

12 July 2010

**Abahlali baseMjondolo Press Statement (Prepared at the All Night Vigil for the Kennedy 12)**

## **The Kennedy 12 Go To Trial Today**

Abahlali baseMjondolo will be at court in our numbers to support to the Kennedy 12 when their trial begins today, at 9 o'clock on Monday 12 July, in the Durban High Court.

On the 26th of September 2009 a group of forty armed men massed in the Kennedy Road shack settlement, chanted ANC and ethnic slogans and launched an attack on the elected leaders of the Kennedy Road Development Committee (KRDC), Abahlali baseMjondolo, their families, their comrades and all those who have associated themselves with our movement. They also declared their intention to drive Mphondo people from the settlement. They made it quite clear that their intention was to kill a number of named people including S'bu Zikode.

It was a well planned and violent attack. Intelligence personnel were present in the settlement when the attack was launched. All of the many calls to the police for help were ignored. People fled and people defended themselves as best they could. When the sun came up two people were dead, many more were injured and thousands were displaced. When the police did come to the settlement the attack continued in their presence. The leadership of the KRDC and Abahlali baseMjondolo were forced out of the settlement and their homes looted and destroyed.

The ANC leadership in KwaZulu-Natal publicly endorsed the attack on our movement. The MEC for Community Safety and Liaison Willie Mchunu said that the settlement had been 'liberated' and that a decision had been taken to 'disband' our elected structures. eThekweni Housing Committee Chairperson Nigel Gumede celebrated the attack at a press conference held in the settlement and told the media that the Kennedy Road community was the only shack community that had taken the government to the court. He also said that S'bu Zikode had been running his own authority. And he said that S'bu Zikode had gone against the State President when the President had said that shacks would have to be eradicated by 2014. Gumede said that 'people will have to be jailed' for development to go ahead. In fact we had, after four years of struggle and more than a year of negotiation, signed an MOU with the Municipality for the participatory in-situ upgrade of the settlement. The way in which Gumede spoke made it seem that S'bu Zikode was the major threat to the development of shack settlements. He spoke as if S'bu Zikode was a person to be killed.

When Gumede referred to Abahlali baseMjondolo taking the government to court he was referring to our case against the notorious Slums Act in the Constitutional Court. Ten days later we won our case against the Slums Act and the attacks on our movement continued. More homes were demolished and the General Secretary of our Youth League had to flee her home, outside of the settlement, after she was publicly threatened with death when she commented on the judgment on the TV news.

After the attack senior ANC politicians moved quickly to impose an unelected ANC leadership on the settlement. Since then the settlement has never been stable. People have continued to be murdered and to be burnt to death in shack fires. There has been extreme party political corruption in access to grants and to the relief offered after the shack fire. Everything that had been built up by the movement, from the crèche, to the library, safe electricity connections, the community kitchen and organised care for the sick and was destroyed.

Abahlali baseMjondolo wishes to make it clear to the media and to all progressive individuals, organisations and movements in South Africa and around the world that the police investigation into the attack, and the judicial process that has followed it, has been blatantly political. It has not been aimed at finding the truth or achieving justice. It has had one aim and that aim has been to destabilise our movement and to give the ANC the freedom to continue to their criminal attack on our movement. The attackers have never been arrested. No one has been arrested for the demolition, burning and looting of our homes. The Kennedy 12 are among those whose homes were destroyed and possessions looted. No one has been arrested for all the public threats of death that were made against us. No one has been arrested for the banning of our movement from the settlement on the pain of death.

The whole process leading up to this trial has been blatantly political and therefore blatantly corrupt. This is one reason why we issued the call for an independent commission of inquiry that will, in the interests of justice and truth, carefully and fairly investigate the actions of everyone, including the local and provincial ANC, the police, the intelligence services, the prosecutors, the courts and our movement, its various sub-committees and our supporters.

Abahlali baseMjondolo wish to express our deepest gratitude to all our comrades in South Africa, including, especially, our comrades in the Poor People's Alliance and the church leaders who have stood with us, for their solidarity. We also wish to express the same gratitude to our comrades in Russia, Italy, Germany, England, Turkey, the Philippines, the USA and elsewhere who have written letters of protest to our government and organised protests at the embassies of our government around the world. All of these different people and groups have insisted that there must be a fair investigation into all aspects of the attack (including the initial attack, the looting and demolition of our homes and the violent and police supported expulsion and banning of our movement from the settlement) and that the South African government must conform to its own laws, to international laws and to the basic principles of democracy and fairness in their response to the attack and its ongoing consequences.

In recent days the state has requested an adjournment of the trial. They have consistently used invented delays to distort the judicial process and to keep the Kennedy 12 in jail and to delay their access to bail. They have had ten months to prepare their case and if they are still requesting adjournments at this late stage it is clear to us that they have no case. We have instructed our lawyers to refuse this request for adjournment.

We are not alone in facing repression. All of the poor people's movements in South Africa have faced harassment from the police over the years. But the form of repression where a movement is attacked by armed civilians mobilised on an ethnic basis and backed by the police instead of being attacked by the police directly is a new form of repression. It is very similar to the way in which the apartheid state tried to undermine the UDF in the 1980s. Recently the Landless People's Movement has also been under a very similar form of attack in Johannesburg. We continue to seek support from everyone who believes in justice and in the right of the poor to organise ourselves for ourselves. We continue to reject all forms of ethnic politics and to insist on our right to build a politics of and for the poor, and of and for all of the poor, from the ground up.

Abahlali baseMjondolo has become the hope and home of so many in the world. Therefore Abahlali baseMjondolo vows that it will do all that it can to protect and to fight for the advancement of the interests of the shack dwellers and the poor in South Africa and, when we can, to support

the struggles of our comrades around the world.  
We know very well that in the eyes of the state our real sin has been that we have been operating outside of state control. This is why we were attacked. The ANC refuses to accept the political autonomy of the poor. But everyone can see that the state has failed the poor in South Africa and so we will continue to organise outside of its control and its logic. We will continue to encourage the poor to organise themselves for themselves. Our lives and the lives of our children are at stake. We cannot back down.

Aluta Continua.

For comment please contact:

Bwandile Mdlalose, Abahlali baseMjondolo General Secretary: 074 730 8130  
Mnikelo Ndabankulu, Abahlali baseMjondolo Spokesperson: 079 745 0653  
S'bu Zikode, Abahlali baseMjondolo President: 083 547 0474  
Mzwake Mdlalose, Kennedy Road Development Committee Chairperson: 072 132 845

--

Uyishayile!

Abahlali baseMjondolo, together with with Landless People's Movement (Gauteng), the Rural Network (KwaZulu-Natal) and the Western Cape Anti-Eviction Campaign, is part of the Poor People's Alliance - a national network of democratic membership based poor people's movements.