

FREEDOM FROM STRIFE?

An assessment of efforts to build peace in KwaZulu-Natal

The stormy relationship between the African National Congress (ANC) and Inkatha Freedom Party (IFP) is now over a quarter of a century old. The violence that once polarised communities has, however, almost completely disappeared in most instances. This report examines the trajectory of this conflict, its violent outbursts as well as its more peaceful manifestations, from the early 1980s and varying efforts to address it since. The focus is on the various initiatives that have taken place, especially since 1996, under the rubric of the KwaZulu-Natal Peace Process.

A host of factors continue to trouble the process. These include; internal and intra party dynamics, issues of 'unfinished business', impunity, justice and accountability in relation to thousands of past human rights violations; and the limitations of demobilisation and demilitarisation initiatives. The shift to democratic governance has provided meaningful opportunities for synergy between development and peace processes, where development has in fact been the source of serious tension.

The report examines the geneses and trajectories of conflicts in Shoboshobane, KwaMashu and Mtubatuba. Through the lenses of these three case study areas, the report examines post-conflict initiatives, the inclusiveness of development options and the extent to which peace building has really taken place.

'... there are still some hard-core criminals who hid behind the political violence who continue to operate and engage in acts of criminal violence.'

'My daughter was killed on Christmas Day. Yes, we all suffered, but we have had to throw these memories in to the black pit of forgetfulness for the sake of peace.'

'... there are those people who were influential during the massacre ... and they get re-elected and they choose where development can take place or not.'

The Centre for the Study of
Violence and Reconciliation
PO Box 30778
Braamfontein
2017
South Africa
Tel: +27 11 403 5650
Fax: +27 11 339 6785
<http://www.csvr.org.za>

FREEDOM FROM STRIFE? / An assessment of efforts to build peace in KwaZulu-Natal

by Injobo Nebandla

Freedom from Strife

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Injobo
Nebandla

Violence and
Transition
Project



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CENTRE FOR THE STUDY OF VIOLENCE AND RECONCILIATION

VIOLENCE AND TRANSITION SERIES

The Violence and Transition Project seeks to examine the *nature and extent of violence* during South Africa's transition from apartheid rule to democracy (Phase 1) and within the new democracy itself (Phase 2) in order to inform a violence prevention agenda. This series comprises a set of self-contained, but interrelated reports, which explore violence within key social loci and areas, including:

Phase 1 (1999-2002)

- ⊕ Revenge Violence and Vigilantism;
- ⊕ Foreigners (immigrants and refugees);
- ⊕ Hostels and Hostel Residents;
- ⊕ Ex-combatants;
- ⊕ State Security Forces (police and military), and
- ⊕ Taxi Violence

Phase 2 (2003-2005)

- ⊕ The KwaZulu-Natal Peace Process
- ⊕ Gun Control in Richmond, KwaZulu-Natal
- ⊕ Kathorus Youth in the aftermath of the 1990s
- ⊕ Community-State Conflict and Socio-Economic Struggles, and
- ⊕ Trauma and Transition, with a focus on refugee women

While each report grapples with the dynamics of violence and transition in relation to its particular constituency all are underpinned by the broad objectives of the series, namely:

- ◆ To analyse the causes, extent and forms of violence in South Africa across a timeframe that starts before the political transition and moves through the period characterised by political transformation and reconciliation to the present;
- ◆ To investigate the role of perpetrators and victims of violence across this timeframe;
- ◆ To evaluate reconciliation, peacebuilding and transitional justice initiatives and institutions, such as the Truth and Reconciliation Commission, established to ameliorate future violence in South Africa;
- ◆ To develop a theory for understanding violence in countries moving from authoritarian to democratic rule, i.e. "countries in transition", and
- ◆ To contribute to local and international debates about conflict, peacebuilding and democratisation.

Through the research, we have identified key thematic (and interconnected) 'indicators' that highlight the complex relationship between conflict, transition and democratisation. These include:

- ⊕ Demilitarisation
- ⊕ Institutional transformation
- ⊕ Peacebuilding and reconciliation
- ⊕ Justice and accountability
- ⊕ Poverty, inequality and socio-economic factors
- ⊕ Politics, crime and violence

It is an appreciation of these 'indicators' that underpins our understanding of the relationship between violence and transition, and how, in turn, they impact – positively or negatively – on democratic consolidation. This series strives to understand their impact on the deepening of democracy in South Africa and their intersection with addressing the democratic deficits inherited from apartheid governance. The research also illustrates our limited understanding of the multifarious and evolving relationship between politics and crime, dispelling notions of a 'clean' shift from an era of political violence to one of criminal violence, and raising fundamental questions about the extent to which South Africa can be accurately described as a post-conflict society.

In order to understand – and prevent – violence in South Africa and elsewhere, an ongoing action-research agenda is required. Through this series the Centre for the Study of Violence and Reconciliation offers an exploratory, yet detailed, contribution to this process. The Violence and Transition Series aims to inform and benefit policy analysts; government departments; non-governmental, community-based and civic organisations; practitioners; and researchers working in the fields of:

- ✚ Violence Prevention;
- ✚ Transitional Justice;
- ✚ Victim Empowerment;
- ✚ Peacebuilding and Reconciliation;
- ✚ Human Rights, and
- ✚ Crime Prevention.

The views expressed in this publication are those of the authors and they do not necessarily reflect those of CSVR.

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Copies of the reports can be freely obtained from the CSVR website (www.csvr.org.za)

Series editors: Bronwyn Harris, Piers Pigou and Graeme Simpson

For further information, please contact:

The Centre for the Study of Violence and Reconciliation
PO Box 30778
Braamfontein
2017
South Africa
Tel: +27 11 403 5650
Fax: +27 11 339 6785
<http://www.csvr.org.za>

CSVr's mission is to develop and implement innovative and integrated human security interventions based upon a commitment to social justice and fundamental rights for people who are vulnerable or excluded. CSVr pursues these goals as essential to our aspiration of preventing violence in all its forms and building sustainable peace and reconciliation in societies emerging from violent pasts – in South Africa, on the African continent and globally.

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EXECUTIVE SUMMARY

Violence and the impact of violence have been demonstrable factors in the lives of many people and communities in the province of KwaZulu-Natal. The stormy relationship between the African National Congress (ANC) and Inkatha Freedom Party (IFP) is now over a quarter of a century old, yet the violence that once characterised the daily intercourse between both parties has, in most instances, almost completely disappeared.

This report examines the trajectory of this conflict (with its violent and peaceful manifestations) from the early 1980s and varying efforts to address it. The report focuses on the various initiatives that have taken place, especially since 1996, under the rubric of the KwaZulu-Natal Peace Process.

One of the reasons for the failure of previous peace processes in the late 1980s and early 1990s is related to the context in which these processes occurred. In this regard, neither the ANC nor IFP truly promoted a political agenda of inclusiveness and respect. Compounding matters, the presiding Apartheid State and its security forces remained an active and persistent part of the problem rather than a solution.

Despite democratic elections in 1994, the situation in KwaZulu-Natal remained violent, and the transition from political conflict to political peace has at times been faltering and not without significant problems. The nature of the conflict and the disparate groupings involved meant that bringing peace to divided communities, building consensus and support for a peace agenda and the related processes of demobilisation and disarmament inevitably presented tough challenges for those involved.

Understanding the KwaZulu-Natal Peace Process requires an in-depth appreciation of a multitude of interrelated factors at local, provincial and national level. There is no singular 'Peace Process' or accompanying document. Building on local and provincial initiatives, the ANC and IFP Congresses only publicly endorsed the peace process work in 1997 and 1998 respectively, even though the work had in effect been ongoing for some time. By this stage a number of key developments that laid the foundations for a sustainable engagement and agenda had been worked out. Yet, consolidating the 'process' remains a work in progress, despite over a decade of initiatives.

A host of factors continue to trouble the process. These include; internal and intra party dynamics, issues of 'unfinished business', impunity, justice and accountability in relation to thousands of past human rights violations; and the limitations of demobilisation and demilitarisation initiatives. The shift to democratic governance has also provided meaningful opportunities for synergy between

development and peace processes, although, at the same time, it is important to recognise that development can in fact stimulate disagreement and conflicting relations.

The report examines how conflict and peace have manifested in three locations in KwaZulu-Natal. The first case study, Izingolweni/Shoboshobane, a rural area on the South Coast, was selected because it was one of the areas that were among the worst affected by political violence in the early 1990s, and was the target of the notorious Christmas Day Massacre in 1995, one of South Africa's last major political massacres.

The second case study is KwaMashu, selected not only because it is one of the major urban areas in KwaZulu-Natal and during the 1980s and early 1990s experienced serious violence, but also because after 1994 the area experienced a dramatic decrease in political violence. The ANC and IFP have worked closely together on a variety of projects, but some parts of KwaMashu were afflicted by internal party violence, and the township has been identified nationally by government as one of the ten areas that has the highest levels of criminality and criminal violence.

The final case study selected was Mtubatuba situated in Northern KwaZulu-Natal (a part of the province considered historically to be an IFP stronghold). The area is semi-rural and political violence and intolerance remains a serious problem.

The report examines the geneses and trajectories of conflicts in each case study area, looking at the role of the security forces and criminal justice system. It examines post-conflict initiatives, the inclusiveness of development options, the extent to which peace building has really taken place, and the import of contemporary violent crime. In both Shoboshobane and KwaMashu, despite the fear and mistrust between the IFP and ANC, both parties have managed, in varying degrees, to co-exist and to co-operate. In Mtubatuba, however, this has not been the case and, despite both parties being represented on the Mtubatuba local municipality, the politicisation of development initiatives remain a source of serious tension in the area.

The report highlights some of the 'lessons learnt' from the KwaZulu-Natal process; the need to address long-term (and ongoing) challenges such as crime, balancing constituency needs, especially those of victims and survivors, understanding the interface between politics and crime, the criminalisation of militarised structures, and the problems associated with demobilisation in a context of violence. The report also raises questions about notions of accountability, both in terms of past violations, but also with respect to the peace process itself, and the capacities of those engaged in the process to secure control and cooperation.

Despite fluctuating relations between the IFP and ANC throughout this period, the challenge has been to retain an unwavering commitment to core principles and agreements that ensure the Peace Process remains on track. This report suggests that despite shortcomings and periodic manifestations of political violence, both parties have been essentially successful in this regard.

INTRODUCTION AND METHODOLOGY

This assessment of the KwaZulu-Natal peace process builds on earlier CSVR research conducted during the first phase of the Violence and Transition project (VTP1): *Justice denied: political violence in KwaZulu-Natal after 1994*, by Rupert Taylor (2001). Taylor's (2001) report, which explores three separate conflicts in the post-1994 period relating to political antagonism within the province, indicates that the legacy of political violence has not been swept away in KwaZulu-Natal, despite the formal transition to democracy. His research also raises serious questions about failings in the criminal justice system, and in particular the role of the police. Taylor (2001) examines how these failings have contributed to the evolution of the conflict and the failure to manage it, against a backdrop of ongoing political rivalry, tensions, and highly militarised communities. His research recommends as imperative an impact assessment/evaluation of the peace process. Consequently, this report examines in more detail, and in relation to the peace process, why peace has 'broken out' and been retained in some areas, but not in others.

This research is based largely on over 100 interviews conducted over a 14-month period (during 2003 and 2004) with Inkatha Freedom Party (IFP) and African National Conference (ANC) officials operating at provincial and local levels, as well as government officials, community members (both as individuals and in several group discussions), security service officials, and non governmental organisations.

The report is also based on the insights and experience of the Injobo Nebandla team who have worked closely with these issues and a number of the individuals involved in KwaZulu-Natal since the mid-1980s. The author, for example, has previously worked in each of these communities, especially in KwaMashu. A number of assertions made in the report rely directly on these experiences and understanding.

Throughout the report we refer to the Peace Process and peace processes interchangeably, and it should be noted that the Peace Process is not always a clearly delineated and singular course of action, and that a host of inter-related processes also fit within the broad parameters of this process.

This peace process, and its composite elements, have been ongoing since 1996 and have involved a number of 'sub-processes' (not always linear or inter-connected), sometimes involving different persons, and operating in an ever-evolving context. As such, the situation and issues under consideration have not been static and often involve a complex set of factors. During the period since 1996, for example, the political leadership of both the ANC and IFP has changed at both a provincial and national level. In some instances, such changes have had no significant impact on the overall direction and content of the peace processes underway, but in other cases, particularly those

involving the appointment of new IFP Provincial Premiers for KwaZulu-Natal, these changes have had significant impacts (both positive and negative) on the overall process.

Party political positions regarding key peace process-related issues have also evolved. In some instances, such changes reflect positive and nuanced responses to the developments and needs on the ground. Elsewhere, political positions have been linked to fluctuating, and at times negative attitudes towards peace.

Factors, both external to KwaZulu-Natal as well as those related to local dynamics and events, have also influenced changes and fluctuations in attitudes and approaches to the process. Much of the negotiation and discussion surrounding the process has taken place behind closed doors, and by and large there has been little public scrutiny and evaluation of what has been achieved. The extent to which different layers of leadership in the respective parties have been briefed and drawn into the process has also varied considerably. As such, very few individuals have a clear overview, or comprehensive 'institutional' memory of the process, its development and various permutations.

These factors have been compounded by a legacy of mistrust and tension that affects the extent to which some role-players were prepared to speak openly to researchers about the peace process. In several instances participants in the research agreed to speak only under conditions of anonymity. Others would only talk 'off the record'. Alternatively, interviewees were prepared to talk about generic concerns and problems, but not to provide specific examples. As such, a considerable amount of detail and analysis has deliberately not been attributed to specific individuals or affiliations.

In terms of the conflicts of the past, KwaZulu-Natal had a reputation as the most violent province in South Africa (only to be matched by certain locales in the Gauteng province, such as Kathorus, during the period in which the negotiated settlement was secured in the early 1990s). In response to this violence, a number of different structures and organisations were established, and various local, provincial and national processes were put in place. This report draws on the information and experiences of these different organisations and structure.

In addition, a review of newspaper articles, crime statistics, police reports, 'violence-monitoring' reports, local development plans and documents, as well as some academic articles and published reviews was undertaken. It should be noted that many of these organisations and structures no longer exist, or have refocused their attention elsewhere. Many of these structures did not have efficient information management and record-keeping processes, and as such much of the institutional memory and documentary records of these organisations has been lost or, at best, misplaced.¹ In a number of instances, therefore, researchers had to rely on the memory and associated insights of individuals who had been employed in these structures at this time.

The peace process in KwaZulu-Natal was not premised on a signed agreement between the key protagonists, but rather was based on a complex set of process initiatives. The researchers relied extensively on personal interviews with key political leadership elements to help them piece together

¹ A detailed future investigation / audit of organisational and institutional records relating to those structures working in the violence monitoring and peace work in KwaZulu-Natal is imperative.

various disparate processes that often appeared, at face value, to be uncoordinated and even unrelated.

In April 2004, South Africa held its third national democratic elections. While these elections created difficult conditions for undertaking this research, due mainly to the unavailability of key people participating in the study, the elections also provided an unprecedented opportunity to monitor the practical implications of the peace process, at a time of heightened tension and political posturing. In addition, the post-(third)election period (in the new context of the ANC's first outright provincial victory in KwaZulu-Natal) presented serious changes for the province, enabling the researchers to monitor and evaluate developments in this regard.

The research focused on three KwaZulu-Natal communities, Shoboshobane, KwaMashu and Mtubatuba, all of which have experienced political violence. The nature, scope and impact of political violence varied significantly both within and between these communities. They were selected not only on the basis of provincial demographics (i.e. rural, urban), but also because the impact and implementation of the peace process (and related development initiatives) in each area highlights specific lessons and specific problems.

Interviews were conducted with different role-players and stakeholders from each location, and site visits were also undertaken in areas where serious political violence had occurred. Additionally, we reviewed Integrated Development Plans (IDP), projects and programmes as well as local police reports and statistics.

HISTORY OF THE CONFLICT

KwaZulu-Natal lies on the eastern seaboard of South Africa, stretching from the Swaziland and Mozambique borders in the north to the border with the Eastern Cape in the south. The province covers more than 100,000 square kilometres and comprises rural, urban and semi-rural areas. KwaZulu-Natal's estimated population of 9.4 million people accounts for 20% of the total South African population.

Political violence has wracked the province since the early 1980s and, according to some sources, has left as many as 20,000 dead. (Taylor 2001). Families, villages and communities have been divided in a conflict, which has left few of the province's communities unaffected.

The Genesis of Division and Discord

In 1970, as part of the South African government's efforts to promote a semblance of 'self-rule', the Zululand Territorial Authority (ZTA) was established with Chief Mangosuthu Buthelezi as the Chief Executive Officer. In 1972, in accordance with the Self Governing States Constitution Act of 1971, the ZTA was converted into the KwaZulu Legislative Assembly (KLA) with Chief Buthelezi as its head. Although Buthelezi refused to accept formal 'independence' as a Bantustan, the KLA took over official responsibility for the administration of KwaZulu territories.

Consequently, the geographical area of KwaZulu-Natal was fragmented into an inchoate jumble of parts making up KwaZulu (administered by the KLA) and the province of Natal (which remained part of South Africa, under central South African government control). A vast majority of the most fertile land remained under the control of central government as part of Natal.

In 1975, the Inkatha Cultural Liberation Movement was formed, also under the leadership of Chief Buthelezi.² Ostensibly a cultural movement to represent Zulus, its political undertones were immediately apparent. Initially supported by the ANC in-exile, who saw its role as a potential means of mobilising rural constituencies for the cause of liberation, Inkatha used the KLA to build its support base within the organisational space created by the apartheid state's Bantustan policy.

² The Movement was loosely based on *Inkatha ka Zulu*, an organisation set up in the early 1920s by Zulu monarch Soloman ka Dinuzulu, designed by Zulu aristocrats and the African petty bourgeoisie to gain state recognition for the king, as well as raise funds for the Zulu Royal family.

Hostilities between Inkatha and supporters of the ANC first emerged in KwaZulu-Natal in the wake of the 1976 uprising. These tensions also manifested in Soweto — the epicentre of the uprising — where Zulu migrant workers clashed with militant youth elements over their refusal to support the township boycott. Tensions continued to simmer for the next few years between the more conservative Zulu elements and more radicalised township youth.

In October 1979, relations between the ANC and Inkatha soured dramatically, following a meeting in London, at which Buthelezi aired fundamental disagreements over the ANC's policies of armed struggle and its promotion of economic sanctions. Buthelezi severed relations with the ANC and the following year withdrew from the Release Mandela Committee (RMC). Relations were further damaged in April 1980 when Inkatha supporters clashed with KwaMashu school students who were defying a call by Buthelezi not to participate in a national campaign instigated to oppose Bantu Education (Provincial TRC Report, 1998, P.34).

Following this break in relations with the ANC, Inkatha, under the tutelage of western supporters (such as the USA and UKGB governments) engaged the South African government under the mantle of 'constructive engagement', and used the political space provided by Bantustan legislation to consolidate their support and control within the KwaZulu territories.

In addition, Buthelezi began to consolidate his control of local security structures. In February 1981, after the KLA passed the 1980 KwaZulu Police Act, the South African State President approved the establishment of the KwaZulu Police (KZP). The KZP was placed under the direct control of Buthelezi, who now not only headed the KLA as Chief Minister, but was also Minister of Police for KwaZulu. The process of transferring control of police stations from the South African Police to the KZP began immediately and continued until 1989.³

The KZP soon developed a notorious reputation for brutality and political bias in favour of Inkatha, and consequently became the target of numerous interdicts and court battles (LRC, HRC, 1991). In 1989 more than 210 civil claims were lodged against the KZP (LRC, HRC, 1991), and one of the first national campaigns that the ANC engaged in following its unbanning in 1990 was for disbanding the KwaZulu Police.

