**

**Critically needed improvement of living conditions in Cape Flats communities depends on a constructive dialogue between local communities the City, Province and National government , where each listens to the other in a respectful way and jointly works out the best way forward in the light of resource limitations that face us. That constructive process is undermined and often prevented by the current violent destabilisation programme.**

**We emphasize that this is not a statement in support of any political party; we would make the same kind of comment if members of any organisation whatever were to undertake such actions that deny the spirit and nature of multi-party democracy under the rule of law according to the tenets of our supreme Constitution. We believe there are democrats in all political parties who share our view.**

### **1. Democratic Principles**

The goal of the freedom struggle in South Africa, for which so many sacrificed so much, was to attain democracy in this country. The basic process in democracy is very simple: anyone can group together with others to form a political party, and offer themselves for election to office in regional or national government. If you are voted in, you take office and do your best to serve the interests of the whole community – both those who voted for you and those who voted against. If you are not elected, you accept the verdict of the electorate, and until the next election take your place as a citizen obeying the laws of the land and trying to make the democracy succeed. At the next election you can again offer yourself for election and get the opportunity to persuade the community at large you would do better in running the country than those in power.

The underlying value for this democratic process is respect for all those we encounter in whatever role we play.

### **2. There is an assault on democracy in the Province**

This agreed democratic process, which is what the Constitution and the Freedom Charter are about, is currently under severe assault by a group of political activists in the Western Cape. Because they were not chosen by the electorate, who preferred to have a different party ruling the Province, they have set in place a campaign to

destabilise the Western Cape and make the Province ungovernable. This has created space for other political groups to also join in destabilisation.

Public statements by some of the concerned activists before the action ever began have confirmed this to be the aim of the project:

On Friday 27 July 2012, the Dullah Omar region of the African National Congress Youth League delivered a memorandum to the Office of the Premier on behalf of itself, the ANC, the ANC Women's League, the Cape Amalgamated Taxi Association and the Congress of Democratic Taxi Associations. They handed over a memorandum of grievances demanding more jobs for the youth, free and quality education and improved service delivery. "We demand that the above-mentioned demands be positively responded to within seven working days. Failure to do so (and) the young people and the above-mentioned stakeholders will make this city and province ungovernable! Amandla!"

This project has since been put in motion, and has included violent service delivery protests which cause harm to citizens and even death; disruption of meetings to address service delivery; hindering service delivery; and preventing freedom of speech and expression.

### 3. Urgent Concerns

This results in major concerns about this state of affairs These include:

#### *a) Violent Service Delivery Protests*

- A centrally coordinated set of "service delivery protests" in township areas was designed to bring the city to a halt and cut off the airport (a national keypoint) from the city. This caused costly damage to infrastructure, huge disruption to those living in the townships, and at least five deaths that no one has been held accountable for.

Video footage of a protest on Monday 31<sup>st</sup> July 2013 on the corner of Lansdowne Road and Duinefontein Road shows how the actions of protesters were carefully marshalled and controlled.

Bus driver Andile Hoko, of Nyanga, was travelling on the Mew Way Bridge in Site B on August 3<sup>rd</sup> 2013 when protesters pelted the bus with stones, causing him to lose control. The bus veered off the road and ploughed through four shacks before coming to a stop when it hit a formal house. Hoko died on the scene as a result of his injuries. Daniel Sass and Nhlanhla Ngalo, who was 22 months old, died after the bus crashed through their homes. Speaking from the shack her father shared with her stepmother Zoliswa Dyantyi, Lisa Hoko said she was devastated. "They've taken my dad, you know? Someone's grandfather. Why him? He was a law-abiding citizen... Why him?" asked an emotional Hoko on Sunday. Unathi Mbewu, who was a pedestrian in Mew Way road, also died of injuries resulting from the accident.

Truck driver Xolela Pongo died on Monday August 13 2013 when his truck was stoned by protestors near the Mew Way and N2 intersection. The day before the fatal attack on the bus, the ANCYL was quoted as saying that it would prevent "any and all Golden Arrow buses and taxis from operating". Rioters stoned a children's holiday bus. Trucks were set alight, cars stoned, and police said people also tried to set a crèche alight.

- Organising city centre protests that caused major disruption involving rioting and looting of vendor stalls, which the police appear unable to handle.

There was chaos in the Cape Town CBD on Wednesday 30<sup>th</sup> October 2013- as protesters against the provincial government ran amok and looted stores and stalls. A shop owner was also hurt by the protesters. Marius Fransman of the ANC condemned the city centre protests publicly on TV right after they happened. He stated "As the ANC, we reject the conduct of some of those protesters. I believe certain individuals behind the EFF have tried to destabilise the protest and create chaos."