During the 1980s, divisions between Inkatha and ANC supporters deepened further in the wake of fresh initiatives to incorporate additional geographical areas and townships (formally in Natal) under the KwaZulu administration. What was seen by Inkatha and the KLA as an important opportunity to consolidate the territorial integrity of KwaZulu governing territory, was construed by the ANC and its internal allies as a deliberate extension of policies designed to weaken anti-apartheid efforts. Opposition to the incorporation of townships such as Hambanathi and Lamontville led to violent clashes between residents and Inkatha supporters. In 1983 when the apartheid government introduced the Black Local Authorities Act (192 of 1982), as part of its 'reform' package to develop black governance options — Indians and Coloureds were offered parliamentary representation in a

³ Not all police stations within KwaZulu became KZP stations and according to the Legal Resource Centre (LRC) and Human Rights Commission (HRC) there appeared to be no logical explanation as to why some areas were handed over to the KZP and others not. As such, it was very difficult to obtain a comprehensive list of areas in which the KwaZulu police operated (LRC, HRC, 1992).

Tri-cameral Parliament — Inkatha decided to embrace the process, while the ANC and its United Democratic Front (UDF) partners boycotted it.

The UDF had been launched that year in Cape Town as a broad front of anti-apartheid and extra-parliamentary organisations. Almost immediately reports emerged in KwaZulu-Natal of clashes between UDF supporters and Inkatha.⁴ In 1985 the Congress of South African Trade Unions (COSATU) was formed in Durban, Natal. Inkatha responded by forming its 'own' union, the United Workers Union of South Africa (UWUSA), although it never developed a significant membership and was eventually exposed for being in receipt of funds from state security agencies (Provincial TRC Report, 1998).

By the mid 1980s the conflict between Inkatha and COSATU, UDF and ANC supporters had reached such proportions that some commentators were referring to it as an 'all out war' (Provincial TRC Report, 1998). Initially, the conflict was confined primarily to urban townships, but by the late 1980s the violence had spread to many rural areas. In these areas, groupings composed mainly of youth took advantage of growing dissatisfactions and began to challenge the authority of the traditional authorities, most of whom were aligned with Inkatha and the KLA administration.

As the conflicts and violence spread, the geography of KwaZulu and areas of Natal became increasingly divided between those dominated by either Inkatha or the UDF/ANC. This resulted in the emergence of no-go areas and subsequent displacement, as supporters from each side fled for safety reasons. Freedom of movement from one area to another was increasingly restricted, and attacks, which had initially been targeted at individuals or organisations, became increasingly indiscriminate as entire areas became 'legitimate' target zones by virtue of them 'belonging' to the opposing organisation.

The province had become a jigsaw-puzzle of party political strongholds and "no-go" territories for supporters of the opposing party. Townships and tribal authorities were divided into ANC and IFP sections. (Provincial TRC Report, 1998, p.2)

In this context, some powerful local leaders effectively became warlords, maintaining political control by force, as well as utilising their political positions to exert economic and social control over their area. These 'political entrepreneurs' often used politics as a front to further economic interests and personal power bases.⁵

A good example of a 'political entrepreneur' in this genre is the former IFP Member of the Provincial Legislature (MPL), Thomas Shabalala, who effectively 'ruled' the Lindelani informal settlement bordering KwaMashu for almost two decades. He not only wielded considerable political power over the area but also extorted money by levying an informal house tax on people wanting to reside in the settlement. In addition, he also collected school funds as well as fines and protection money from residents. In the mid-1980s, it was well known that in order to establish a business in Lindelani, Shabalala would have to be paid an amount of R400. By the late 1980s Shabalala had accrued a small

⁴ Based on my personal recollections, having been actively involved in UDF structures during that time.

⁵ The label 'political entrepreneur', was coined by Network of Independent Monitors (NIM), an NGO involved in monitoring political violence in KwaZulu-Natal.

fortune, and was not only a feared political figure but had also accumulated an assortment of business interests including a fleet of taxis (Provincial TRC Report, 1998). His violent past eventually caught up with him and Shabalala was gunned down in January 2005.

A nexus of violence and militarisation

During the 1980s and early 1990s, the province became increasingly militarised as weapons, paramilitary structures and hit squads flourished. The violence was also fuelled by the apartheid state and its security apparatus, which viewed the escalation of conflict between the IFP and ANC-supporting organisations as an important means of weakening revolutionary opposition to apartheid.

During the late 1980s the ANC's armed wing, Umkhonto we Sizwe (MK), had become increasingly active in both KwaZulu and Natal and was involved in offensive and defensive operations against South African Government (SAG) and KLA security structures, as well as Inkatha. The intensification of the insurgency was met by a brutal amplification of counter-insurgency efforts

In the face of widespread attacks across the territories, MK's capacity to provide credible protection was limited. In 1990, the ANC (now unbanned) established Self Defence Units (SDUs) in most ANC-controlled areas to protect their communities. These units were structured along military lines, and many were armed by the ANC's Central Ordinance and trained by Umkhonto we Sizwe (MK) personnel.⁶

Over and above its ability to influence the KZP, Inkatha utilised regiments of auxiliary supporters known as the Ambabutho to launch offences against opponents and also to defend Inkatha held territories and strongholds (Haysom, 1986). These regiments of men were based on those used by Shaka during wars in the 1800s. They were armed with pangas, sticks, knobkerries and an assortment of spears and knives, but later on often had access to firearms.

Unlike homeland governments, such as the Ciskei and Transkei, which had accepted 'independence', Buthelezi has refused to acquiesce in this regard. As such, KwaZulu's self-governing status prevented it from establishing a formal military force. In 1986, however, ostensibly in response to specific threats against Buthelezi's life, the South African military secretly trained 200 Inkatha members in the Caprivi Strip of occupied South West Africa (Varney, 1997). They were then placed at the disposal of the Inkatha leadership, and a number of these trainees were subsequently implicated in hit squad activities. Further paramilitary training took place between 1989 and 1992 at various locations around KwaZulu including, Amitikulu, Mandleni and Mkhuze. (Varney, 1997) These paramilitary elements were subsequently deployed around KwaZulu and in the Gauteng province and are believed to have played a central role in the internecine violence that enveloped these areas during the early 1990s.⁷

⁶ The relationship between the ANC and different SDU formations was not always smooth or without ambivalence but rather varied according to local politics and dynamics. Gear (2002) highlights the complexity of this relationship. Self Defence Units were also established on the East Rand (in what is now Gauteng Province), along with IFP-aligned Self Protection Units (for further information see Gear, 2002; Barolsky, 2005).

⁷ Detail of dynamics and responsibilities in this regard has not been subject to public scrutiny.

The 1990s, negotiations and an escalation in violence

In 1990, Inkatha transformed itself into a formal political party, the Inkatha Freedom Party (IFP). In 1993, with the assistance of elements within the South African security forces, the IFP established, armed and trained civilian militias into Self Protection Units (SPUs). Between 1993 and 1994 more than 8,000 people were trained and deployed as SPU members in communities in KwaZulu-Natal (Provincial TRC Report, 1998). During this period, senior Inkatha members with links to the SAP's security police were also able to secure a supply of several tonnes of weapons (Taylor, 2001).

Against a backdrop of delicate political negotiations, the violence continued to wreak havoc across the country. Thousands were killed and tens of thousands displaced, with KwaZulu-Natal and Gauteng the worst affected areas (Greenstein, 2003). In 1992, the IFP, as well as a separate KwaZulu delegation pulled out of the multi-party talks taking place in Gauteng, effectively isolating themselves from the negotiation process. The ANC and National Party pressed on, and in July 1993 the Transitional Executive Council (TEC) was formed. The TEC announced that the first non-racial general elections for a unitary South Africa would be held on 27 April 1994. The IFP responded to this announcement by stating that they would not support the elections and would make it impossible to hold the elections.

In the months leading up to April 1994 elections, violence escalated dramatically and there were few areas in the province left unaffected. Finally on 19 April 1994, eight days before the elections, the IFP announced that it would be participating. The IFP insists that the ANC agreed to enter into the solemn Agreement for Peace and Reconciliation signed by former President Mandela and Chief Buthelezi, as well as the then State President FW de Klerk. 'The Agreement called for international mediation to resume as soon as possible after the April 27, 1994 elections, to settle in that manner the outstanding constitutional issues and the vexed issue of the recognition of the Kingdom of KwaZulu-Natal within a unified South Africa' (statement by Lionel Mtshali, Premier of KwaZulu-Natal and National Chairman of the IFP, 31 May 2001). After the election the issue of international mediation appeared to fall off the agenda and never took place. However, in 2004 the IFP Premier of KwaZulu-Natal raised the failure to hold such mediation as a problem. Clearly for some within the IFP the issue remains a fundamental bone of contention.

The elections went ahead and despite massive voting irregularities in KwaZulu-Natal, a political agreement was engineered resulting in an acceptance of the results, in which the IFP won 50.3% of the vote and the ANC 36,2% on the provincial ballot. The IFP also agreed to join the ANC and National Party in a Government of National Unity.

In the wake of the elections, KwaZulu-Natal was left with a legacy of violence and mistrust, characterised by a divided political authority and highly militarised antagonistic forces. Most of these forces had little faith or belief in the peace processes. Between 1994 and 2001, although the number of deaths recorded showed a relative decline, over two thousand people were killed in politically related conflict and violence (Taylor, 2001). Several initiatives were undertaken by the national government to address this problem; additional troops were deployed, special investigation units were established to investigate incidents of violence, but until 1996 all attempts to establish national solutions failed to significantly impact on political violence in KwaZulu-Natal.

Peace Initiatives Prior to 1994

Before 1994, several peace initiatives were instituted to end the conflict in KwaZulu-Natal. In September 1988, for example, the IFP and COSATU signed a peace pact agreeing to the establishment of a complaints adjudication board to mediate conflict. However, from its inception there were allegations made by COSATU that those who appeared before the board were intimidated and some even killed. During 1989, renewed efforts were made to try and bring the conflicting parties together. In April an initiative by Archbishop Hurley and a group of convenors (including university, religious and business leaders) foundered when Inkatha rejected proposals from COSATU and UDF affiliates. The situation was aggravated by the hostile attitude of the apartheid government who blamed the ANC/UDF/COSATU axis as the primary perpetrator, arguing that Inkatha was under attack by leftist radicals, and that the State and Inkatha were working for peace and the maintenance of law and order.⁸

Although COSATU suspended its use of the Complaints Adjudication Board in early May 1989, Buthelezi did agree to meet with UDF and COSATU officials on 20 May, but insisted the venue should be Ulundi (the 'capital' of KwaZulu). Two further meetings in Durban in June resulted in joint press statements about the need to work towards peace, despite the detention of key UDF leaders. In August 1989 a Joint Working Committee (JWC) was established by the UDF and COSATU to begin working on peace agreements in the province. The JWC embarked on a series of consultations with different sectors, including youth and business, to secure broader support for the peace process. During this time the executive of the JWC and Inkatha leadership had a series of meetings to discuss peace, but most of these meetings were merely aimed at laying the basis for any peace agreement, rather than an agreement itself.

Despite these positive developments, violence erupted in various locations around the province. In September 1989, protest action by the Mass Democratic Movement (MDM) intended to coincide with parliamentary elections, provoked Buthelezi to announce a moratorium on peace talks and make various demands regarding the conditionality of any future peace talks. The following month, COSATU and the UDF announced they would 'go it alone' in efforts to make peace, and said that they had reservations about whether Inkatha wanted 'to use the peace talks to end the violence or to establish a national political position' (Aitchison, 2003, pp. 67-72).

The National Peace Accord

In 1990, following the lifting of restrictions, the ANC replaced the UDF on the JWC. The work done by the JWC was to play an important role and basis for a subsequent peace process.⁹ In February 1991, the ANC and IFP in KwaZulu-Natal signed a provincial Peace Accord, but this was soon in tatters as the violence continued unabated. In May 1991, the ANC withdrew from negotiations with the government, which it claimed was complicit in the violence. The government responded by establishing the Goldstone Commission, tasked with investigating the causes of the violence. In

⁸ See, for example, the National Party's Submission to the Truth & Reconciliation Commission, as well as subsequent Political Party Hearings.

⁹ Interview with ANC Youth League member who participated in JWC structures.

September a National Peace Accord was drawn up, which not only brought together the ANC and IFP but also the apartheid government, business, churches, civil society formations and another 23 political parties.

The Accord established a code of conduct for all political parties, as well as guidelines aimed at regulating the role of the security forces. The National Peace Accord established peace structures at national, provincial and local levels that were aimed at mediating conflicts and monitoring the agreement.

Despite this agreement, the signing of the Accord was controversial. While thousands of heavily armed IFP supporters chanted outside the peace convention venue, inside Mangosuthu Buthelezi refused to shake hands with Nelson Mandela and FW de Klerk. Buthelezi's grand-standing and the outset of the peace initiative was indicative that for some players the signing of the Accord was a result of political expediency, rather than a genuine commitment to ending political violence. (Dugard, 2003, p.144)

In the context of widespread and indiscriminate violence, the Accord provided space for communities to organise to defend themselves by allowing for the establishment of 'voluntary associations or self protection units in any neighbourhood to prevent crime and to prevent any invasion of the lawful rights of such communities' (NPA, clause 3.7.1). The Accord attempted to rationalise this support by stating 'no party or political organisation shall establish such units on the basis of party or political affiliation, such units being considered private armies' (NPA, clause 3.7.2). In many instances, however, it is evident that this clause was not adhered to and, given the political nature of the conflict and the battles being fought for geographic control of areas in the province, this clause was short sighted and was never likely to be implemented in spirit by the signatories to the Accord. (Provincial TRC Report, 1998 p.84)

In hindsight, it seems that this clause provided a measure of justification for the establishment of what, in many areas, developed into paramilitary structures, which in turn were to have longer-term implications for peace and stability in a number of locations in KwaZulu-Natal. However, in many communities the establishment of these structures did reflect legitimate concerns about the security situation in a context where there was little or no faith in (or experience of) the apartheid security forces to provide protection. It is also true that in a number of communities these paramilitary structures had popular support and were even revered by residents.

Reasons for failure of peace initiatives prior to 1994

One of the key reasons for the failure of the peace initiatives that took place prior to 1994 relates to the timing of these initiatives. In addition, one can legitimately question the extent to which achieving peace was a priority objective or relegated in favour of other strategic goals. Initial peace initiatives in the late 1980s took place in a context of heightened insurgency and counter-insurgency campaigns, and the odds were clearly stacked against these processes having any real chance of success.

Playing the 'peace card' was also evidently part of the strategy and tactics of some key players who signed the National Peace Accord, and there is also good reason to accept that the Accord stood little chance of fully achieving its core objectives (Dugard, 2003). For example, the signing of the Accord did little to ameliorate the situation in KwaZulu-Natal in terms of stopping the violence. In terms of tempering the situation, it is difficult to assess the extent to which the establishment of peace structures was a deterrent to perpetrators. There certainly were examples of successful interventions in some parts of the country, but there has never been a detailed empirical evaluation of what was achieved, let alone undertaken, in this regard.

We also know that those trying to implement the Accord were faced with an array of obstacles. In many instances, local peace committees were inadequately resourced to address what were essentially systemic problems. They were also unable to hold specific parties accountable, and in many instances local committees became fora for airing political disagreements, allegations and counter-allegations. Whilst at one level this provided a much-needed safety valve for angered groups to 'let off steam', the systemic problem of being unable to hold any one grouping to account compounded frustrations and fundamentally undermined the credibility of the process. In some cases, known perpetrators represented political parties on local peace committees. The role of the security forces was invariably problematic in this regard, but 'contrary to the experience of most NGO monitors, the NPA regarded the security forces as part of the solution rather than part of the problem' (Dugard, 2003, p.146).

In a context of heightened political mobilisation, it was evident that certain elements were using violence as a mobilising (and counter-mobilisation) tool. As such, many local peace processes were doomed to fail from their inception.

THE POST-1994 PEACE PROCESS

After 1994, National Peace Accord structures were disbanded across the country with the exception of those in KwaZulu-Natal. Despite their essential weaknesses, the KwaZulu-Natal provincial government opted to maintain them and in 1995 the KwaZulu-Natal Legislature passed the Peace Act (No. 3 of 1995), which enabled many of the peace accord structures established in 1991 to continue under the authority of the KwaZulu-Natal Provincial Peace Committee. Finally in 1999, following local government elections, the provincial government disbanded these structures and repealed the Peace Act of 1995.

The decision to retain the Peace Accord structures in KwaZulu-Natal was jointly taken by both the provincial ANC and IFP leaderships with the support of both parties' national leaders. Although the political climate had shifted significantly, the peace structures were unable to avert violent attacks and altercations in many areas of KwaZulu-Natal. As such, it could be argued that they failed, although, once again, it is difficult to assess the extent to which these structures averted violence in the absence of any detailed empirical assessment of what these structures did.

Nevertheless, it is evident that the post-94 Peace Accord structures also faced similar systemic and structural obstacles and problems of their predecessors. In addition, the peace structures themselves became sites of controversy and struggle, and in some cases fell victim to narrow political sectarianism, as the credibility of these offices fell victim to partisan staff, as well as to allegations of corruption and mismanagement.

The legacy of mistrust between ANC and IFP was compounded by contemporary manifestations of violence, which were further undermined by a fundamental absence of justice and accountability (Taylor, 2001). In addition, there was still significant opposition to peace processes that did not deliver specific objectives within the province, even amongst some of the senior political leadership.

When the provincial government finally agreed to repeal the Peace Act in 1999 and closed down the peace structures, this reflected not only an acknowledgement of their inherent failings, but also the fact that they had become increasingly redundant as a result of a parallel process that was formalised in 1996 between the ANC and IFP in the province (and supported nationally). This process was spearheaded by the ANC MEC of Economic Affairs and Tourism, Jacob Zuma, and the IFP Premier of KwaZulu-Natal, Frank Mdlalose, who met and initiated discussions concerning peace in the province.

Background to Current Peace Process

Although the present peace process was officially initiated in 1996, its genesis began long before the meetings process initiated by Zuma and Mdlalose.

Despite the failings of the various pre-1994 peace initiatives in KwaZulu-Natal, these efforts did provide an important foundation from which to proceed, as well as valuable lessons for the current peace process. Indeed, by the time the meeting between Zuma and Mdlalose took place, there was already consensus and support for a credible process from important segments within both the ANC and IFP.

At the same time, there were also individuals who did not welcome efforts to secure peace, and, as with the signing of the provincial KwaZulu-Natal and National Peace Accords in 1991, these processes were subject to intra- as well as inter-party political contestation. This had been a problem faced by the first initiatives in 1989, when some who were unconvinced of the need for, and importance of, peace and the viability of talks, had rebuffed talks between the IFP and UDF/COSATU.

Opposition and support within the ANC and IFP

In 1991, heated exchanges had taken place at ANC meetings held both at a national and a provincial level. The widespread opposition to the peace process came mainly from the KwaZulu-Natal Midlands region where the 'Seven Days War' was still a very recent and painful memory. Many in the ANC saw the IFP essentially as a surrogate of the apartheid government, and an entity that had to be crushed. The IFP, they felt, could not be trusted and that the only way to achieve lasting peace was through their total defeat. Those promoting the peace agenda had to convince these elements to accept that any party, including the IFP, had a right to exist, and that a 'winner takes all' scenario was unrealistic and would not bring long-term peace and stability to the province. Consequently, the ANC leadership had to invest considerable energy to persuade both the local leadership and grassroots supporters in the Midlands to embrace the process.

A key component of winning this internal battle for the peace process within the ANC was securing the support of the youth who had initially been strongly opposed to any engagement with the IFP. Despite this breakthrough, there remained elements within the ANC who opposed and actively campaigned against the idea of engaging the IFP. These groupings pointed to the failures of past processes, and the emerging evidence of the IFP's history of collaboration with the ANC's primary enemy, the apartheid government and its security forces. Within the IFP too, there were elements that rallied against any sort of engagement with the ANC, on the basis that it simply could not be trusted, as well as because of its open alliance with the Communist Party.

In the wake of the 1994 elections, the ANC KwaZulu-Natal provincial leadership alleged that there was widespread electoral fraud by the IFP.¹⁰ At first, they threatened to contest the election results in court but withdrew the case after being persuaded by the ANC national leadership to accept the election

results for the sake of sustaining peace in the province. Inevitably, this generated considerable resentment in some quarters.

Key figures in the ANC national leadership played a central role in keeping alive the necessity of engaging the IFP despite the failings of the Peace Accord and other peace initiatives. Jacob Zuma, a senior member of the ANC National Executive Committee (and the most senior Zulu member of the party), was deployed to the province at least in part to build consensus and lay the foundations for the party's engagement with a long-term and sustained peace process. By 1996, despite reservations in a number of quarters, the vast majority of ANC membership in the province had thrown their weight behind the need to engage the IFP in peace initiatives.¹¹

The IFP structures fundamentally differed from the ANC in that, once Chief Buthelezi agreed to the engagement, there was no public opposition from within the IFP's ranks. While this reflected the nature of decision-making within the party, it did not mean that there was no opposition within the party to the process; evidently there was.¹² As in the ANC, there were some who felt that 'peace with the ANC' would not benefit the IFP. The legacy of ten years of violent confrontation had taken its toll, and one could argue that the greatest resistance came from those who had built their political careers on the back of political violence, without which they feared they may lose their political weight within the party.

By the time the 1996 peace initiative was activated, there was considerable support for peace in the province, although this remained tempered by ongoing manifestations of political violence, as well as sections within both parties who were intent on disrupting the process. This necessitated strong leadership from both the ANC and IFP to ensure that their respective grass-root membership did not engage in acts of violence that could derail the peace process. This task fell to Frank Mdlalose and Jacob Zuma respectively.

Implementing the Current Peace Process

On 27 May 1996, the ANC and IFP reached a formal agreement denouncing violence and recognising the right of the other party to exist as a legitimate political force within the province. This laid the basis for the establishment of the provincial ten-a-side meetings that were led by the two provincial leaders of the respective parties in the province.¹³

The ten-a-side worked as a fire extinguisher and was tasked with ensuring that agreements were adhered to. (Blessed Gwala, interview, March 2004)

¹⁰ The author was engaged with both the ANC and the Independent Electoral Commission at this time and was privy to several reports that made such allegations.

¹¹ Based on the author's experience and observations, as she was working closely with a number of ANC groupings across KwaZulu-Natal at this time.

¹² This observation was raised in several interviews, but is also based on the author's observations at this time.

¹³ The leadership of the ten-a-side meetings changed in accordance with changes of the provincial leadership of the IFP and ANC.

During the May talks it was also agreed that delegations from both political parties should be dispatched to Cape Town to brief the national government. Subsequently, a one-on-one meeting between then Deputy President, Thabo Mbeki, and then Minister of Home Affairs, Mangosuthu Buthelezi, resulted in agreement to establish a national three-a-side meeting to supplement and assist the provincial process. The Three-a-Side Committee constituted by the ANC Deputy-President, Jacob Zuma, Kgalema Mothlante, ANC Secretary-General and Mendi Msimang, ANC Treasurer General on the side of the ANC and IFP National Chairman, Lionel Mtshali, Rev. C.J. Mthethwa and Rev. Musa Zondi on the side of the IFP.

In 1997, the ANC National Conference in Mafeking adopted a resolution to forge closer working relations with the IFP at all levels. The IFP National Chairman, Lionel Mtshali, addressed the Conference. The following year, the IFP Conference reciprocated by adopting a similar resolution.¹⁴ The ANC President, Thabo Mbeki, addressed the IFP Conference.

Under the rubric of 'national reconciliation', a more detailed set of recommendations entitled, 'Proposed ANC Peace Package for KwaZulu-Natal' was put forward by the ANC's KwaZulu-Natal Provincial Executive and its Provincial Chairman, Jacob Zuma. It endorsed a fundamental shift from previous antagonistic statements.

The ANC cannot wish away the IFP, and equally, the IFP cannot wish away the ANC. There is a living space for both organisations. We recognise, understand and accept the philosophical and ideological differences between the ANC and IFP. Both organisations must recognise and accept the organisational and ideological independence and sovereignty of each other. But these differences cannot stand in the way of achieving peace and reconciliation in the Province. (Proposed ANC Peace Package for KwaZulu-Natal)

The ANC recognised that more deaths and destruction had probably been caused by the ANC – IFP conflict than the main armed conflict between the ANC and National Party. It also recognised that

In order to bury the hatchet between the ANC and IFP, the problems of both the victims and perpetrators of political armed conflict must be resolved as was the case in the main conflict. (Proposed ANC Peace Package for KwaZulu-Natal)

While provincial recommendations sought to develop what Zuma and Mdladlose had been building, a specific set of recommendations were also made around a special amnesty process for KwaZulu-Natal that could be tied to the TRC's amnesty process. This was not readily supported by IFP elements, especially as the TRC was regarded as partisan towards the ANC and antagonistic towards the IFP.

This new peace process initiative was unlike previous Peace Accord processes in several ways:

- The process involved only the IFP and ANC and not other political parties and role-players. This does not mean that other stake-holders were excluded. Indeed, church structures and civil society organisations were encouraged to support the process and were briefed on certain aspects of the process as it developed.

¹⁴ Resolution 6 — IFP National Council Resolutions taken at the National Council Meeting on 18 & 19 July 1998.

- Many of the discussions were held ‘in camera’, behind closed doors, thereby allowing a more robust exchange of views and examination of options.
- The process focussed on sustaining dialogue and seeking agreement and common solutions regarding issues that served to fuel the conflict.
- Both parties now had access to, and authority over, government resources at provincial and national levels, which could be used to support the peace process.

Even though it was two years since the historic 1994 elections, and there were concerns about unnecessary delays in prioritising this sort of intervention, this was a strikingly different set of circumstances, which raised a number of possibilities.

The 1994 transition to majority rule finally made it possible to put in place some of the conditions that would make the start of a peace process on a significant scale a viable option. (Graumans, 1996, p.2, cited in TRC report, 1998)

By 1998, relations between both parties had improved to such an extent that some commentators and journalists were even speculating that a merger was on the cards, something the IFP politely declined.¹⁵ This appeared to be largely media speculation, with both the ANC and IFP denying there were any moves in this direction. Jacob Zuma made it clear that the issue was not about merger but rather co-operation (Goodenough,1998).

The 1999 elections also changed the political power balance in KwaZulu-Natal, with the ANC increasing its representation in the provincial legislature from 26 to 32 seats, and the IFP losing seats, down from 41 to 34. With the support of the Minority Front and its two seats, the ANC was now able to prevent the IFP from gaining an outright majority, in effect forcing the formation of a provincial coalition government. In this way, the ANC no longer had to rely on the token representation that had previously been on offer during the first parliamentary period. The two parties also agreed in principle to the development of a provincial constitution for KwaZulu-Natal.

According to ANC NEC member Dumisani Makhaye, Sibusiso Ndebele of the ANC and the IFP’s Lionel Mtshali signed a solemn agreement that was approved by the KwaZulu-Natal legislature as its own resolution. It says:

1. To form a coalition government from the IFP and ANC as the two parties deriving from the most disadvantaged communities.
2. That each of the participating parties shall contribute no less than forty percent of members of the Cabinet, and such a proportion will guide the allocation of parliamentary officers and chairpersons of different parliamentary committees.
3. That such a government shall be based on the terms, principles and spirit of co-operative governance.

¹⁵ Ibid.

4. That ongoing negotiations proceed to speedily resolve outstanding matters of importance such as the drafting of the provincial constitution to address, among others: (i) the position of the monarchy (ii) the balance in Cabinet and other matters of co-operative governance.
5. That, in order to promote stability and good governance, this agreement shall be binding on the parties in government till year 2004 unless a decision supported by two-thirds of members of the Legislature is taken to reverse its effect.¹⁶

Mtshali was then elected as Premier, by both ANC and IFP provincial legislators, as was the Speaker of the Provincial legislature, Bonga Mdlletsha. Makhaye subsequently pointed out that despite agreements to proceed with the development of a provincial constitution, the Constitutional Standing Committee simply never met, leading the ANC to accuse the IFP of renegeing on its undertakings in this regard (see below — 'Threats posed to the peace process').¹⁷ This may have been a riposte for what the IFP considered to be the ANC's breach regarding a previous provincial constitutional text.¹⁸

The period between 1996 and 1999 had allowed for an unprecedented consolidation of the overall buy-in for peace. After 1999, the peace process continued to face a number of serious challenges but by then the process had been sufficiently reinforced, which in turn made it highly unlikely that there would be a return to the uncertainties and fragility of past endeavours.

Initial Response to the Peace Process

Initial responses to the peace process were wide-ranging and varied. While some remained sceptical, others heralded it as a major breakthrough. Although most responded positively, some of those who had previously relied on political violence continued to 'ply their trade' and, in some instances, constituted a serious threat. In this regard, there was a disjuncture between national and provincial developments on the one hand, and local dynamics on the other. As Taylor (2001) highlights through his analysis of three case studies in the VTP1 report, there were 'an integrated matrix of problems — relating to paramilitary units, security forces, and the criminal justice system — that conspire to deny people's basic right to safety, security and justice' (Taylor, 2001, p.22).

In July 1998, a resurgence of violence in the province led to the national government deploying troops in KwaZulu-Natal. The following month, the Richmond police station in the Midlands was closed down and a National Intervention Task Team (NITU) was sent into the area after local police were implicated in fomenting the violence. Violence continued in a number of locations and, although these incidents were localised, they were not isolated and unrelated, but according to some analysts should be understood in terms of a matrix of integrated issues that are rooted in what is a

¹⁶ Quoted in the '*The Road to Chaos can be stopped in KwaZulu-Natal*', Dumisani Makhaye, Sunday Tribune, 26 January 2003.

¹⁷ Ibid.

¹⁸ During a speech in Durban on 31 May 2002, the KwaZulu-Natal Premier, Lionel Mtshali, asserted that the IFP and ANC had in fact agreed upon a text for the provincial Constitution of KwaZulu-Natal, in March 1996, after 18 months of "exhausting and detailed negotiations", but that the ANC reneged on that which it had agreed to and opposed it during the process of certification in the Constitutional Court. (See IFP Speeches on IFP Website – <http://www.ifp.org.za>)

systemic problem (underlying all events and cases), in which the forces of law and order are implicated. (Taylor, 2001, p.5)

The peace process did not facilitate a 'quick-fix' solution and immediate cessation of violence. Indeed, the transition from political conflict to political peace has been a gradual one. As one senior ANC politician explains;

In 1996 the commitment to peace was strong at the leadership level but this commitment was not necessarily reflected at a local community level. However, now the commitment has seeped down to the community level and the leadership has fallen behind the communities. People cannot be mobilised for war because the culture and benefits of political peace have seeped through to where it counts. (Zweli Mkhize, interview, January 2005)

The nature of the conflict and the disparate groupings involved meant that bringing peace to divided communities and the related processes of demobilisation and disarmament were complex. This was not a case of simply signing a ceasefire agreement between two formal armies.

In this context, it was inevitable that there would be times, particularly during periods of heightened political mobilisation, when political violence would resurface. It is evident, however, that as the peace process began to consolidate, incidents of political violence became more sporadic and limited in number. This has been ongoing and was most recently reflected in the relatively low levels of political violence and intimidation that manifested during the 2004 general elections.

Despite these gains, the campaign for long-term stability in the province is not over. Indeed, some of the conditions that stimulated and maintained violence, as well as the legacy of unresolved issues of justice and accountability, provide some basis for instability from a variety of sources, including criminal elements operating in the province.

Threats Posed to the Peace Process

Over and above specific incidents of violence, inter- and intra-political party tensions have also threatened to undermine the peace process. In 1998, attempts to develop a code of conduct for political parties failed to receive adequate support within the party structures. The initiative was resuscitated, resulting in the signing of an electoral code of conduct by all political parties in the province in May 1999.

In February 1999, Ben Ngubane had been replaced by Lionel Mtshali as the IFP's candidate for Premier. Mtshali was viewed as less accommodating of the ANC than Ngubane, and signalled his intentions in this regard at the opening of parliament where he raised the unresolved issue of international mediation.¹⁹

¹⁹ The undertaking to employ international mediation around a range of unresolved issues relating to the federal powers for KwaZulu-Natal, the role of traditional leaders and so on was a key condition for the IFP to participate in the 1994 elections. Despite an agreement to address these issues by the ANC, they were effectively dropped from their agenda after the April 1994 elections. For more hard-line elements within the IFP, this was indicative of the ANC's broken promises, and was periodically raised as evidence of this fact.

Following the 1999 elections the ANC and IFP had agreed that each party would have equal numbers of provincial MEC positions in the coalition government. Tensions immediately arose when the IFP took six cabinet posts for itself leaving the ANC with only four MEC positions. The issue was subsequently resolved when an agreement was signed by the ANC's new provincial leader S'bu Ndebele and the IFP's Mtshali.

This agreement included a commitment to draft a provincial constitution, which would be finalised by the end of August 1999. An aspect of the constitution would include extending the provincial executive or cabinet to accommodate the problem of unequally distributed MEC positions. However, the Constitutional Standing Committee established to draft the constitution was subsequently disbanded by Premier Mtshali and the proposed provincial constitution was never brought before the KwaZulu-Natal legislature. No explanation was provided.

Following Ngubane's and Zuma's departures, there appeared to be unwillingness, primarily on the IFP side, to continue the ten-a-side process. It became increasingly difficult to confirm dates for meetings to address issues relating to political violence, and when meetings were arranged, individuals refused to attend or simply failed to turn up. With no means of sanction, those convening the process were helpless to apply sanctions for this behaviour.

The IFP changed its ten-a-side committee frequently and most of its members would not attend. At some meetings IFP members would come to meetings with an instruction that only one of them would talk.²⁰

From the inception of the peace process, the need to embark on development projects was seen as an important complementary process in building peace.²¹ It was also important for these development processes to be sensitive to specific needs in areas affected by conflict. However after the elections in 1999 when national government appointed the IFP's Dr Ben Ngubane and the ANC's Thoko Msane-Didiza to champion development in the province, regrettably, the IFP Premier Lionel Mtshali refused to meet with them, citing unresolved issues relating to powers and functions of amakhosi vis-a-vis those of municipalities.²²

On 23 April 2001, the Amakhosi (traditional leaders) and IFP councillors warned that KwaZulu-Natal could see another outbreak of violence if the impasse between the government and the province's traditional leaders was not resolved. The traditional leaders were unhappy in the lead up to the local government elections because they believed their power and control was being weakened by local government processes. The IFP leaders adopted a militant stance at a meeting at Ulundi and threatened to bring local government to a complete halt should the Government fail to resolve the issue of the status of amakhosi within 30 days (*Daily News*, 23 April 2001).

²⁰ 'The Road to Chaos can be stopped in KwaZulu-Natal', Dumisani Makhaye, Sunday Tribune, 26 January 2003

²¹ Indeed, both the ANC and IFP leadership have advocated peace as a precondition for development. See, for example, 'Remarks by Mangosuthu Buthelezi, at Freedom Day Rally on 27 April 2001' (www.ifp.org.za/speeches), and 'Speech by President Mandela at the celebrations commemorating the restoration of land' at Cremin on 23 June 1998 (www.anc.org.za)

²² 'The Road to Chaos can be stopped in KwaZulu-Natal', Dumisani Makhaye, Sunday Tribune, 26 January 2003

This breakdown in relations appeared to have prompted national intervention and on 23 May 2002 the ANC and the IFP reaffirmed their commitment to strengthen the provincial coalition government and to work for peace and political stability. The parties' top guns, including ANC Deputy President Jacob Zuma (who after the 1999 election had left the province to take up the position of Deputy President in National Government), locked horns in a day-long meeting at a secret venue in Durban to patch-up political differences designed to save the province from an outbreak of violence.

Although, the intervention of national leadership ameliorated the situation in the short-term, tensions emerged again with the introduction by the ANC of 'floor-crossing' legislation, designed to facilitate defections from one political party to another. As the IFP no longer had a clear majority in the provincial legislature, it was deeply concerned that any movement towards the ANC could spell the end, or at the very least the further dilution of its control over the levers of power in the province. As tension mounted regarding a possible takeover by the ANC, there appears to have been an agreement within the ANC not to contest the province using the floor crossing window period and to wait until the 2004 elections. This was done largely to avert a complete breakdown of peace in the province.

Despite this, the IFP were clearly in shock about the floor crossing possibility and the fact that some of their member may have been seriously considering defecting to the ANC. In November 2002, Premier Lionel Mtshali flexed his political muscles by unilaterally sacking three ANC MECs in his cabinet. There was no ostensible reason for this dramatic action and no reasons were given publicly. Once again, there was national intervention and the three MECs were reappointed (*Sunday Tribune*, 8 December 2002)

Relations between the IFP and ANC nationally were also souring. Although the IFP had initially remained within the government of national unity, it was only a matter of time before they withdrew completely. In the run-up to the 2004 elections, relations broke down dramatically. A combination of a public dispute between Chief Buthelezi (who had held the Home Affairs portfolio for ten years) and the ANC government, as well as the decision by the IFP to enter into an election alliance with the Democratic Alliance (DA), resulted in a hardening of attitudes within the ANC. It was an irrevocable breakdown in relations and the end of the IFP's participation in the national governance project.

On 27 January 2004, amid fears that renewed political violence could mar the 2004 general elections, Deputy President Jacob Zuma led top-level, five-member talks between the ANC and IFP to address the parties' strained relations in KwaZulu-Natal. This intervention should not be regarded as a parallel process to the existing peace process. Even though Zuma had been deployed into National Government structures, he had remained an integral part of the KwaZulu-Natal process. It was also not the first time since his redeployment that Zuma had intervened in the province to ensure that the peace process was kept on track and not allowed to disintegrate.

Peace and Amnesty

Unfinished business relating to the complexities of justice and accountability has also dogged the resolution of violence in KwaZulu-Natal. In December 1996, as the Truth and Reconciliation Commission (TRC) amnesty hearings had just begun, the ANC National Conference discussed the issue of a special amnesty for KwaZulu-Natal. The TRC's own amnesty process could not address conflict-related issues that occurred beyond the April 1994 elections, and consequently excluded many of those engaged in the KwaZulu-Natal conflict. What was suggested (a carrot-stick approach) was, however, tied to the TRC. This appeared to be a pragmatic response to the situation, which at the same time rejected notions and the connotations of a blanket amnesty. As with the TRC process, a carrot and stick methodology was suggested. The process called for full disclosure, in order to facilitate a proper record and accounting of past actions and responsibilities. In addition, the proposal also suggested that failure to participate would result in criminal investigation and prosecution where possible.²³

According to one senior ANC official in the province:

The Special Amnesty proposal was aimed at addressing two clear problems that impacted on building peace in the province. The first related to the IFP's non-participation in the TRC and that the TRC cut off date did not accommodate the fact that political violence in KwaZulu-Natal had continued after this date. However, the second and more crucial reason for the proposed Special Amnesty was to attempt to solve what we had failed to resolve, in particular the issue of weapons. This Special Amnesty would have required an intensification of normal prosecutions to ensure that those sitting on weapons felt the need to come forward to the Special Amnesty Committee. (Interview with senior ANC member in KwaZulu-Natal, January 2005)

At first, the proposal to establish a special amnesty process for the province was widely discussed by participants in the KwaZulu-Natal peace process. Eventually, the IFP rejected it; firstly on the basis that they asserted the ANC was trying to use the special amnesty as a way of avoiding ANC prosecutions, and secondly, because they felt the criminal justice system was not robust enough to provide a sufficient deterrent for those who felt they should avoid participation (*Sunday Tribune* 8 December 2002). Nothing was said about how these issues related to their own party and its members'/supporters' culpability.