**b) Disruption of Meetings to address service delivery**

- Disruption of meetings set up by the City to meet with local communities in order to sort out what problems there may be in terms of service delivery.

In August 2012, a service delivery report back meeting that the Mayor held in Khayelitsha was violently broken up by a group of youths, some of whom were clearly wearing ANCYL berets.

On January 3<sup>rd</sup> 2013, local DA representatives were forced to leave a meeting to deal with problems caused by a fire in Khayelitsha when ANC provincial leader Marius Fransman told the crowd to "send them back to their white bosses".

- Organising the disruption of meetings attended by the Mayor of Cape Town and the Premier of the Province, thus aiming to close the space for democratic discussion that is the lifeblood of democracy. In one case a meeting that was not a political meeting was disrupted by protestors bussed in for that purpose; this was indubitably a pre-planned occurrence, because it was known some days before the event that this would occur.

On 31<sup>st</sup> October 2013, President Jacob Zuma opened the launch of the Saldanha Bay Industrial Development Zone (IDZ). But the launch evolved into a political rally, with ANC t-shirts sporting Mr Zuma's face being distributed outside the venue. The crowd sang songs praising Mr Zuma and when Ms Zille entered the venue, she was booed. The crowd continued to heckle the premier after she took to the podium to deliver her welcoming speech. Ms Zille subsequently walked out of the venue without delivering her speech. The President did nothing to stop this happening, although he subsequently said it should not have happened. Marius Fransman tried to stop the crowd from heckling Premier Zille in Saldanha Bay and was unsuccessful.

**c) Hindering service delivery**

- Persuading or coercing local communities into not accepting the best possible solutions to the vexed issue of sanitation delivery, which faces huge obstacles due to many factors including resource limitations, a high water table, and dwellings sometimes so close together that providing water borne sewerage to them is not possible.

It is not possible to provide conventional waterborne sewerage to all settlements, inter alia because of the cost. The Netherlands has assets of R1136bn which is sewerage related - including waste water treatment works. The cost of providing the desired sanitation facilities universally in South Africa would be much greater, because it is so much larger in area and has a much larger population. We simply do not have the resources needed. *No change of local government in the Province will change this situation in any way.* It is therefore irresponsible for any political party to promise delivery of conventional waterborne sewerage to all settlements, as this is not possible in the foreseeable future. All practical dignified alternatives need to be investigated, and the best implemented in collaboration with the communities involved.

- Improvements that are indeed possible are opposed.

The ANC leaders in Council opposed the City's informal settlement urban planning, which will create more space to allow emergency and other services access to the area, and rebuild houses with fire-resistant material to address the annual shack fire crisis. Residents at the Mtshini Wam informal settlement said they were happy with the blocking project as it made major improvements to their living conditions.

- Starting a politically motivated campaign to persuade township residents not to pay their rates.

***d) Preventing Freedom of Speech and Freedom of Movement and promoting a climate of hate***

- Publicly stating that there is an intention to make some township areas no-go areas for other political parties in the run-up to the elections.

Protest leader Andile Lili warned Western Cape Premier Helen Zille to be careful when entering informal settlements around the province. "All of them [informal settlement residents] must attack Helen Zille wherever she goes" Lili told *The Cape Times*

- There is a further concern: the destabilisation project in the Western Cape is also deeply undemocratic in the township context. It involves a major element of coercion, where the vast majority in the townships not involved in this campaign are in fear of the consequences if they stand up against it.

DA activist Luzuko Mngqibisa's home was attacked and burned down on Saturday 27 June 2013. The ANCYL subsequently condemned this action; but this kind of act is an inevitable outcome of activism based on inflaming hate.

In carrying out this campaign,

- An atmosphere of hate has been deliberately created that is extremely dangerous, for such inflamed hate will inevitably result in terrible acts, as recent events in Nairobi clearly demonstrate;
- An attitude of utter disrespect for political opponents has been encouraged;
- The spirit of the campaign is exemplified by the actions of the faeces throwers, which is aimed at undermining the dignity of those attacked, but in fact dehumanises and undermines the dignity of those engaging in this act.

This is all a flagrant denial of all the democratic values that so many fought for in the liberation struggle. It is a blatant contradiction of what Nelson Mandela stood for and hoped for. It is a denial of the respect for each other that so many ordinary people believe in and desire, and which leaders of all faiths have called for across the years.

Minister in the Presidency Trevor Manuel on Sunday hit at the "poo protesters" in Cape Town, saying that they could "never claim to act in the name of Nelson Mandela, or the organisation in whose service he devoted his life". Mr Manuel is the latest African National Congress (ANC) stalwart to come out strongly against the protests which have rocked Cape Town in recent months. Last week Health Minister Aaron Motsoaledi said dumping human waste during protests in Cape Town is an "attack against the whole population". "What is currently happening in the Western Cape defies all manner of logic and it is outright inhumane" Mr Motsoaledi said.