It was unrealistic and never expected that the criminal justice system would be in a position to tackle these problems comprehensively. Consequently, even with increased resources and the necessary political will, it would only be possible to tackle a selection of prosecutions, and it was envisaged that investigations and the prospect of prosecution would act as an incentive (as it had in the TRC amnesty process) for perpetrators to come forward. There were concerns, however, that a process that was only engaged in half-heartedly could have negative consequences for the peace process. What would be the repercussions if many individuals did not 'buy-in' to an amnesty process that required disclosures that would implicate others? This could have serious fallout, if individuals are not in alignment in terms of engagement. In addition, there were concerns that a selective prosecution

²³ Proposed ANC Peace Package for KwaZulu-Natal

process could also stimulate its own negative dynamics, that in turn could also undermine the broader peace process.

Although the subject of the special amnesty in KwaZulu-Natal is no longer being widely mooted, the unfinished business of past conflicts and the incompatible needs and interests of victims and perpetrators continue to undermine long-term stability in the province. Despite some instances of justice and accountability, in most instances of abuse impunity continues to reign.

Development Linked to the Peace Process

Since 1996, there has been a significant amount of investment in social and economic development linked to the rehabilitation of areas seriously affected by political violence. Many Integrated Development Plan (IDP) documents, which have been adopted by local government structures in almost all municipalities across the KwaZulu-Natal province make mention (even if fleeting) of the need to address the legacy of political violence. Although few have developed clear approaches to how this legacy can be addressed.

In 1997, Jacob Zuma and Frank Mdlalose established the Peace and Reconstruction Foundation, which was aimed at rewarding areas that have shown a commitment to peace. The Foundation supported peacemakers in KwaZulu-Natal and invested R14 million for the rebuilding of houses and schools. The Foundation also built sports centres and worked in association with the South African Sugar Association's Industrial Training Centre on a practical skills training project to the value of R12 million (*Sunday Tribune*, 10 December 1997).

Jacob Zuma as the MEC responsible for KwaZulu-Natal's Department of Economic Affairs was also able to establish a fund for the rehabilitation of businesses destroyed as a result of political violence, and a sum of R10 million was invested in the fund for this purpose (*Natal Mercury*, 10 May 2001).

In addition, there have been numerous housing projects aimed at rehabilitating houses destroyed by political violence. The KwaZulu-Natal Department of Housing, for example, has also set aside an amount of R80 million for the upgrading of hostels (Liswe Sibiyi, interview, *Safer City*, February 2005).

Post-2004 Election

The ANC's 2004 election victory gave them an absolute majority in KwaZulu-Natal for the first time. The IFP's post-election refusal to accept the cabinet positions offered to them in the national government and their initial rejection of provincial MEC positions immediately after the 2004 elections presented a potentially serious threat to the peace process. This threat was averted as a result of mediation efforts in KwaZulu-Natal that were designed to draw the IFP back into the provincial government structures. Once again, a number of interviewees suggested that Jacob Zuma played a pivotal role in facilitating this.

The fallout from evolving tensions within the IFP over issues of internal democracy and the party's increasing inability to mobilise significant forces to challenge the ANC, indirectly supported these mediation efforts. In effect, the IFP was faced with the very real dilemma of either participating in the ANC-led government, or allowing themselves to be further sidelined and emasculated.

In the immediate wake of the election results, there was some expectation that the outcome could lead to widespread violence. South African National Defence Force (SANDF) troops were deployed into areas where potential violence was anticipated. Although there were some isolated cases of intimidation, the anticipated violence never materialised. However, tensions remain high, and in some areas the potential for violence continues to simmer.

Since the 2004 elections there have, however, been a number of incidents related to the assassination of both ANC and IFP leaders. On 20 September 2004, ANC councillor Stanley Chetty who had earlier defected from the IFP was executed in Escourt. Mandla Thomas Tshabalala, a renowned warlord and IFP parliamentarian was murdered in Lindelani, near Durban in January 2005. In February 2005, the IFP Mayor of Imbabazane was gunned down by assailants near Giants Castle, and in March 2005, Prince Thulani Zulu, ANC Chairperson in Nongoma and a member of the Zulu royal family was assassinated.

While such incidents of politically related violence appear to be relatively isolated, they reflect the latent capacity for violence (both in terms of intra-, as well as inter-, party violence), and the fact that there are still individuals within the province who have not bought into the peace process and consider such actions as a legitimate means of resolving problems.

Factors Contributing to the Successes of the Peace Process

Despite its shortcomings and ongoing needs, there is no doubt that the 1996 peace process, unlike previous processes, has contributed significantly to the reduction in violence currently witnessed in the province. There are a number of factors that have contributed to this success.

The transitional context

The transitional context in which the peace process was initiated presented a range of unprecedented opportunities to address both the symptoms and root causes of the violence. The development of a new constitutional dispensation provided a new 'set of rules' that espoused notions of accountability and equality before the law. Despite numerous contemporaneous drawbacks (in terms of capacity and political bias), the criminal justice system no longer provides a systemic obstacle to building peace.

Access to resources allowed the prioritisation of these issues to have more impact, although this can be counter-productive if resources are not sensitively managed (see section below on 'lessons and challenges')

In addition, and despite the 'sticking point' and unresolved issues of international mediation, the long-term political differences between the IFP and ANC (around issues of sanctions and armed struggle) have been significantly reduced.

Preparations and the desire for peace

The current peace process was preceded by extensive internal debates within both parties regarding the principles and objectives of engagement with one another. According to some interviewees, this discourse had been evolving for some time, even before the period of negotiated transition. Consequently, by the time the current peace process was initiated, these were familiar concepts. In a context where there was considerable fatigue with the endemic violence that had paralysed lives, advocates for peace have received significant support.

The politics of inclusiveness

The transition to democracy heralded a new era of political inclusiveness, in which crass political partisanship was frowned upon. This undoubtedly contributed to the success of the peace process and played an important role in reducing alienation, as both the IFP and ANC encouraged participation in government structures and attempted to accommodate each other.²⁴ This introduced an element of flexibility and choice, and in other words provided some alternative to the rigid and hard-line positions that were still being promoted by some elements within both parties. In effect, this modus operandi created a mutual dependency and opened up a world of possibility in terms of 'normal' political engagement.

In 1999 the two parties were under no obligation to work together. However, the two parties needed each other and needed to participate jointly in government. This aimed to shift competition between the two parties from a situation where we were competing with bullets to competing through service delivery. (Zweli Mkhize, interview, January 2005)

Key political leaders from both parties played a central role at the initial and subsequent stages of the process when problems arose. For the ANC, Jacob Zuma has been pivotal, both in his provincial role, and then subsequently as Deputy President, facilitating critical national interventions to keep the process on track.

In the earlier stages of the peace process, IFP former Premier Frank Mdlalose also played a similar role. His replacement, Ben Ngubane, and Zuma worked closely to ensure a number of irreversible gains in the process.

²⁴ Such inclusiveness was not always consistent, particularly at the local level. According to the late Dumisani Makhaye, 'After the 1996 local government elections in KwaZulu-Natal, the ANC in the province had already extended an olive branch to the IFP by including IFP councillors in ANC-controlled local government executives, such as Siphon Ngwenya, then IFP leader in Durban who became the Deputy-Mayor. This was not reciprocated by the IFP in local councils under their control.' – *The Road to Chaos can be stopped in KwaZulu-Natal*, Sunday Tribune, 26 January 2003.

Unlike previous processes, since 1996 a relatively mature approach to public criticism, designed to protect the integrity of the process itself, was developed. Even though there have been serious divisions and concerns raised about renewed violence, neither side have made constant threats regarding their withdrawal from the process.

There were times when we were concerned that maybe the process was being sabotaged by certain elements and we could not get the ten-a-side to meet. However, we had to be sensitive about handling this matter. We could not go to the media and start mudslinging. If we had done this it would not only have created antagonisms, which would have made the situation worse, it would have sent a message to our members that we had no confidence in the process. What is essential in such a situation is that we needed to understand the dynamics in the other party and continue to work on the process. (Interview held with senior ANC official in Durban, January 2005)

Key Challenges for the Peace Process

Despite these successes, the KwaZulu-Natal peace process has experienced, and continues to face, a number of serious challenges. Some of these relate to the actual process of ensuring that political violence does not resurface, whilst others relate to building not just political stability, but socio-economic stability in conflict-affected communities across the province.

Ensuring peace filters down to local communities

A key component to the success of the peace process is to ensure that local communities embrace the process. On the initiative of the ten-a-side group, a decision was taken that the peace process must filter down to lower structures of the two organisations. A proposal was made to have a one thousand-a-side where ANC and IFP provincial leaders would jointly tell their respective leaders at local level that the war between the ANC and IFP was over. This proposal was accepted enthusiastically by both the ANC and IFP. This meeting was convened in Durban. One thousand and eight ANC local leaders and only eighty from the IFP attended the meeting. This raised some concern about the IFP's commitment to the process and their ability to ensure local leadership participation.

In response to this challenge, a series of peace rallies was convened in areas around the province where political violence and intolerance have been identified as problems. This initiative was sponsored by the ten-a-side groupings, but also arose from local bilateral agreements between local party structures. During the lead up to the 2004 elections, political leaders from both the parties held a series of joint rallies in what had previously been considered 'politically volatile areas', such as Izingolweni on the South Coast and Kwadakuza on the North Coast.

Buy-in and support for the peace process has created the space for local communities to engage with political opponents. In some areas, such as Umlazi, Wembezi and Mpumalanga, local political and civic structures capitalised on these opportunities and initiated their own local peace processes. In other areas, such as KwaMashu and Shoboshabane engagement between political opponents did not focus on the actual peace process as such, but rather on commitments by the parties in that area to work

co-operatively around development, crime or other localised community issues. Such issues transcended political differences.

Despite these positive developments, there are still some communities, particularly in Northern KwaZulu-Natal (for example Mthubathuba and KwaNongoma) that do not fully understand, or have not completely bought into, the peace process, indicating that although most local areas have bought into the peace process, at least tacitly, there is still a need to address communities where this is not the case. In addition, even those areas that have witnessed a drastic reduction, or even a complete cessation, of political violence may require support and interventions from the provincial process to ensure that the peace process is sustained and the legacies of violence are addressed.

Demobilisation and Disarmament

Research findings from CSV's VTP1 series highlighted the problems associated with the legacy of militarisation and its influence on contemporary violence in South Africa (cf. Gear, 2002).

In 1994, there were an estimated 10,000 members of SDUs and SPUs in KwaZulu-Natal. Although some were integrated into security forces structures, many were not.

(B)oth the IFP and ANC faced growing dissension from their SPUs and SDUs over the way they were being demobilised, and were faced with the growing criminalisation of these structures.... Reining the SPUs and SDUs was no easy task. (Taylor, 2001, p.24)

These issues were raised during several interviews with senior political leaders from both the IFP and ANC. As VTP1 research has explored elsewhere, the integration process had its own drawbacks, which generated considerable resentment and antipathy within the ranks of the paramilitary formations (Gear, 2002). This situation was compounded by the fact that there had been no effectual attempts to account for, and collect the large volumes of weapons that had been distributed.²⁵

In 2002, Institute for Security Studies researcher, Ted Legget, stated that between 1995 and 1998 there were 20,702 illegal guns seized nationally and the majority of these weapons (9,239) were seized in KwaZulu-Natal (*Sunday Tribune*, 2002, October 28). This figure does not, however, reflect the volume of weapons distributed in KwaZulu-Natal during the conflict, and there is no authoritative record of exactly what was handed out and in what quantities. During this research all of the political leaders interviewed emphasised that the availability of weapons distributed in KwaZulu-Natal prior to 1994 (and therefore how to retrieve them) was a priority concern. The scale of this problem is moot, but clearly significant enough in the eyes of political leaders to remain a fundamental threat to the maintenance of peace and stability in the province.

Continuing violence and insecurity in many parts of the province further highlighted the important need for demobilisation and disarmament. The incentives and opportunities to engage in these processes, however, were restricted, reflecting the absence of a comprehensive and coordinated approach to these matters.

These issues have continued to present considerable problems (with varying degrees of intensity from area to area) for post-94 initiatives to foster sustainable peace in the province. The discovery in July 2004 of a large consignment of weapons at the Ulundi provincial parliament again highlighted the problem of this unfinished business and concerns about how many more weapons are in circulation (*SAPA*, 2004, 21 July).

Opposition to political peace

In spite of significant support for the peace process within both parties, there also appears to be two distinct categories of people who do not support the process. The first category relates to people who, as a result of experiences of violence, remain fearful and wary of their political opponents. For many of these people, the peace process did not end their fears, but generated new insecurities as they were now being asked to trust political opponents whom they held directly responsible for their own misery and loss. Securing the support of a sceptical support-base therefore presented a major obstacle. Although a number of people remained wary of political opponents, the fact that the process was not derailed, allayed many fears in this regard. These concerns, however, raised the importance of ensuring a victim-centred approach to the process to address such fears.

The second category relates to people who personally benefited from political violence in the past. These individuals, depicted above as 'political entrepreneurs', regard the absence of conflict as a threat to their personal power bases. Some have simply not engaged with the peace process, while others have actively sought to undermine it. This included individuals such as Nkabinde and Shabalala. This category of people points to the importance of strengthening related processes and institutions, such as the resuscitation of the criminal justice system and the utilisation of internal party political disciplinary mechanisms, in order to defuse any destructive interventions within the peace process itself.

Crime and violence

If long-term stability is to be attained in KwaZulu-Natal there is a need to address and drastically reduce the high levels of violent crime in the province. According to the Institute of Security Studies, in 2001, KwaZulu-Natal recorded 5632 deaths, 15 people per day were killed and that on average 400 people per month died in KwaZulu-Natal as a result of criminal violence (*Sunday Times*, 28 October 2001). The extent to which high levels of violent crime can be linked back to the legacy of political violence is moot, but many interviewees felt that this was the case, and consequently this link poses a serious threat to the province

We need to acknowledge and deal with the fact that there are still some hard-core criminals who hid behind the political violence who continue to operate and engage in acts of criminal violence. We need to find ways to deal with these hard-core criminals who will remain unchanged by political processes. While political agreements can sometimes flush out people with a tendency for violence and who have used politics to justify their involvement in

²⁵ For further details, see a detailed assessment of the legacy of weapons left in the Richmond community in the KwaZulu Natal Midlands (VTP 2, as yet untitled, forthcoming).

violence, such people really need to be dealt with by the criminal justice system. (Interview with ANC leader, December 2004)

Criminal justice system, justice and accountability and unravelling the legacy of violence

The criminal justice system has an important role to play in complementing the peace process for building long-term stability. VTP1 research concluded that the rule of law in KwaZulu-Natal had been 'politically contaminated', and that this contamination had continued, albeit in a mutated form, in the post-94 era (Taylor, 2001, p.26).

Historically, the police in KwaZulu-Natal have been accused of fuelling political violence. Although there have been important policing reforms introduced since 1994, and tangible improvements in terms of professional conduct, there remain a number of areas where policing is still a problem. In response to this, in March 2005 the ANC's Premier for KwaZulu-Natal, S'bu Ndebele, announced the establishment of a Commission of Enquiry into the functioning of certain police stations in the province²⁶ (*Daily News*, 2005, February 28).

Partisan policing has contributed to a culture of impunity that has undoubtedly fuelled the conditions leading to political violence. The seeming inability of the criminal justice system to effectively prosecute perpetrators has led some to conclude that the only remedy open to them is to take the law into their own hands, thus perpetuating the cycle of violence.

As with the police, there have been a number of changes in the operations of the judicial system, and as in the policing sector there remain a number of weaknesses and drawbacks. These often relate to the legacies of the past and the inherited institutional culture, but also in terms of available resources, determining priorities etc.

Having a peace process and prosecuting authority operating out of sync can have an adverse impact on long-term stability in the province. Although there have been some prosecutions linked to post-1994 political violence, there has been an evident absence of strategic integration between the objectives and actions of the National Prosecuting Authority (NPA) with those of the peace process. As a result, these parallel processes have resulted in some degree of bitterness on both sides. Of course, the NPA is an independent institution, and it is important to recognise that political interests drive the peace process and their priorities may not always converge. Nevertheless, there clearly is room for improved communications and consultations in this regard.

Dealing with the issue of criminal accountability poses considerable angst for those involved in promoting the peace process. VTP1 research raised issues of justice and accountability and questioned the extent to which the political leadership of both the IFP and ANC were really interested in factoring such sensitive issues into the peace process? (Taylor, 2001, p.6)

²⁶ At the time of writing this report, the Commission of Inquiry was still operational, and no findings or recommendations had been made.

Interviews with top ANC and IFP leaders for this report, however, revealed that these issues were very much central (and ongoing) concerns for the political parties. There was also consensus that anyone using politics to mask criminal enterprise should be effectively dealt with by the criminal justice system. Taylor argued that a sustainable solution for KwaZulu-Natal necessitates confronting the past, and the political leaders we spoke with acknowledge that this 'unfinished business' remains a serious problem that needs to be addressed. Although some might prefer to wish this away, these issues keep resurfacing, in relation to proposals around the amnesty question, commissions of inquiry and criminal prosecutions. The extent to which these concerns can or will destabilise or undermine what has been achieved, in terms of the peace process, however, remains moot.

Development and stability

A key-determining factor in the peace process has been the evolving shift in competition between the ANC and IFP from the politics of violence and confrontation, to competition around the politics of development and service delivery.

This shift is in line with many transitional societies moving from a violent, authoritarian past to a more democratic and accountable dispensation. In a context of widespread poverty — as is the case in KwaZulu-Natal — competition for scarce resources, where service delivery is highly politicised, necessitates that these developments be carefully managed to ensure that they do not themselves generate new rationales for violence and conflict.

Following the initiation of the peace process in 1996, there have been a number of development initiatives to fund localities adversely affected by violence. In effect, development incentives have been used to reward areas where successful local peace processes have been implemented. This has reinforced a broader appreciation that peace can deliver dividends. This requires careful navigation, in order to ensure that development processes become a building block for peace and stability, and not a potential source of conflict. This issue is discussed in more detail in the section below dealing with 'Crime and Development.'

CASE STUDY 1

SHOBOSHOBANE

Shoboshobane is a rural settlement situated approximately 200km from Durban on the lower south coast of KwaZulu-Natal. This seven square kilometre settlement forms part of the Izingolweni area, which from 1990 increasingly became a highly contested political terrain. VTP1 research in 2001 focused on Shoboshobane as one of the areas in KwaZulu-Natal that experienced high levels of violence in the post-94 period (Taylor, 2001).

Between 1989 and 1997 the Lower South Coast became one of the worst affected areas in KwaZulu-Natal, as violent conflict spread from one area to another. Hundreds of people were killed, and thousands displaced as homes and possessions were burnt and looted.

Three communities were identified as case studies for this research, with a view to developing a clearer understanding of what contributed to the progress of peace in these areas, as well as the practical challenges faced in the process within each of these communities.

These communities were selected not only because they reflect different demographics within the province, but also because each have had divergent experiences of political violence and efforts to secure peace.

Before the outbreak of violence in Shoboshobane itself, many residents survived by means of subsistence farming, growing and harvesting beans, maize and pumpkins amongst other crops. Many homesteads also owned cattle. Much of the local economy depended on bartering, with a limited cash economy amongst those who could grow enough surplus to sell their products locally.

Although the area is largely rural, one of the main roads in Izingolweni District runs through Shoboshobane, thus giving the settlement access to facilities that other communities in surrounding areas do not have. This road meant access to services, visits from mobile clinics and relatively easy access to public transport. Prior to the road, many of the children and youth in the area had spent their days herding cattle and livestock. The road brought with it significant developments, one of which was the building of a local school in the area; this allowed an increasing number of children to get an education.

Polarisation, isolation and exodus

Many rural and semi-rural areas on the lower south coast were historically administered by traditional authorities, many of whom were politically aligned to Inkatha (and subsequently the IFP). Political violence first broke out in the area in 1989 when pockets of youth aligned to the UDF and Mass

Democratic Movement began resisting the domination of these leaders. Communities were increasingly polarised and the situation was compounded by a lack of resources, which made service delivery through traditional institutions virtually impossible. In addition, corruption and nepotism linked to the traditional authorities fuelled tensions and conflict in a number of areas. Inkatha began arming many of the traditional authorities and, as violence escalated, protagonists from both sides began arming and training supporters in a battle for control over the area (Former NIM worker, December 2004).

Shoboshobane has traditionally fallen under the Izingolweni tribal authority, which historically fell under the Cele chieftomship. During the 1980s, possibly because the area had transport access, a number of civil servants, such as teachers and nurses, began moving into the Shoboshobane settlement. Some of these civil servants who had trained and even worked in more urban areas brought with them new ideas and viewpoints. This contributed to a more cosmopolitan view of the world, and Shoboshobane came to be recognised as a safe haven for people escaping from the domination of traditional authorities. The political connotations of this development meant that it was not long before Shoboshobane was labelled and identified as an ANC area. According to one former KwaZulu-Natal South Coast violence monitor, Selwyn Chetty, this branding did not necessarily mean that everyone in the area was ANC but for the IFP, residents of the area became 'guilty' by association (Interview, December 2004).

As communities across KwaZulu-Natal became increasingly polarised and dominated by one party or another, the branding of Shoboshobane as 'ANC' resulted in an exodus from the area of people who did not associate themselves with the ANC. Shoboshobane became an island of ANC supporters, surrounded by IFP-supporting areas.

Residents of Shoboshobane became more and more isolated as access to public transport became increasingly restricted, largely because the local taxi industry — and therefore taxi routes and ranks — was controlled by the IFP. Shopping became almost impossible as Shoboshobane was not well resourced in this regard, and many of the shops were also located in the IFP areas (Selwyn Chetty, interview, December 2004).

Violence in Shoboshobane

The first attacks in Shoboshobane occurred in 1990 and thereafter the area became one of the centres of conflict on the South Coast. According to the Network of Independent Monitors (NIM) South Coast Offices, on average 15 people a month were killed in the area (Selwyn Chetty, interview, December 2004). As a result of this violence a significant number of people left Shoboshobane seeking refuge in Port Shepstone or moving to other areas such as Durban. Before 1990, Shoboshobane had been home to approximately 3 000 people but by December 1995 there were no more than 300 people residing in the area.

On 25 December 1995, 19 people were killed and the entire community displaced in what has become known as the *Christmas Day Massacre*. On that Christmas morning, a large group of IFP

supporters (numbering about 1,000) armed with an assortment of weapons moved into the area, attacking residents and burning homes. More than 47 homesteads were burnt during the attack.

Surviving residents of Shoboshobane fled to Port Shepstone leaving behind most of their possessions, livestock and crops. Much of this was subsequently looted in the days following the massacre. The residents who took refuge spent the next two months living in a church hall in Port Shepstone before returning to the Shoboshobane area under the protection of the South African National Defence Force (SANDF). For more than a year after their return many of the residents lived in tents provided by the army. They chose to live in tents partly as a result of their homes being destroyed and partly because they feared dispersing in case they were attacked again.

This massacre was not an isolated incident, but had been preceded by more than fifty massacres in and around the area. Indeed, the area had also been plagued by violent paramilitary structures, hit squads and partisan police.

The role of the police

Throughout the 1980s and 1990s, allegations were made regarding the role of both the police and rightwing elements in fuelling, and participating in, the violence. In July 1992, for example, the ANC marched to the Port Shepstone police station to deliver a memorandum in which they accused the police of fuelling violence through acts of complicity and inaction. In February 1993 the Local Dispute Resolution Committee (LDRC)²⁷ made a submission to the Goldstone Commission of Inquiry alleging that police collusion was a major factor contributing to ongoing violence in the area. The report stated that in some areas police and community relations had deteriorated to 'a state of crisis'. The submission cited numerous complaints received by the LDRC office regarding the conduct and behaviour of the SAPS. These complaints were broken down in a series of different categories;

- Harassment, assault and use of excessive force
- Criminal conducts
- Political bias
- Improper or unorthodox policing methods
- Failure to respond to calls for assistance
- Failure to investigate

The submission pointed to police actions that rigorously disarmed ANC supporters, yet failed to show the same vigour with IFP supporters. There were also allegations that the police were issuing weapons to IFP supporters. The submission expressed concern that of the 229 deaths that occurred between 1989 and 1992 the LDRC was only aware of one case being taken to court (Local Dispute Resolution Committee submission to the Goldstone Commission 23 February 1992). Systemic concerns about policing were also raised in VTP1 in relation to post-94 policing in the area (Taylor, 2001).

²⁷ The LDRC was a local structure of the NPA and had offices and a secretariat based in the town of Port Shepstone with jurisdiction for the lower South Coast.

The Christmas Day Massacre brought into sharp focus the role of the police when allegations surfaced that they had disarmed the Shoboshobane community in preparation for the attack. In addition, it was alleged that the police failed to take steps to prevent the massacre, despite having prior knowledge of the attack. On the day of the attack, the police also failed to respond to the pleas for protection from the community, even though the attack was taking place in close proximity to the local police station (Selwyn Chetty, interview, December 2004).

Post-massacre undertakings and developments

Within days of the massacre the national government deployed the National Investigation Task Unit (NITU) to investigate the massacre and other incidents of political violence in the area. Subsequently, the government also appointed a Commission of Inquiry under Advocate Moerane to examine the actions and response of the security forces in relation to events surrounding the Christmas Day Massacre.

At the funeral for the victims of the massacre in early January 1996, national government representatives made promises that victims' homes would be rebuilt and that the area would be a priority for socio-economic development (interview with Selwyn Chetty, December 2004). One year later, however, no development had taken place and the majority of displaced residents were still living in army tents. An article in a national Sunday paper highlighting the plight of the Shoboshobane residents appeared to prompt a visit to the area by representatives of the National Department of Public Works. This resulted in the establishment of a Development Committee, and within several months, Shoboshobane was identified as a component part of an anti-poverty campaign linked to development. Since then, there has been some development in the area; the local school and main road have been refurbished, but the rebuilding of damaged homes remains a source of considerable tension between the ANC and IFP.

Although a development fund was put in place to pay for the rebuilding of homes destroyed as a result of political violence in the Izingolweni and surrounding areas, this money was channelled through local government structures, which remained largely dominated by the IFP. Shoboshobane residents have not received assistance from this fund. This, they suggest, is because of their perceived affiliation to the ANC. A member of the community explains the tension this has caused among the residents of Shoboshobane:

After the massacre we were promised houses to be rebuilt, but they have not rebuilt all the houses, they have this development programme where they say they are building houses but they are building them in another ward, not here where the people needed their houses to be rebuilt. This is one way the government can also heal their wounds, is by giving them houses. People here are divided by the development. Don't you think that this is normal that the people whose houses were attacked and burnt down will be divided after promises were made that their houses will be rebuilt and then the promises have not been kept. You can't really blame the government all the time because there are those people who were influential during the massacre or violence in the South Coast and they get re-elected and they choose where development can take place or not. (Amos Nyawose, interview, March 2004)

In the absence of state funds to rebuild the houses, Practical Ministries, a local church body was able to secure limited funds to assist the residents of Shoboshobane, and some rudimentary two-room

structures were erected for residents whose homes had been destroyed. In addition, other residents have been able to slowly rebuild their homes at their own expense. It is unclear why a more concerted effort has not been made by the provincial and/or national housing departments to prioritise and provide a more comprehensive housing programme in the area.

Building peace

Immediately after the return of residents to Shoboshobane, in 1996, Practical Ministries together with the Local Dispute Resolution Committee office attempted to engage the residents of Shoboshobane and surrounding Izingolweni communities in building local peace. A focus was given to engaging the different communities in discussions around development. Meetings were held on a weekly basis and through this joint engagement elders in both communities organically began to stress the need for peace as a precondition of, and integral component for, successful development. According to a number of residents these meetings took place at the same time that the provincial peace talks were getting off the ground and this gave the residents confidence that they would not be victimised if they engaged with people from opposition parties. Although the local process was not directly tied to the evolving provincial process, spearheaded by provincial leaders, these developments evidently played an important role in validating the local process.

Initially after their return to the area, Shoboshobane residents were provided with police and army protection, which allowed them to shop in the IFP-dominated areas where most of the trading stores were located. Largely as a result of the joint discussions around development, the need for police protection dissipated and was eventually no longer required.

Almost ten years after the massacre, political violence in the area is virtually non-existent and peace appears to have firmly taken root in the community. Ten years ago, political opponents could not move freely through the different 'no-go areas' but now they do. They even engage socially with their political opponents. A youth who was interviewed offered the following explanation:

We have had to forget the past for the sake of the future. There are times we even play soccer matches with the very same people who attacked us. Time is too short (and) we need to move on with our lives. (Nkosiyazi Khomo, Shoboshobane, May 2004)

The chairperson of the Izingolweni Community Policing Forum echoed these sentiments, pointing out though that these experiences were something they would always live with:

People have now moved on with their lives, but the memories will always be there and it is something we will never forget. (ZS Zindela, Izingolweni, interview, May 2004)

During the run up to the March 2004 General Elections, some political parties reported incidents of political intolerance, although most of these were linked to political party posters being defaced or torn down. Importantly, no incidents of political violence were reported and the general feeling of residents and police officers interviewed in the area, was that the 2004 elections were peaceful.

There is currently no formal local peace structure in operation in the Izingolweni area. This function was effectively transferred to the local government ward committee structures following the formal

closure of Peace Committee structures in 1999. Nevertheless, the ward committee continues to play an important role in mediation and conflict resolution.

The new demarcation of local government has ward committees who assist in resolving conflicts and the parties concerned are notified of conflicts and resolution processes. The ward committees are very active. (Nkosiyazi Khomo, Shoboshobane, interview, May 2004)

It has taken time to build trust in the policing agencies in the wake of the Christmas Day Massacre, and to break the legacy of relations between police and communities being dependant on political affiliation. In the new millennium, the relationship between the different communities and police has generally improved, although the mistrust of the police still lingers in the minds of many residents of Shoboshobane. A community leader in Shoboshobane explains:

Put it this way, now the police are doing the work as they have to, but there are those elements that we do not trust. (Amos Nyawose, Shoboshobane, interview, March 2004)

The local police Station Commissioner also referred to improved relations between the police and communities:

Generally, policing is much better unlike before when the community used to stone the police vehicles. Our only difficulty is lighting, there is no street lighting in the area. (Izingolweni SAPS Station Commissioner, interview, May 2004)

Post Conflict Shoboshobane

The transition to peace has not been without costs, as the political violence has left behind a legacy — a residue of disquiet and unfinished business — that continues to impact on the community;

Concerns regarding the impact and effects of violence

One key area of concern that underpins the sustenance of any peace process is how best to deal with the trauma of victims and survivors. This elicits a variety of often contradictory reactions, as deep-seated feelings and desires wrestle with pragmatic responses. Some interviewees spoke of their need to sacrifice individual needs for a 'greater good'.

My daughter was killed on Christmas Day. Yes, we all suffered, but we have had to throw these memories in to the black pit of forgetfulness for the sake of peace. (Woman, Shoboshobane, interview, May 2004)

Not everyone agrees that the past could or should be buried:

Look, we are still hurt by the fact that we lost friends and relatives as well as comrades. All we ask for is for the government to rebuild our houses and give us facilities to play soccer and games like that. Even when we want to have a memorial service for the deceased, the problem here is that we cannot raise the funds to have a remembrance day for the people we lost. (Nkosiyazi Khomo, Shoboshobane, interview, May 2004)

One of the ways in which this trauma continues to impact on the Shoboshobane community is in the perennial rumour that they will be subject to another attack similar to the Christmas Day Massacre. However, in spite of some isolated incidents of political intimidation no further attacks have materialised.

The suffering of Shoboshobane residents is exacerbated by the discriminatory attitudes of some people living outside the area.

After the massacre ... some young men (from Shoboshobane) went to Durban and Port Shepstone to look for work and were told that if you were from Shoboshobane you cannot be employed because we are violent people. Now there is even discrimination against us. (Factory workers, Shoboshobane, interview, March 2004)

A further concern relates to the limited socio-economic development that has taken place in the area since the massacre, and the fact many residents have been unable to materially recoup what they lost as a result of the violence. Before the violence, much of the community had been able to sustain itself with subsistence farming, but in recent years there has been a growing dependency on state pensions and grants. Although a small number of the residents have returned to their agricultural activities, many have not:

Many people living in Shoboshobane just exist from day to day. They do what is necessary to survive but they have not returned to farming on the scale seen before the violence because they are disillusioned. This disillusionment has led to some people sitting back and saying, 'government is responsible for us and they must deliver.' (Selwyn Chetty, interview, December 2004)

The final area of concern relates to the exodus of community members who left Shoboshobane as a result of the violence and the fact that many have simply not returned. A number of those who did return did so because they are old, or in poor health, and are essentially 'returning home to die'. This has added an additional burden on an already under-resourced community. How to convince people to return, where there is nothing economically to offer, remains a fundamental problem.

Some new residents have moved into the area as a direct result of infrastructure development initiatives, such as the refurbishment of the road. These individuals are directly associated with particular projects and it is not clear what will happen to them when the projects are finished. In terms of access to employment, there already exists some tension between these new arrivals and longer-term residents, and, according to research participants, there remain concerns that these 'outsiders' may be a catalyst for further conflict.

Factors contributing to peace

Peace in Shoboshobane has developed for a number of reasons, and not simply because the people there have chosen to put the past behind them. Although a number of civil servants moved into the area during the 1980s, the core of the Shoboshobane settlement and surrounding Izingolweni areas — as in many rural communities — has historically been a relatively tight-knit community. The residents not only knew each other but also depended (socially and economically) on each other.

When political violence broke out in the area, it not only divided peoples who had lived side-by-side for decades, but it also divided extended families into opposing camps. The violence had ripped families, as well as communities, apart. These familial linkages — often absent in urban communities — have provided opportunities and a stronger basis for rebuilding relationships.

Building peace in the Shoboshobane settlement has also required addressing some of the key issues that have fuelled the political conflict. The problems associated with policing, in particular, were tackled head on by national government. In this regard;

- The local police station was restructured, a new Station Commissioner was appointed and the senior management of the station transferred to other areas.
- The National Investigation Task Unit (NITU) was deployed into the area in the early months of 1996. Notwithstanding criticisms of this team's accomplishments (Taylor, 2001), the deployment of an external policing unit, which was perceived as independent, played a central role in breaking the cycle of impunity that had plagued the area since political violence first flared in the late 1980s.
- The establishment of the Moerane Commission of Inquiry in 1998 to examine police actions, inaction and culpability in relation to the massacre. Although the Commission finalised its work in 1999, inexplicably, it has not formally released its report. Nevertheless, a number of interviewees felt the commission's work had a positive and irreversible impact on policing in the area; 'People's dark secrets came out in the commission and police officers and security force members found themselves disarmed'. (Selwyn Chetty, interview, December 2004)

A prominent feature of political violence on the lower South Coast has been the involvement of certain key political figures in the planning, organising and execution of the attacks. In a number of instances it was an 'open secret' as to who was responsible, yet these individuals continued to operate with impunity, which in turn only served to reinforce their power and hegemony amongst the communities they purported to represent. The deployment of the NITU enabled an unprecedented set of criminal investigations against a number of these individuals, including an infamous local IFP warlord, Siphon Ngcobo. He was alleged to be a key perpetrator in the Christmas Day Massacre. Although Ngcobo was found guilty for his role in the massacre, his conviction was overturned on appeal. There were initial fears that Ngcobo's acquittal would result in further violence, threatening efforts to build and consolidate the peace. It seems, however, that the length of time taken for his trial and the subsequent appeal was an important factor in diminishing his potential role as a spoiler in this regard.

In the period following the massacre there were a series of assassinations in and around Port Shepstone. The motives behind these killings remain unclear, although various theories were developed, linking the killings to inter- and intra- party conflicts and business deals. Some of the people interviewed believed the assassinations had been a well-planned operation designed to eliminate key individuals believed to be central players in the violence from both the IFP and ANC.

Coupled with some of the NITU arrests, which effectively removed a number of 'hardliners' from the operational playing field, some of these assassinations seemed to result in the disorganisation of hit squads and paramilitary activities in the area. Individuals such as Ngcobo were tied up with the criminal justice system for several years in the aftermath of the massacre, which effectively meant his attention was diverted from the Shoboshobane area. This situation created the necessary space for the churches and the local peace committee to engage the IFP and ANC residents in joint initiatives aimed at building peace.

After his return to the area in 1999, Ngcobo was elected mayor of Izingolweni. Despite this, the seeds of change had borne fruit and the community he had returned to had changed significantly according to some observers:

By the time Ngcobo returned to the area, both the IFP and ANC had come to realise that violence does not pay. Communities were no longer prepared to rally behind individuals and had become resistant to war. (Selwyn Chetty, interview, December 2004)

Challenges still facing Shoboshobane

Despite a number of positive developments in Shoboshobane and the Izingolweni district as a whole in terms of building peace, and averting a return to a dispensation of conflict, three interrelated challenges require further attention:

- The redevelopment of the Shoboshobane community. This will enable the community to sustain itself in the manner prior to the outbreak of political violence.
- This redevelopment is linked to addressing the residual trauma of victims and survivors of the violence. Many people within the community feel abandoned and disillusioned.
- The displacement of thousands of residents during the violence has not been systematically addressed in terms of facilitating their return. Many such people face significant problems in terms of adjustment once they return to the area.

CASE STUDY 2

KWAMASHU

Background

KwaMashu is an urban township situated approximately 15 kilometres north of the Durban city centre. Many of the early residents of KwaMashu had been moved from Cato Manor during the period of forced removals in the 1960s. KwaMashu is now home to some 300,000 residents. The area is largely comprised of formal houses, the A section hostel, and informal dwellings that have sprung up in open spaces, as well as in some of the residents' backyards.

The KwaMashu area has a long history of political conflict and it was one of the first townships to experience violence between Inkatha and ANC supporters. In addition, KwaMashu also experienced long periods of occupation by the then South African Defence Force (SADF).

Gangsterism

During the 1970s, as with many other townships across South Africa, KwaMashu was plagued by gangster activities. The Frelimo gang, who specialised in theft and robbery, was largely comprised of ex-prisoners and operated in the township's "C" Section. The gang terrorised local residents who were unwilling to cooperate with the policing authorities, even if it was ostensibly in their interests to do so. "M" Section of KwaMashu was the base of the Damara gang, which had initially been formed to protect residents from criminal activity, but was eventually subverted and taken over by criminal elements. Similarly, the Amaphekula (Terrorists) arose in "F" Section, initially to protect the area against other gangs and then gradually itself becoming involved in criminal activity. The Sunflower gang in "E" Section was involved in crime from its inception and was notorious for the abduction and rape of women normally from areas outside of E Section.