Finally, this is not a problem for the Western Cape alone. The deep problem is that the nature of these actions in the Western Cape are indicative of what we may expect in other parts of the country in the future. There is every reason to expect that unless the destabilization campaign is stopped in its tracks now in the Western

Cape, it will grow across the country. Other political parties have taken the gap and are already applying these tactics, and this can be expected to grow to other factions in political parties if they lose power. The future of democracy in the country as a whole depends on taking action now against this present behaviour in the Western Cape.

#### **4. Let us remember our Democratic Goals - A better life for all**

The delivery of services to the poor in this Province and across the country is inadequate, and everything must be done to get rid of bottlenecks and improve the service delivery situation. It is crucial that the City and Province listen to the problems experienced by the community, and take all possible steps to sort them out as speedily as possible. Where the authorities do not listen to legitimate concerns, they must change and become more responsive.

This remedial action is however not helped by politicians and activists promising the poor the unattainable, and so creating a spirit of entitlement that cannot be met here or anywhere else in the country, and then disrupting meetings where what is attainable can be discussed between the authorities and residents. That kind of action proves conclusively that the aim of this campaign is not the improvement of services to the poor: it has a political goal. It is simply cynical to do whatever you can to hinder or prevent service delivery and then complain that those services are not being delivered.

Young people are justifiably angry to see their future destroyed before their eyes. The underlying cause of the huge problems for these communities is a lack of employment. Particularly devastating is the lack of education that will enable getting high paying jobs. Both these problems are largely a result of national policy, and need to be addressed at that level – we urgently need a national Indaba that will develop a viable national policy that will create jobs and sort out the major problems in education across the country. This must be taken up with the President, who is responsible for implementing policy that will create jobs and ensure quality education. This is an urgent matter that should be attended to now. But also where there is an arrogant or autocratic spirit in either Provincial or City Departments involved in policy implementation, it needs to change as a matter of urgency.

Violence is not the answer. Violence is self-destructive in a democratic setting, although it may have been a preferred tactic that seemed to work before, and is excellent at getting attention. We need to learn new ways to relate and engage and make progress together. We stand against violence and stand for freedom and justice. People deserve to live in a functioning democracy that is accountable to the people. Protests are an important mode for citizens to speak - however the organizers must keep the peace with marshals and the police must not intimidate protesters. Services must be delivered and not denied. Sanitation and housing are flashpoints that need to be addressed head-on and in partnership with all political parties, civic groups and the community.

#### **The local way forward:**

The destabilisation project is not enhancing the welfare of those in desperate situations. We urgently need constructive discussions between the communities and authorities about what is practicable in terms of housing and sanitation: what the authorities can provide, and, recognising resource limitations, what local communities can do to help themselves as regards housing and sanitation. These discussions must be carried out in a compassionate, cooperative, and constructive way that recognizes what is and what is not possible, where each side listens to the other and hears their problems and concerns, and then works out together how best to improve the situation.

We need greater local government responsiveness to community requests, and maximisation of national and local government resource use for community upliftment. Above all, we need effective community empowerment, which enables communities to work out the best way forward in the light of the limitations on what is possible, and then to make that a reality. We believe the faith community can help in facilitating such discussions.

*"I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die" - Nelson Mandela, Rivonia trial concluding speech.*

**To make a real difference now in this Province,**

Realising there is an urgent need for improvement in conditions in poorer areas, we call on the City and Province:

- To improve procurement procedures so that many-year delays like that affecting the Barcelona settlement sanitation pilot project do not occur;
- To request more funds for housing and sanitation from National Treasury;
- To strongly lobby the Department of Public Works to make available land like Wingfield and Youngsfield for housing as a matter of urgency;
- To implement a major re-design of municipal and provincial budgets, such that sanitation and a range of services in poor areas be escalated, and a range of services in the affluent suburbs be reduced (for a period) until the poorer areas are better served. The National Treasury has regulations around "Re-prioritising Budget lines"; the City should apply to have expenses shifted in this way to meet urgent issues that need attention.

**5. Call to Action - As citizens we must stand up and demand accountability for a better life for all.**

We call on all people of good will to take a stand against what is happening, and stand up for treating each other with respect. We call on the religious communities as well as politicians of all parties to call on the activists engaged in this destabilisation project to cease and desist and return to the values that this country is supposed to uphold. We call on all people to stand against violent protests and calling for ungovernability. Let us campaign vigorously for a return to a spirit of respecting the dignity and value of each other, whoever we are, as well as campaigning tirelessly for services that respect the dignity of people living in informal settlements, where the conditions are not acceptable for decent living.