Although the names of some gangs may reflect a degree of political consciousness, according to residents living in the area at the time, the formation of most of the gangs was motivated essentially by desire for power and influence. The formation of a gang in one section of the township inevitably spawned the establishment of counter-gangs in neighbouring sections. Turf wars were common, and some gangs only committed crimes against residents living outside their section. In the 1970s, most sections of KwaMashu boasted young soccer teams that would compete against each other, and the results of these matches would often incite conflict between the rival gangs.

Political discord in the 1980s

In the early 1980s, when the national schools' boycott campaign was launched, many KwaMashu students defied the call made by Inkatha and Chief Buthelezi to disregard the protest. Consequently, the boycotting students in KwaMashu were attacked, in what was one of the first major violent confrontations between supporters of Inkatha and the coalescing forces of what became the UDF and Mass Democratic Movement (MDM).

This violence must also be understood within the context of evolving KwaZulu homeland politics, in which Inkatha's role was pivotal. Although the schools boycott was a national initiative to challenge the apartheid policy of 'Bantu Education' and its administrative arm, the Department of Education and Training (DET) in KwaZulu — under which KwaMashu fell — the schools were administered by the KwaZulu Department of Culture (DEC). As a result, the KwaZulu government and Inkatha interpreted the boycott as a direct challenge to their authority.

In 1983 when the Black Local Authorities Act was initiated, Inkatha opted to participate in these structures in the face of calls from community-based structures and the broad anti-apartheid movement to boycott these local authorities. Inkatha's active participation in these structures provoked tension, and clashes intensified between Inkatha and forces that were increasingly identified as supporting the ANC.

By the time the United Democratic Front was launched later that year, KwaMashu was already divided into areas supportive of Inkatha and areas supportive of the UDF. Inkatha support was concentrated primarily in the massive single sex hostel compound in "A" section, as well as the informal areas of Richmond Farm and the Lindelani settlement on the outskirts of the township. Most of the formal areas of the township were considered to be largely supportive of the UDF/ANC. This geographical patchwork of political partisanship became increasingly more defined and, by the late 1980s and early 1990s, had developed into well-established 'no-go' areas.

Emergent militarisation

Throughout the early 1980s running battles occurred between Inkatha and UDF forces. The UDF forces established night camps, and many township youth were recruited to patrol the streets at night in efforts to protect residents from Inkatha attacks. This period was also distinct from what followed later, as these night patrols did not have access to weapons, as was the case in the late 1980s and early 1990s. Instead they were largely armed with knives, stones, petrol bombs and other rudimentary weapons.

These violent altercations had a profound effect on the lives of many of these youth. A large number subsequently left the country to join the ANC in exile, while others were arrested and charged with public violence and sentenced to prison or were detained without trial under emergency legislation. Many of those who remained behind in the township were drawn into the Self Defence Units (SDUs) set up in the late 1980s and the early 1990s by the ANC.

Inkatha formed strong Amabutho structures in the hostel and some of the informal settlements surrounding KwaMashu. These groups were initially armed with traditional weapons such as assegais, sticks, knobkerries and pangas and mobilised along traditional warrior lines. At a later stage, many of the key leaders of Inkatha's Amabutho were officially issued with G3 automatic rifles.²⁸ The KwaMashu "A" Section hostel developed one of the strongest Amabutho unit known as the 'Code 26' under the leadership of Thomas Shabalala (see above).

Partisan policing

In June 1987, the South African Police, who had remained in charge of policing in KwaMashu, formally handed over policing responsibilities in the township and surrounding areas of Ntuzuma, Lindelani and Richmond Farm to the KwaZulu administration and the KwaZulu Police. Within three weeks, the Legal Resources Centre and the Progressive Federal Party (PFP) had deposed 20 affidavits in which residents alleged they had been viciously attacked by the KZP (Legal Resources Centre and Human Rights Committee, 1990). A pattern of collusion and complicity emerged over the next few years. The KZP's partisan modus operandi included:

- Involvement in unlawful shootings, assaults and intimidation of KwaMashu residents.
- Collusion with Inkatha and vigilante elements in perpetrating attacks.
- Failure to investigate cases particularly where the victims were UDF/ ANC supporters.
- Disruption of meetings, funeral and memorial services organised by people perceived to be ANC/UDF supporters.
- Direct involvement and collusion in murders and assassinations.
- Refusal to accept complaints at the police station.
- Supplying arms and ammunition to Inkatha and vigilante type groups. (Legal Resources Centre and Human Rights Committee, 1990, p.123)

The politicisation of crime

In 1987, the AmaSinyora gang emerged in KwaMashu's "K" Section and for several years terrorised residents throughout the township. Although the gang did target UDF elements in KwaMashu, many of the attacks were indiscriminate and essentially criminal in nature, involving not only murders and arson, but also the rape, theft and robbery of residents.

During 1988, the AmaSinyoras began extorting protection money from KwaMashu residents, and between 1989 and 1990 the gang was implicated in 291 attacks and the killing of more than 100 people. During this same period, residents abandoned more than 400 homes in "K" Section due to the violence (Legal Resources Centre and Human Rights Committee, 1990).

²⁸ G3 rifles were issued by the KwaZulu Government to Traditional Authorities and IFP leadership in the 1980s during the height of political conflict.

According to one affidavit submitted to the Legal Resource Centre by one of the founding members of the gang, the AmaSinyoras received support protection and weapons from both the KZP in KwaMashu and the local Inkatha leader, Thomas Shabalala. The affidavit also alleged that one of the other founding members, Dumisani Zondo, was a member of the South African Defence Force (SADF) and that Zondo assisted the gang with training and weapons (Legal Resources Centre and Human Rights Committee, 1990).

Consolidation of militarised structures

In the late 1980s and early 1990s KwaMashu became one of the most heavily armed locales in the province. Both the IFP and the ANC established more structured paramilitary formations. The IFP established Self Protection Units (SPUs) that were armed and deployed into its strongholds, such as the “A” section hostel, to support and complement the Amabutho formations. For their part, the ANC deployed a large number of MK combatants who were both drawn from, and operative in, KwaMashu, and tasked with the formation, arming and training of Self Defence Unit (SDU) structures.

By early 1990, territorial polarisation was entrenched. Over the next few years, although there were sporadic clashes and attacks between the two sides — often linked to specific events or political rallies — KwaMashu did not experience the large-scale invasions and almost daily clashes that had occurred in the 1980s.

This situation changed dramatically at the end of 1993, following the IFP’s announcement that it would not participate in the forthcoming general elections. Within a matter of weeks, there were clear signs that structures in the hostel and surrounding IFP-supporting areas had begun mobilising for war. Between March and April 1994 more than 15 people were killed and over 3 000 people were forced to flee their homes.

On 29 March 1994, the ANC local leadership attempted to initiate peace talks with the IFP leadership in the “A” section hostel. After approaching the IFP hostel leadership, an agreement was reached that a meeting would take place within the confines of the hostel. However, when the ANC local leadership arrived at the hostel they were forced at gunpoint into a mini-bus taxi, driven to another section of the hostel and five of them were cold-bloodedly executed.

Ending the ANC-IFP Conflict

Immediately after the 1994 elections, tensions between IFP hostel residents and ANC supporting residents in the township remained high, punctuated by sporadic incidents of violence. The situation did not, however, deteriorate, and some of those who had fled KwaMashu prior to the elections began to return to their homes. Although considerable mistrust remained between hostel and township residents, by 1997 political violence between the IFP and ANC had all but completely abated.

The role of women and youth

The cessation of ANC-IFP hostilities in KwaMashu was not linked to the establishment of any formal local peace initiatives, although there were a number of informal initiatives largely driven by youth and women's formations. These initiatives focused mainly on trying to engage hostel, informal and township residents to work on joint projects.

After 1999, numerous youth structures came together to form the KwaMashu Youth Organisation (KYO). The KYO was instrumental in initiating inclusive campaigns that focused on eradicating crime and encouraging residents to hand in illegal weapons. After discussions between the KYO and the IFP leader of the "A" Section hostel, for example, it was agreed that the hostel residents would support these campaigns.

In Ntuzuma, a formal residential area bordering the Lindelani settlement, joint sporting events and competitions were organised between youth from the largely IFP-supporting Lindelani and the ANC-supporting Ntuzuma.

Local women's organisations brought IFP and ANC women together for prayer meetings. These engagements fostered further dialogue and women from the different political parties subsequently were able to come together to discuss issues of development. In March 1997, the women's structures called together the political structures in "G" Section (Ntuzuma) where the need for unity and development was discussed. These organisations also initiated joint needlework and gardening projects that involved women from both the ANC and IFP.

In addition, after 1994, the KwaZulu-Natal Peace Committee also held a number of rallies in KwaMashu to promote the peace agenda. Bheki Cele of the ANC and Thomas Shabalala of the IFP jointly addressed these rallies.

These local initiatives and peace rallies certainly played an important role in bringing together previous protagonists, but most interviewees from KwaMashu attributed the broader community's fatigue with the violence as the most important factor in bring an end to the hostilities:

People were tired of fighting each other. Political parties at the provincial level were talking peace so naturally people on the ground followed suit. (Mr Jwara, IFP councillor, KwaMashu, interview, August 2004)

This view was supported by a young man living in the "A" Section hostel:

Politicians were calling for peace through the media and we were tired of fighting, so we obeyed the call. There were no actual peace initiatives in KwaMashu, we just followed the media reports. (Youth, "A" Section Hostel, KwaMashu, interview)

However, the amelioration of ANC / IFP relations in KwaMashu did not bring about complete peace or stability to the township.

“L” Section Conflict

The “L” Section of KwaMashu township, considered an ANC stronghold, exploded in violence in the latter part of the 1990s. For forty years, residents of “L” Section have lived in four-roomed houses that are divided between two families. The houses are physically partitioned into A and B sections by a wall and both families are required to share washing and ablution facilities.

Having a bath in the morning is a nightmare, with the first person having to use the bathroom at 5am as there are at least ten people in the queue who are also waiting to use the bathroom. If you miss your turn you will have to wait until everybody else is finished. The housing crisis is also causing a health problem, as you can see those houses have not been repainted, have rotting asbestos roofs and overcrowding is also causing a huge health problem for us. (Woman resident, “L” Section, KwaMashu)

The conflict in “L” Section first surfaced in the latter part of 1996 and continued until 1998. The conflict was essentially between two ANC factions, although a number of groupings were responsible for exacerbating the situation as they engaged around related matters, such as competition over scarce resources, the lack of adequate housing, overcrowding and high levels of poverty.

The role played by ex-combatants, combined with the availability of weapons, was pivotal and during the conflict two factions emerged led by, and largely comprised of, former MK and SDU members who had easy access to arms. It was not long before the conflict had claimed the lives of over 70 people, which had a profound impact on the small community of “L” Section.

Initial attempts by the ANC’s provincial and local leadership failed to resolve the conflict. Indeed, this only began to subside after the ANC, together with local and provincial government departments, embarked on a two-pronged strategy, the first of which entailed intensifying peace talks between the warring factions, and the second focusing on a development programme to address inadequate housing and overcrowding. A large-scale housing programme was subsequently introduced with considerable success, and a number of “L” Section residents have been relocated to new sites and houses at Mount Royal, Duffs road near KwaMashu. This process is ongoing.

The ‘new’ South African Police Service (SAPS) in KwaMashu responded to the “L” section crisis by introducing intensive policing activities in the area, resulting in a number of arrests and successful prosecutions.

The physical removal of these protagonists from the area, to prison, has posed a number of interesting dilemmas and contradictions for peacebuilding efforts. This is because they still continue to exert power and control over the community from behind bars, something which continually threatens the peace, even as it simultaneously maintains peace (both through their removal from the community and, according to the prisoners and community members interviewed, via their ongoing influence over community relationships and access to resources). A number of those involved and arrested have defined their participation in the conflict as political, and strongly believe that their crimes need to be accorded this status. Some of these prisoners argue that their involvement in assisting the peace process (from prison) also has political connotations and is something that they

should be rewarded for, arguing that it should be taken into consideration in terms of enhancing their prospects for early parole, and amnesty or even a pardon.

Although their physical removal from the site of the conflict reduced the incidence of violence, therefore enhancing the viability of development and the peace process, these initiatives still required their support and endorsement, even although they are now sitting in prison. Today, in the context of contemporary development initiatives and programmes for “L” Section, decisions are communicated to, and discussed by, community members of “L” Section and ‘their’ respective inmates at the Durban Westville Prison. Many residents of “L” section strongly believe that the opinions, support and buy-in of these inmates are essential for the success of development initiatives and the sustenance of the local peace process.

Despite these complexities, the peace process and related development programmes have been relatively successful. Crime levels have decreased markedly, and a number of “L” Section residents interviewed for this research felt positive about the future.

Conflict at “A” Section Hostel

Both KwaMashu residents and the police identified the “A” Section hostel as a ‘hot spot’ in terms of high levels of crime and violence. The hostel is proximate to one of the entrances to the township, and close to the KwaMashu Police Station. It was initially established as a single-sex hostel for male migrant workers coming from the rural areas to take up employment in the city. Today it houses not only men but also women and children.

As in many other township hostels, despite some level of social and economic interaction, the hostel residents have historically been isolated and marginalised from the communities around them. This situation worsened as the anti-apartheid struggle intensified, and efforts to organise and mobilise township communities exacerbated antagonism with hostel residents who (for a number of reasons) increasingly nailed their political colours to the Inkatha mast.

The infrastructure of the “A” Section hostel comprises of the original single sex blocks around and between which a labyrinth of informal shack dwellings have been built. The area has no electricity and as a result of the unplanned mushrooming of informal dwellings, it is extremely difficult to move freely. The hostel has a main road running through it, and is interconnected by a plethora of footpaths that run between the informal dwellings and main hostel blocks, making it impossible to access large parts of the hostel by vehicle. These conditions also make the hostel almost impossible to police effectively.

In some instances, criminals who use the hostel as an operational base are not necessarily permanent residents of the hostel. Indeed, the ease with which criminal elements can get lost in the sprawl and fluid conditions in the hostel environment makes it an ideal base for those wishing to maintain a low profile. This can also be assisted by networks and unwitting family members, as criminals are rarely strangers:

Police ask us not to let criminals come here. They are not criminals really, they are our relatives. If your relative comes and asks for help or a place to stay you will help them. They don't tell you that they are in trouble and you often don't know they are wanted by the police until after they have left. (Woman resident, informal settlement, "A" Section Hostel, KwaMashu)

However, it is not only newcomers and 'in-transit' criminals who have made "A" Section hostel a base for criminal activities. As in KwaMashu's "L" Section, the socio-economic conditions coupled with the legacy of political conflict, have left a pool of unemployed (IFP) ex-combatants and Amabutho with access to a range of weaponry. This is a fertile recruiting ground for criminal networks, evidence of which has continued to emerge. For example, shortly after the decline in violence between the ANC and IFP in KwaMashu, reports began to surface that heavily armed residents of the hostel were hiring themselves out as assassins to taxi bosses who were caught in the internecine taxi violence plaguing KwaZulu-Natal.

Initiatives to upgrade and redevelop the "A" Section hostel were confronted by a number of obstacles. Residents were understandably suspicious of initiatives that involved local authorities and were controlled by representatives from the formal township areas of KwaMashu, aligned to the ANC. Conversely; ANC officials were not initially enthusiastic participants in redeveloping "A" Section hostel.

Although plans were eventually finalised and the upgrading and redevelopment of the "A" Section hostel have begun, it is unlikely that development initiatives alone will solve the crime problems associated with the hostel. For example, lack of participation in policing initiatives and the need to address the problems associated with ex-combatants and weapons also require attention.

Political mistrust has not only impacted negatively on development initiatives, but has also resulted in non-participation by hostel residents in various initiatives in KwaMashu, including the Community Policing Forum (CPF) which the hostel residents regard as an ANC structure. Building relations between the hostel and surrounding township therefore remains very much a 'work in progress' (Interview with IFP official, "A" Section Hostel, KwaMashu).

High levels of crime

In other areas of KwaMashu criminal activities also pose a serious threat to peace and stability. In many sections of the township, high levels of violent crime including murder, rape, domestic violence, assault with intention to cause grievous bodily harm, armed robbery and hijackings continue to affect the residents (Idasa, IPT, CSIR and Injobo Nebandla, 2003).

In 1998, largely in response to the unacceptably high levels of crime and violence in the township, KwaMashu was identified as a presidential priority area for urban renewal. A report commissioned by the SAPS National Crime Prevention Centre on the development of Crime Prevention Programme for the area notes the following

These areas (referring to Kwamashu and Inanda) have been characterised by high levels of crime and violence, as well as high levels of poverty and scarcity of resources, which has resulted in high levels of tension over the allocation of resources when projects have been launched. (Idasa *et al.*, 2003 p. 6)

From the early- to mid-1990s, KwaMashu witnessed a dramatic resurgence in gang formation and activities. The Dehario Gang, operating out of Richmond farm, was notorious for raping young women and even old pensioners. The Amakhubluba Gang specialised in heists and armed robberies, while the Izinthando (meaning the 'orphans', although the members are not necessarily orphans) specialised in housebreaking. It is still known to be one of the strongest gangs currently operating in the township. Other known gangs that have emerged since 1994 include the Westside Gang in "C" Section, the Frenchies and Pakistanis from "M" Section and the Taliban.

Post-1994 KwaMashu has also experienced an increase in drug trafficking and several local councillors cited an increase in the abuse of mandrax. Cocaine and crack have also been introduced into the area, exacerbating gang activities, as turf wars are compounded by violent struggles over an increasingly lucrative trade. (Interview with K section Local Councillor, Phumlani Mbatha February 2004)

The impact of this proliferation of gang activity on KwaMashu residents has been profound. One resident of "M" section spoke of a de facto curfew, that residents are scared to move around after dark and that nightshift workers have to make arrangements to leave the area before dark because of fear that they will be targeted by the gangsters.

Gang culture and membership remains attractive to many, in particular young men. Gang membership imbues a certain sense of respect (and self-respect), centred on power and influence:

Being a gangster gives you respect and a feeling of superiority because people are scared of you and they respect you because they know that if they don't respect us they will be our next target. (Gangster, "M" Section, KwaMashu, interview, August 2004)

KwaMashu has also experienced high levels of domestic violence and was identified by the SAPS as one of 20 areas in the country with the highest levels of domestic violence and rape.

Despite a number of positive generic developments regarding the police, most residents interviewed expressed a lack of faith and trust towards the SAPS in KwaMashu. Before 1994, significant elements of the KZP enjoyed close relations with some of the gangs in KwaMashu. Allegations of continuing corrupt relations between police and gangs continued to surface in the post-94 era, highlighting the limitations of the transformation project. The KZP was subsumed into the SAPS but until 2000, it effectively remained *in loco*, resisting transformation on the ground in many locations, including KwaMashu. This situation was compounded by the fact that in the initial period after 1994, the IFP had control of the Safety and Security provincial portfolio, ensuring that local police had a sympathetic ear from their former political patrons.

It was only in 2000 after the National Minister of Safety & Security initiated Operation Ventilation (a crackdown operation involving the deployment of police into KwaMashu from other parts of the country) and reshuffled personnel at the local station (including the appointment of a new Station Commissioner from outside KwaMashu) that transformation of the KwaMashu Police Station really began to take root. Since then, there has been a dramatic improvement in the standard of policing, as well as improved community police relating.

VTP1 research highlighted the role and plight of ex-combatants vis-à-vis their potential for engaging in criminal activities (cf. Gear, 2002). It is not only ex-combatants, however, who are susceptible to engagement in crime and violence. Ordinary residents, and particularly youth who were exposed to long periods of violence and brutality, have also become vulnerable to engaging in violent and criminal behaviour.

Some of these individuals use historical violence as a pretext to justify their own involvement in crime. While there may be some cases where political violence is inaccurately used to justify involvement in crime, it appears that many of the KwaMashu residents who were exposed to prolonged periods of violence and brutality have subsequently developed a high 'tolerance' for violence. This was certainly the opinion of many people we spoke with. If this is indeed the case, it is perhaps not surprising that KwaMashu remains one of the most violent (in terms of gangs and criminal violence) townships in the county.

Unless these concerns are adequately addressed, the prognosis for the future remains gloomy. Many of those engaged in violent crime have little sense of what the future holds and where they will fit into it:

You see my sister, when you are a gangster you can't think of the future because you don't know when you will be arrested or when you will die. So you cannot plan for the future. (Gangster, "M" Section, KwaMashu, interview, August 2004)

Development in KwaMashu

The crime situation has undoubtedly had an adverse affect on local economic development. Several retail businesses have been targeted, forcing some to shut down completely. In addition, service delivery has also been negatively affected as government contractors have had equipment stolen and vehicles hijacked.

As a Presidential Priority Area, a substantial amount of resources have been diverted into KwaMashu, with further investment planned for the future. Several housing projects have been implemented and R15 million has been spent on the development of the town centre (Interview with IFP Councillor, Mr Jwara, August 2004). Many of the homes that were destroyed in "K" Section as a result of political violence have now been rebuilt, new streetlights have been installed and roads have been repaired. With regard to the numerous new housing projects that have been implemented in KwaMashu, emphasis has been placed on utilising local contractors and employing local labour.

In some instances, such as in the case with the "L" Section housing project, this development has played a central role in addressing post-apartheid violence and conflict. However, not all of the development projects have been successful. Indeed some of the projects have resulted in the escalation of tensions and conflict. Issues such as defining the main beneficiaries of the project, how the projects are determined and the manner in which they are implemented have not only highlighted the continued existence of old political mistrust but also brought to the surface internal differences that exist within KwaMashu.

For the period 2005-2010, a further R30 million has been allocated for additional development. There are also plans to build a new police station in the town centre. In addition, the Inanda Ntuzuma KwaMashu (INK) urban renewal project has also been established by the eThekweni Municipality. The INK project is in the process of developing a comprehensive development strategy for the three identified areas. The INK project plans to develop a KwaMashu business and city centre that will include substantial investment in infrastructure development in the township.

Challenges Facing KwaMashu

Clearly tackling crime remains a pivotal challenge for KwaMashu, as it has polluted and undermined every section of the township. This requires dealing with a number of complex (often interrelated) issues including; the attractions of gangsterism, the illicit drug trade, the legacy of political violence, the availability of illegal weapons (from the past political conflict, as well as those smuggled in the contemporary context), and the effective reintegration and demobilisation of ex-combatants.

In addition, a comprehensive campaign to tackle crime will also necessitate addressing issues of domestic violence and crimes against women and children. This requires a renewed focus on KwaMashu's social environment, which has contributed to the unacceptably high levels of violent social crime in the township.

Socio-economic deprivations continue to underpin the culture of crime, underscoring the importance of longer-term and sustainable development projects in KwaMashu. These are complex challenges that must be responded to sensitively, but firmly. It will not be possible to please all elements in the equation, but it is necessary to ensure that a critical mass benefits to ensure that those who have resolved to undermine the process do not succeed. There has already been substantial investment in building and upgrading the present infrastructure in the township, and the residents have positive expectations related to the impact of the development of the city centre and the INK project. Economic and infrastructure development must be complemented with human development, and it remains critical that development projects play a role in building cohesion and trust between residents, as well as some form of mutual accountability.

KwaMashu already has the example of "L" section, to guide them on how peace and development can interface to address the high levels of violent crime and conflict. It is important for local government and other stakeholders engaged in KwaMashu's development to ascertain what lessons can be drawn from the "L" Section experience.

CASE STUDY 3

MTUBATUBA

Background

Mtubatuba is situated on the North Coast of KwaZulu-Natal, approximately 60 kilometres north of Richards Bay. The Mtubatuba municipality covers an area spanning the Mfolozi River in the south, northwards to False Bay. The western boundary coincides with the Mpukonyoni tribal authority, while the eastern boundary follows the coastline from the Mapelane Nature Reserve. The area comprises a number of diverse communities and areas including:

- The town of Mtubatuba, the areas's commercial and trading centre,
- The residential resort town of St Lucia and nature conservation area under the Greater St Lucia Wetlands Park,
- Khula Village which was established by the government to resettle families from Dukuduku and comprises 925 residential plots, where the majority of residents are subsistence farmers;
- Dukuduku Forest, where more than 10,000 people currently occupy land. The Department of Water and Forestry (DWAF) currently has plans to resettle the people living in the forest;
- KwaMsane, which was created under apartheid as a dormitory town to Mtubatuba and comprises 1,800 homes.

According to the 2001 census, the population of this areas stands at 35,210, but this figure is disputed by the local municipality and a cholera survey placed the population at closer to 63,000 people. Over four in ten (44%) of the population are under the age of 19 years (Injobo Nebandla, 2003).

The area has two police stations with one situated in KwaMsane, which before 1994 was under the jurisdiction of the KZP, and the other which has always been administered by the South African Police (and now SAPS), is situated in Mtubatuba.

Historical conflict

Northern KwaZulu-Natal and the areas north of the Tugela River, such as Mtubatuba have historically been considered Inkatha strongholds. These areas include Ulundi, the headquarters of Inkatha and the KwaZulu Legislative Assembly.

During the 1980s, the towns of Empangeni and Richards Bay, which are situated close to Mtubatuba, experienced a significant increase in trade union activity. During this period, many workers joined the proliferation of trade unions that were affiliated to COSATU, and by extension the UDF. Coupled with

the growing presence of youth and civic organisations in the urban areas surrounding Empangeni and Richards Bay, this resulted in the mobilisation of significant opposition to Inkatha and the KwaZulu administration. During the late 1980s and early 1990s this opposition resulted in friction and considerable violence in the area.

As a result of Mtubatuba's proximity to Empangeni, it was inevitable that it would be influenced by these events. Although the area did not see the levels of mobilisation witnessed in Empangeni and Richards Bay, small pockets of mainly youth organisations began to resist and oppose Inkatha's dominance of the area. Although this resulted in conflict, violence in Mtubatuba was not as widespread as in other areas. Indeed, most of the violence was targeted at specific individuals and organisations, and because the area was dominated by Inkatha, communities and areas within Mtubatuba were not geographically divided according to party affiliation. Consequently, Mtubatuba did not experience the phenomenon of no-go areas that afflicted other parts of the province.

The local police in the area, both the SAP stationed at Mtubatuba and the KZP at nearby KwaMsane, played a significant role in this conflict. This role involved the targeting, harassment and torture of individuals perceived to be supporters of, or aligned to, the UDF/ANC

During the early 1990s, some paramilitary structures, particularly IFP-aligned SPUs were deployed into the area, but not on the same scale as in many of the other areas in the province. According to several interviewees, many of these SPU members originated from outside the Mtubatuba area, and after 1994 many appeared to move back to their homes areas.

The conflict in Mtubatuba was further compounded by the existence of a strong white rightwing presence in the area. The nearby town of St Lucia became the focus of considerable attention in the early 1990s after white residents attempted to prevent black people from accessing the town by erecting boom gates, and reports of attacks and assaults on black people who were shopping at the local supermarket in St Lucia.

Mtubatuba after 1994

After the 1994 elections and in the subsequent 1996 local government elections, the IFP secured control of the local municipality with the ANC managing to win two municipal seats.

Following the elections, the community living in the Dukuduku Forest experienced significant political violence when the area became divided between ANC and IFP supporters. Government plans to relocate communities from the Dukuduku Forest caused division among the people living in the Forest, with some agreeing to cooperate with relocation plans, and others refusing to move. These divisions played themselves out into a conflict between the ANC and IFP, as people from the different factions galvanised political backing for their positions

A number of the people living in Dukuduku were subsequently resettled at the nearby Khula Village, but a significant number still remain in the forest. In July 1996 a peace meeting was convened by local government to address the conflict amongst the forest residents. According to the local councillor for

the area, there has been no further political violence following this intervention. He did express his concern, however, that additional plans to relocate an estimated 10 000 people from the forest to the Monzi area could provoke a violent backlash (Mr Kloppers, local councillor for the Dukuduku area, interview, October 2004).

Although levels of violence in the other areas of Mtubatuba have remained relatively low, allegations of contemporary political intolerance and victimisation were raised by several interviewees, particularly those associated with the ANC. This kind of political 'violence' is routinely denied, but is certainly very real for those experiencing it.

Look, political violence still exists in Mtubatuba in the form of threats and intimidation. For example I will get a phone call and be told not to go here or there or not to use my car. (ANC Youth, KwaMasane, interview, October 2004)

Before the 2004 elections in Mtubatuba there were rumours that a 'hit-list' had been drawn up to 'take out' ANC supporters. Several interviewees stated that political intimidation had been a serious problem at this time.

There was an increase in political tension and intimidation in the lead up to the elections. Just prior to the elections there were rumours of a hit list circulating and people were chased and pulled out of taxis and beaten because they were perceived to belong to a particular political party. (ANC Supporter, Mtubatuba, interview)

In the run up to the elections, an IFP ward chairperson was killed, fuelling tensions with IFP supporters who held the ANC responsible, while the ANC alleged that the killing was a result of internal conflict within the IFP. During interviews with the IFP mayor and deputy mayor of Mtubatuba, they claimed that the killing had been linked to the murdered man's plans to establish a private security company and that criminals opposed to this were responsible for his murder.

The implementation of development projects and programmes remains a major source of tension between the IFP and ANC. Most of the ANC people interviewed for this research felt that the ANC was being deliberately excluded from these processes. One ANC Youth League member pointed to the example of a housing scheme where potential beneficiaries had been told that they were required to produce IFP membership cards in order to qualify for the scheme. This 'requirement' was subsequently withdrawn after ANC members marched into the offices of the Mtubatuba Municipality.

The IFP members who were interviewed denied that there were attempts to sideline ANC supporters in development processes and some of them accused the ANC of politicising these issues and of not participating in meetings where development is discussed.

In addition to these political tensions, the area is currently experiencing high levels of criminal violence. According to the head of the Mtubatuba municipality, Mayor Swart, the increase in crime is impacting negatively on both development and tourism in the area and remains one of the biggest problems facing the area. Mtubatuba's draft Integrated Development Plan (IDP) identifies crime as a strategic focus that needs to be addressed because it detracts from development opportunities in the area (Injobo Nebandla, 2003).

The Crime Prevention Development Programme (CPDP) report of the National Crime Prevention Centre in Pretoria stated that in 1999, 2,626 crimes were reported as occurring in the Mtubatuba municipal area and by November 2000 the number of crimes reported had increased to 3,900 (Injobo Nebandla, 2003).

The CPDP report states that these crimes occurred across the municipality and have affected both historically advantaged and disadvantaged areas. The most common forms of crimes identified include armed robberies, house breaking, theft out of vehicles, assault with intent to do grievous bodily harm, rape, and domestic violence.

Although the report identified organised groups from outside the municipality that are involved in car hijacking and cash-in-transit heists, it asserts that young people from Mtubatuba under the age of 25 years commit the bulk of crime in the area (Injobo Nebandla, 2003). The report refers to armed robberies that occur in the Mtubatuba area, stating:

A unique aspect to these armed robberies, which also reflects poorly on policing in the area, is that in many instances armed robbers move on foot to and from the scene where the robbery occurs. In some instances the criminals involved in these robberies are as young as 14 years of age (p.25).

The two police stations operating in the Mtubatuba municipal area are among the police stations identified by the SAPS as 'crack-down' stations, in other words, locations where the police need to take particular steps to reduce high levels of crime and violence.

Many interviewees cited these police stations as problematic. Several ANC supporters interviewed, for example, felt that the local police were biased in favour of the IFP. Community Policing Forum (CPF) members (not aligned to the ANC) also alleged that there were problems of corruption and inefficiency involving the police, and within the ranks of the IFP, there also appears to be little faith in either of the two police stations.

Peace processes in Mtubatuba

Apart from the peace meeting convened in Dukuduku during 1996, and a subsequent peace rally held in the area in the run-up to the 2004 general elections, there has been no local peace process in the Mtubatuba municipality. Even though the area has not been subjected to high levels of political violence, intolerance, conflict and intimidation remain serious concerns for many people.

At both a national and provincial level, the peace process marked a principled acceptance by both the ANC and IFP that the other not only had the right to exist, but that they also needed to work together. Zuma in 1998 stated

The issue on the agenda was and is about finding ways to co-exist and the emphasis is on looking for ways to co-operate. (Goodenough 1998)

In both Shoboshobane and KwaMashu, despite the fear and mistrust between the IFP and ANC, both parties have managed, in varying degrees, to co-exist and to co-operate. In Mtubatuba, this has not

been the case and, despite both parties being represented on the Mtubatuba local municipality, the politicisation of development initiatives remain a source of serious tension in the area.

There are a number of reasons for the lack of local peace initiatives in the Mtubatuba area, and some of these include:

- Political violence in the area has been targeted at specific individuals rather than entire communities. In this context, peace processes were not something many community members viewed as necessary, which may account for why intimidation and the lack of freedom of expression is able to continue in Mtubatuba.

To a large extent, therefore, most people in the community remain unaffected and are unlikely to address the issue. Despite this, members of the community are aware that stepping forward to oppose such actions would place them at risk of also being targeted. Such considerations have tempered demands from local community members for peace initiatives in the area.

- One party dominates the area, and the party does not see the need for peace initiatives in the area as this has little currency or support within its support base.
- Much of the political violence taking place in Mtubatuba is difficult to verify and measure, as it is subtle and relates more to intimidation and the 'politics of exclusion' rather than concrete incidents such as attacks, killings and destruction of property. As such, this form of political 'violence' operates below the radar of national and provincial government, as well as the media and human rights organisations. Consequently, and unlike areas such as Shoboshobane and KwaMashu where concrete steps were taken to reduce political tensions, Mtubatuba has been left largely out of the spotlight.

Challenges facing the area

There are clearly a number of serious challenges facing the Mtubatuba area that need to be urgently addressed. These include:

- A recognition of the need for local peace between the ANC and IFP and linked to this, the need for the two parties to co-exist and co-operate.
- Addressing the politicisation of development in the area. Linked to this is a need to ensure that in areas like Dukuduku, where resettlement has already become politicised, the processes are handled in a manner which is conflict sensitive.
- Recognition that the area has a strong history of racial and political tension, which has resulted in a lack of social cohesion. Interventions should aim to tackle the racism that pervades the area. Development plans for the area need to take this into consideration and concrete programmes may need to be introduced to build unity in the area.

LEARNING LESSONS FROM THE KWAZULU-NATAL PEACE PROCESS

The KwaZulu-Natal peace process has certainly contributed to long-term stability and peace in the province, but continues to face a number of critical challenges and therefore remains a work in progress. These challenges need to be addressed and carefully managed if the peace process is to be completely successful.

Crime and Conflict

KwaZulu-Natal continues to face the challenge of grappling with violent crime, which continues to undermine stability and poses a serious threat to building long-term peace in the province.

The interface of politics and crime

Tackling past or contemporary violent conflict requires an understanding of how political and criminal violence interrelate, how political struggles are criminalised, and criminal conduct politicised. The “L” Section conflict in KwaMashu erupted in the context of waning ANC / IFP conflict. The internal ANC fight involved former combatants and highlighted the mobility of violence, illustrating how the rationale for violence can and does mutate. Criminal violence does not necessarily locate its roots in political violence and there may not necessarily be any correlation between the two. Nevertheless, in some communities, such as KwaMashu the relationship is often close, manifesting in gang and vigilante activity. Elsewhere, such as Mtubatuba, there were always relatively low levels of political violence. Nevertheless, the current situation presents high levels of crime in the area, largely perpetrated by young people who have no history of direct involvement in political violence.

There is often no single set of factors that will explain high crime levels and violence. In a number of areas in the province, particularly in densely populated townships like KwaMashu the levels of crime were relatively high prior to the 1980s, even before political violence erupted in the province. To a large extent, however, much of this crime went unrecorded and consequently, unseen (Shaw, 2002). KwaMashu was fertile ground for both criminal enterprise, as well as political mobilisation. Whilst some engaged with and supported these criminal fraternities, others sought to challenge their power. During the latter part of the 1980s, for example, the civic structures in KwaMashu embarked on a series of ‘clean-up’ campaigns to rid the area of criminals who preyed on residents in the township.

During the apartheid-era most black communities in the country, including KwaZulu-Natal, developed a ‘healthy disrespect for law and the rule of law’ (Shaw, 2002, p.16). In this context, people who chose to operate outside the law, far from being ostracised, developed a hero status in communities, akin to

social bandits. This status not only applied to political opponents of apartheid but some criminal elements as well.

Political mobilisation and violence in a number of communities in KwaZulu-Natal in the 1980s did not necessarily result in a decline in criminal violence, and in some respects may have even enhanced opportunities for the criminal element. The lines between political and criminal violence became increasingly blurred. Gangs in areas like KwaMashu, such as the AmaSinyoras, received tacit, and on occasion overt, support from apartheid security forces (Legal Resources Centre and Human Rights Committee, 1992). The A-Team, which operated in Chesterville Township just outside Durban, provides another example. These gang formations were encouraged to develop and were given assistance, as long as they aligned themselves with Inkatha and the apartheid state. The AmaSinyoras not only involved themselves in political attacks against members of the UDF/ANC but also engaged in criminal acts such as theft, murder, rape and protection rackets (Legal Resources Centre and Human Rights Committee, 1992).

Accruing economic benefits in a context of conflict is not a new phenomenon. In KwaZulu-Natal, political control was a crucial enabler for social and economic control, as well as the establishment of protection rackets, extortion and other criminal endeavours. As explained above, the Network of Independent Monitors referred to these elements as 'political entrepreneurs', and for some it was evident that conflict was 'good for business' and given the levels of conflict 'business was good' (NIM 1997). Complicating matters further, these political entrepreneurs were often protected from prosecution because of the close relationship they enjoyed with elements within the security forces and the apartheid state.

Whilst it is obvious that many of these political entrepreneurs did not stand to benefit from peace (in terms of power and resources) and had the capacity to destabilise the peace process, even if they have remained 'on the sidelines', their continued existence presents a challenge to a sustainable political solution in KwaZulu-Natal. Although the changing circumstances have meant that police and political partisanship cannot necessarily be secured, unravelling corrupt and dangerous historical, political, social and economic relations continue to present significant challenges.

The lines between political and criminal violence were not only blurred with regard to these 'political entrepreneurs' and gangsters (i.e. those associated with the State and Inkatha forces). During the conflict the use of the term 'comtsotsies'²⁹ indicated the extent to which criminal elements were able to find space to operate within the confines of the ANC and UDF. These 'comtsotsies' were also people who were able to straddle both the political and criminal worlds (Simpson, 2001, p.123).

In some communities, a blind eye was sometimes turned with respect to crimes committed particularly if they were being committed against political opponents. In many situations, communities were simply dis-empowered, unable to hold these elements to account and having nowhere legitimate to turn to for safety and security, for law and order.

²⁹ Explicitly acknowledging the relationship between 'tsotsi' (i.e. criminal) elements and 'coms' (i.e. political comrades)

The opportunities for criminal elements to infest political organisations grew as the violence intensified. In this context, a variety of personalities, skills and backgrounds came to the fore, with some in the ranks because of the political contribution they could make, and others able to do so because they were good fighters.