*Martin Luther King said, Cowardice asks the question: is it safe? Expediency asks the question: is it politic? Vanity asks the question: is it popular? Conscience asks the question: is it right? And there comes a time when one must take a position that is neither safe, nor politic, nor popular; but one must take it because it is right.*

Let us make clear that the current campaign is totally unacceptable and must cease. Nonviolent protest is a right enshrined in our constitution, and violence can no longer be justified. Constructive engagement on the best way forward is possible and desirable.

**6. The Action Plan for Implementing the Bill of Rights**

We propose to set up an Action Plan that will be a companion to the Charter for Compassion. The Charter for Compassion is a document that transcends religious, ideological, and national differences, and is supported by leading thinkers from many traditions. It is a cooperative effort to restore not only compassionate thinking but, more importantly, compassionate action to the centre of religious, moral and political life. We call on all like thinking citizens to join us in creating an Action Plan for Implementing the Bill of Rights and then spreading it across this country as a means of curing the current threats to democracy, wherever they occur and for whatever reason.

The Action Plan might be something like the following: but the details need to be negotiated in an ongoing and inclusive process that re-energises our Bill of Rights. Implementation of the promises made in it is vital to the successful attainment of that better life for all:

*We, the citizens of this country are deeply concerned about the inadequacy of our democracy. Here we are 20 years after apartheid and this inadequacy is apparent in almost all areas of our society.*

- 1. **Poverty.** Far too many people still suffer the hopelessness of poverty, unemployment, the inability to make a livelihood, and unacceptable living conditions.*
- 2. **Disparity.** The disparity and inequality between rich and poor is quite unacceptable. While the poor queue for social grants, the captains of industry award themselves ridiculous bonuses, and public servants and politicians earn ridiculously high salaries.*
- 3. **Segregation.** The divisions in our cities and towns made under apartheid remain, and continue to disadvantage the poor in a myriad of ways.*
- 4. **Corruption.** Corruption is rife in major companies, (eg the builders of World Cup stadia). It is perpetrated by all kind of goods and service providers wanting government contracts, and crooked public officials and politicians greedily benefit.*
- 5. **Crime and violence.** We are still a violent society. Interpersonal violence, violent public protest, and protests are handled by the police with far too much violence. Although ordinary people are not subjected to officially sanctioned violence as under apartheid, the root causes of violence and crime remain – the violence of our history, the emasculation caused by decades of oppression, the habit of violence.*
- 6. **Lawlessness.** We are a lawless society. Everywhere, in interpersonal relations, in driving motorcars, in civil protest, in business, in countering crime, in political competition, we act disrespectfully and outside of both the laws and the mores of a just society.*
- 7. **Politics and Government.** Far too much of what should be ordinary government of the everyday affairs of the nation, is handled as if it is a competitive issue between political parties. So instead of everyone working together for human development, the party in power tries to mess up opposition efforts and the opposition pours scorn on government efforts.*
- 8. **Initiative.** Instead of supporting every positive initiative with resources, trading space and skills, every small trader is discouraged by rentals, registration hassles and inadequate police protection. No real effort is made to use small businesses for government contracts. The initiative of people to get on with building their own homes is discouraged by bad housing policy.*
- 9. **Land.** We can't expect the good life until black people own much, much more land than they do at present – rural land and city land.*
- 10. **Health .** There remain huge disparities in the health system between the city and the periphery, between rich and poor.*

**We call for a new collective effort by everyone** to generate human development for all our people through formulating a plan of action for the nation's future one in which the lived reality is the fulfillment of the promises made in the Bill of Rights

This statement is to be understood as an invitation for a more serious engagement and dialogue of all affected: as the beginning of a journey. It proposes a new spirit in which we can move forward together.

This is a matter of urgency: we believe it is crucial we speak out at the present time. People are suffering instead of thriving in this new democracy. This situation is a denial of the democracy that informs our national accord and is encapsulated in the Constitution. How can we live better together? The suggested Action Plan is the first

step, but then how does the nation re-vision and make it happen? It is up to us all - to speak truth to power and to do our part to make the dreams a reality.

As Ben Okri said in his speech at UCT in 2012,

*"Personally I favour healing as dreaming. A society comes through fire a nightmare and it ought to heal through dreaming; not a dream of sleep but the dream of vision. In some ways unreality is easier than reality. And the reality of freedom demands more consistency, vision, courage and practical love than was suspected in the unreality of injustice. And what defines a society is not how it overcomes its night but what it does with the long ever-after days of sunlight."*

It is time to step into the sunlight, and dream the new South Africa into being together.

### **Signatories**

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