There were two types of people, those who got involved in violence to defend themselves and the community and those who had always used violence as a way of surviving and for whom political violence was a blessing because they knew that crimes committed against political opponents would not necessarily be sanctioned. (Interview with senior ANC official KwaZulu-Natal, January 2005)

There is a clear connectivity between the criminal and political. Residents interviewed in KwaMashu claimed that gang membership not only accrued economic benefits, but also provided youth with a sense of identity and belonging, in a context of powerlessness and marginalisation. It was therefore not surprising that political mobilisation in a context of repression and struggle provided youth with an alternative 'home' and a sense of belonging, as well as access to (localised) power and influence.

It is therefore also not surprising that when political violence was at its zenith, gang activities diminished considerably, compared to their previous prevalence in the 1970s. There were of course exceptions to this, such as the Amasinyoras and the 'A' Team gangs, both of which engaged in the political conflict. In the 1990s, as political mobilisation and violence receded, the prominence of the gangs once again resurfaced.

Some aspects of criminality became closely tied into the political conflict. The taxi industry, for example, became deeply politicised as taxi associations formed from areas that were dominated by one or the other political party. Taxis operating in a specific area would generally reflect the political affiliations of that location. Violence for control of routes and ranks often took on a political area. Thus when the taxi violence emerged it often had political overtones.

According to Dugard this politicisation of taxi violence occurred because people from the opposing political organisations often attacked taxis that were used to transport people aligned to one or other political party. 'Indeed political forms of taxi wars during the last years of the apartheid era were so pronounced that taxi violence, like train violence, was seen as an integral part of political violence' (Dugard, 2001, p.144). The interrelationship between taxi violence and political violence in KwaZulu-Natal continued after 1994 and conflicts over routes and ranks remains a potential trigger for wider enmities.

The blurred lines between political and criminal violence also provide a series of dilemmas for the peace process. One of the key challenges is the unravelling of politicised criminal violence, some of which can involve key local political figures.

Despite our efforts, it was extremely difficult to establish the motives behind some of the assassinations in the Port Shepstone area that occurred in 1996 after the Shoboshobane massacre, as some of the victims were allegedly involved in criminal activities.

Those engaged in criminal enterprise have also attempted to shield the true nature of what they are doing behind some form of political mantle. These actions are insidious for the peace process, and have not been systematically rooted out. As such, their threat remains latent, but ever present.

The criminalisation of militarised political formations

Unprecedented levels of militarisation at the community level accompanied violence in KwaZulu-Natal. Weapons were widely disseminated across the province and in most instances have never been collected. These weapons pose an ever-present threat to the peace process, and could also land in the hands of criminals who could use them to commit violent crimes, such as hijackings and cash-in-transit robberies.

Demobilisation has also presented a specific set of problems involving combatants from both the IFP and ANC. Although a significant number of SPUs and SDUs did take part in the demobilisation process and were integrated into the SANDF, many did not participate and some even resisted the demobilisation effort. Officially these structures were supposed to be disbanded, but informally many continued to operate well after the demobilisation process was initiated. Subsequently, as the peace processes entrenched themselves and levels of violence declined, these structures were increasingly regarded as (potentially) problematic. Thus, they became increasingly marginalised and vulnerable to recruitment by the lure of criminal enterprise.

Some SPU and SDU members found new 'homes' in criminal gangs and formations. The "L" Section conflict offers a clear example of the role that ex-combatants can play in fuelling new conflicts. In the "A" Section hostel, former SPU members were allegedly recruited to act as hit men for taxi conflicts.

Some commentators have argued that the political leadership do not want to acknowledge the problem of ex-combatants in the province (Taylor 2001). Interviews with senior political leadership from both the ANC and IFP on the subject indicate, however, that the problem is not one of denial, but rather a lack of clarity on how to resolve the problem. The challenge is to find appropriate solutions to address the 'unfinished business' of demobilisation even after the official demobilisation process has been completed.

The trauma and the psychological impact of political violence has manifested in a range of social ills, and contributed to the development of widespread 'tolerance' or acceptance of violence as a constituent part of daily realities. A context of socio-economic marginalisation, poverty and desperation present powerful 'push' factors that draw people towards a life of crime. These conditions are also significant contributing factors in the prevalence of domestic violence and crimes against women and children.

The influence of the political conflict between the ANC and IFP on crime and criminality, and vice versa, has not been uniform. Our appreciation of the interplay and influence of one on the other remains largely tentative. It is also clear, as in the case of Mtubatuba, that criminality can flourish in contexts where there is not overt political conflict. The common denominator remains conditions of indigence, unemployment, a demography where marginalised (and disaffected) youth are a

significant slice of the population, and policing agencies that are inefficient, corrupt and generally do not have the trust of the community. These conditions are prevalent across South Africa's urban and rural landscape, and not only in KwaZulu-Natal.

The expanding drug culture, which appears to be a growing influence in certain youth cultures, further compounds this situation. Interviews and research conducted in Soweto into groups involved in hijacking in 2003 found that in almost all of the more than 34 different hijacking groups operating in the township, substance abuse in the form of hard drugs consumption (i.e. mandrax and crack cocaine) was most prevalent (Injobo Nebandla, 2003). Interviews conducted in KwaMashu during this research highlighted a similar trend where some local community members cited the increase in markets for hard drugs among youth as an area of serious concern.

Changing patterns in youth culture globally can also influence the involvement of youth in criminal networks and activities. In Latin America, for example:

In the past youth tended to sublimate part of their energy and dreams in the struggle for change. Before there were ideas worth dying for — today there are really ideals worth living for. The consumer model of society makes it difficult to convince a young man to pursue a political or ideological commitment. (Der Ghougassian, 1998, pg 3)

Demilitarisation and Demobilisation

Demobilisation processes are commonly identified as important aspects of building peace, which if not adequately addressed, can have a negative impact on peace initiatives.

- One of the challenges to effective demobilisation in KwaZulu-Natal has been the ongoing manifestation of political violence during the demobilisation period, which, in the absence of effective safety and security, undermined confidence in the rationale for the process. Currently some combatant structures remain in existence even if at an informal level.
- The problems associated with the failure to collect weapons disseminated during political violence in KwaZulu-Natal and these weapons themselves pose a serious threat to building peace in the province. Although there have been some official recovery of weapons caches, as well as the confiscation of illegal weapons, the volume retrieved is believed by many interviewees to be only a fraction of what was handed out. The ongoing inability of the criminal justice system to impact significantly on the issue of illegal weapons deployed in the province is a reality that needs to be acknowledged, as evidenced by the very limited success of the 2005 SAPS gun amnesty.³⁰

The lack of an effective and comprehensive demilitarisation process in KwaZulu-Natal raises the controversial issue of a possible special amnesty process for the province, as previously proposed by the ANC. The arguments for and against amnesty are well established, and must take into account

specific conditions on the ground. If an amnesty process in KwaZulu-Natal, providing space for victims and survivors, was linked to conditions of full disclosure and was accompanied by initiatives to force co-operation and involvement in the process (i.e. the option of criminal sanction), then is it not something that may in the long term be beneficial for the province?

Competition and Co-operation

In any multi-party political system different parties need to be able to compete with each other for the support of the electorate. At the same time, a successful peace process requires the co-operation of the main protagonists. A major challenge for the peace process in KwaZulu-Natal has been to inculcate a culture of political tolerance, competitiveness and co-operation, yet at the same time avoid political machinations from leading to further violence.

As has been shown, violence has historically played a central role in the competition for political power in KwaZulu-Natal, as well as a means for mobilising support. In a context of (albeit diminishing levels of) violence, widespread mistrust and mutual demonisation, infusing a radically new approach to politics based on democratic norms and standards would inevitably prove challenging.

A milieu of violence engendered an abnormal political environment, and breaking with past political modus operandi requires a fundamentally new approach to political mobilisation and party political discipline. Inevitably, the past and its personalities continue to contaminate the present, and those who once relied on the mechanics of violence have to be engaged, and where possible co-opted to support the new political rules of engagement. This requires those who are responsible for keeping the peace process on course to navigate cautiously in these uncharted political waters.

Capacities for control and sanction

The peace process has needed to have mechanisms in place that bind the constituent elements of both political parties to the peace process. This relates to internal party structures and mechanisms, as well as external ones. As we have heard, efforts to secure some form of accountability within National Peace Accord structures effectively failed. Internal mechanisms largely depend on instituting party disciplinary measures to regulate and, where necessary, punish members if they attempt to disrupt or violate the process. External mechanisms relate primarily to criminal justice processes, where those promoting, sponsoring or engaging in violence would theoretically face criminal investigation and prosecution.

Prior to the 1999 general elections, both parties agreed with the Independent Electoral Commission (IEC) on a code of conduct that would govern political parties' behaviour and relations. In addition, the peace process championed the necessity of improving the functioning of the criminal justice system. This sanction had mixed results; in areas like Shoboshobane. the deployment of the NITU

³⁰ See forthcoming VTP2 report (as yet untitled) for more details on the amnesty's inability to impact on weapons distributed during the conflict in Richmond.

appears to have had some success in contributing to the peace process, but in other areas of the province such as KwaNongoma, the criminal justice system has patently failed to arrest further violence.

Shifting competition from the politics of patronage to non-partisan service delivery

The newly emerging democratic dispensation has necessitated a shift towards political competition based on issues of equitable service delivery, and away from the norms of territorialism, patronage and their associated hostilities. This remains very much 'work in progress' and these issues require careful attention, as the politicisation of service delivery can also become a source of tension and even lead to political conflict. An example of this is the manner in which, prior to 1994, Inkatha used its influence and patronage within the KwaZulu government to facilitate discriminatory services and resource delivery. During this period access to services in areas falling under the KwaZulu government often required presentation of Inkatha membership cards, without which access was denied.

The challenge, therefore, is to ensure that political parties are able to control access to service delivery in an equitable and non-discriminatory manner. Accountability becomes a critical means of managing this problem. The more that government actions are subject to public scrutiny and sanction, the narrower the opportunity to politicise service delivery.

In KwaZulu-Natal, efforts to avert this have included a commitment (albeit wavering, at times) to ensure that both the IFP and ANC retain political representation in the provincial cabinet. While this has certainly assisted in terms of improving political accountability for service delivery, it has not eradicated all the problems associated with the competition for these services. In Mtubatuba, for example, several ANC supporters who were interviewed expressed concerns regarding their alleged exclusion from participating in certain local government development processes.

A sustainable peace process not only needs to accommodate those who are learning how to compete within a framework of acceptable democratic norms and values. It also requires a proactive commitment to co-operation and communication, both between the political parties, and within their respective constituent elements. These ingredients are essential for ensuring that competition remains healthy, productive, and legal.

Keeping the peace process 'on track'

When trying to establish democratic norms, a point may arise within the peace process when elements within one party believe that co-operation is weakening the party and a more 'hard-line' approach is necessary. This happened in KwaZulu-Natal, where two successive IFP premiers (Ben Ngubane, and Frank Mdladlose) who were strongly focused on co-operation with the ANC, were faced with members of the (IFP) party who had developed serious concerns about the benefits of the process. This subsequently resulted in the election of a third premier, Lionel Mtshali, whose position on many issues was more rigid and less accommodating than his predecessors. Despite this, and to

the credit of those who remained at the helm of the peace process, even a recalcitrant premier was unable to scuttle the peace process.

It is therefore important to recognise (and where possible accommodate) that in any long-term peace process, internal shifts and developments (within the engaged parties) will impact on the politics of the process, in terms of co-operation and competition. The challenge is to ensure that there remains an unwavering commitment to core principles and agreements that will ensure the process remains on track, however unstable the external (or indeed internal party) environment may appear to have become.

Keeping the process on track in KwaZulu-Natal, has required national interventions and mediation initiatives on several occasions. At the same time, the provincial political leadership has continued to plug away at implementing the process despite shifting views within both parties towards the peace project. Underpinning this, it has also been necessary for opponents to understand each other's weaknesses and limitations, which in turn helps to develop an appreciation of why at particular times they may feel the need to shift their position within the peace process.

The final challenge for transforming the politics of competition and cooperation is how to maintain peace and security at times of heightened political mobilisation, as in the run-up to the general elections in 1999 and 2004. It is not uncommon that periods such as these can include a high degree of (at least verbal) political belligerence. The electoral code of conduct can provide the ground rules against which behaviour can be assessed, but even within these parameters, it is inevitable that unresolved issues and antagonisms are likely to resurface.

One of the ways the KwaZulu-Natal province addressed this challenge in the lead up to the 2004 elections was to make arrangements for the leadership of both the ANC and IFP to visit many of the potentially volatile areas in the province, in order to communicate the message of peaceful co-existence and to publicly demonstrate that both parties remained committed to the process. However, the extent to which these joint initiatives ameliorated and averted potential conflict is not known. Despite these interventions, there were still some areas in the province, such as Ulundi and KwaNongoma where political tension, intolerance and some incidents of political violence were reported.

It is important, therefore, that the peace process recognises that periods of heightened political mobilisation are likely to generate new, and rekindle old, hostilities. The challenge is to find ways of identifying and effectively managing these 'speed bumps', through a range of options (i.e. political, security deployments) in the short and long-term.

Understanding and Engaging Local Dynamics

Building peace is not just about political parties co-operating at the leadership level, but also ensuring support and active engagement at the level of local communities. Provincial and national peace processes provide the space and platform for building local peace initiatives, but it is important to recognise that there are also specific conditions and factors (such as the role of specific personalities, resource constraints etc.) that influence the success or failure of these processes within different communities. Developing a more nuanced understanding of the trajectory of conflict, and related dynamics of specific communities, is essential for determining why and how peace is maintained and consolidated in some communities, but not in others.

The role of local peace structures

The history and impact of the various peace processes in KwaZulu-Natal have been varied and uneven. In particular, the experiences of the structures set up under the 1991 Peace Accord substantiated assertions that building peace in local areas is not predicated on the establishment of peace structures. In fact, in most areas where these structures were established after 1991, political violence continued unabated. The Port Shepstone Peace Committee's failure to avert violence around the Shoboshobane area is a good example of this. One of the main reasons for this was the manner in which some of these structures were manipulated to ensure political access to resources and influence.

Equally, the absence of local peace structures has not meant a dearth of peace initiatives at the local level. In KwaMashu there were no local peace structures, but instead, a number of informal initiatives developed where those seeking an end to violent conflict were able to engage with one another.

At the same time, because the exclusive ANC-IFP peace process initiated in 1996 did not rely on the Peace Accord structures that were retained for several years after the 1994 elections, this should not imply that the processes initiated through the Peace Accord did not filter down to communities affected by violence.

In both KwaMashu and Shoboshobane, interviewees pointed out that the peace processes undertaken (at both national and provincial levels) provided local actors with political justification for engaging long-time political opponents. This was not the case in Mtubatuba, however, where the peace process found less resonance amongst the dominant political entities.

The varying characteristics of political violence

The characteristics of political violence varied from place to place. This variation could impact on the success of a peace process and needs to be accommodated within any provincial or national strategy. In areas like Shoboshobane and KwaMashu political violence affected entire communities, whilst violence in areas like Mtubatuba tended to affect only specific individuals. In the former situation,

communities became much more invested in the peace process, as there was greater consensus about the need to avert a return to violence. This was not the case in Mtubatuba, where those wanting to drive a peace process found little buy-in amongst the broader community. This implies that in areas where entire communities are adversely affected by political violence they are more likely to recognise the benefits of peace as opposed to communities where violence is less pervasive.

Understandably, in a province such as KwaZulu-Natal where violence is so pervasive, priority attention will be given to the worst affected areas. Whilst this is important, indeed necessary, this focus should not happen at the expense of those locations that may not be considered flash points of conflict. Indeed, it is essential that these communities are also drawn into and held accountable for implementing peace, as these are communities where there is often a tendency for one or other party to have outright dominance.

The make-up of communities

The composition of the community can also impact on its level of preparedness to engage in the peace process. According to some of the interviewed residents from Shoboshobane, the rural nature of the area, as well as the fact that this was a historically tight-knit community consisting of political opponents that have known each other for most of their lives, were key contributing factors for ensuring that peace was able to take root in the area. This is not necessarily the case in all rural settings, although by and large they tend to be more cohesive with stronger traditional and familial ties that cut across political divisions. This is quite different from urban settings, where the assorted backgrounds, interests and agendas of their inhabitants may present a range of complex challenges for securing agreements.

The criminal justice system

The criminal justice system and efforts to rectify its shortcomings can play both a positive or negative role in the resolution of conflict. In both Shoboshobane and KwaMashu a contributing factor to the peace process was that of initiatives to ensure more accountability and the restructuring of local police stations. These initiatives had their limitations, but helped to break the cycle of impunity and partisan law enforcement that had characterised policing in these areas for many years.

In Shoboshobane, the introduction of an external investigation unit to investigate the Christmas Day Massacre, as well as the establishment of an independent commission of inquiry to scrutinise policing in the area, played a crucial role in this regard. In both KwaMashu's "L" Section and Shoboshobane, effective criminal investigations resulted in the removal of strategic individuals who were central to these conflicts, and in so doing provided the space for local communities to engage unhindered in efforts to find peace. The "L" Section conflict showed that the converse was also true: although the imprisonment of perpetrators contributed to a direct reduction in violence, it did not end these individuals' involvement in the area. Indeed, the prisoners became a central component in the subsequent process.

The interplay between national and provincial peace processes

While national and provincial peace initiatives can and do influence local peace initiatives the converse is also true. While the peace process initiated by the political leadership in KwaZulu-Natal certainly expanded the political space for local peace initiatives to develop, local initiatives have also impacted on the provincial peace process, and have made it more difficult for the provincial structures to mobilise political support around more uncompromising positions. As such, despite sporadic manifestations of violence, it is evident that the peace process has taken root in many communities.

The Need for Monitoring and Sanctions Mechanisms

If parties agree to co-operate in the quest for peace, as the IFP and ANC did in KwaZulu-Natal, it is imperative that agreements (such as the decision to develop a provincial constitution) are carefully monitored and violations are sanctioned. This requires the goodwill of the parties themselves, as well as the establishment of capacity and systems to act on violations.

In KwaZulu-Natal, these two processes were largely inter-dependent. Although both the ANC and IFP had endorsed their involvement in efforts to resolve the violent conflict, their willingness to engage in the process was largely dependant on key individuals in both parties, and there were several instances where the actions of some implied an absence of goodwill. Particular concern was raised about the hard-line position and belligerence of Lionel Mtshali in this regard.

The peace process did not develop or deploy its own internal accountability systems to act against violations, but in their absence relied to a large extent on internal party disciplinary mechanisms. A considerable amount therefore depended on the authority and integrity of these political party systems, as well as the resolve of those controlling them. During this period, the key political leadership, namely Zuma and Mdlalose had to discipline certain party members to ensure their participation in the process. By the time the balance of forces in the IFP had changed it was too late to reverse the peace process.

According to several interviewees, internal political party disciplinary mechanisms have played a constructive role in protecting the integrity of the peace process, but are not necessarily always equipped or appropriate to address particular problems that may arise. Parties involved in the peace process may find it difficult to sanction a member if he or she provides substantial membership or other vital resources to the relevant political party. Parties may also be concerned about sanctioning certain elements within their structures for fear of creating divisions and rifts (interview with senior ANC official in KwaZulu-Natal December 2004).

To counter these limitations, the peace process also relied on the prosecution of individuals who were engaging in acts of political violence in the province. This was, however, a relatively blunt instrument for dealing with delicate and often intricate problems. The criminal justice system was also faced with its own strictures, both historical and contemporary, and was still very much in the formative stages of

building its own credibility amongst the broader South African public. It was also not realistic to expect the system to be able to adequately address all the necessary cases against perpetrators of political violence. In addition, there has not been a victim-centred approach to the prosecution strategy and there are a range of related restorative justice concerns (i.e. relating to trauma and reparation) that have not been addressed.

In KwaZulu-Natal there are a number of instances (i.e. Shoboshobane) where successful prosecutions were achieved and certainly the climate of impunity, which existed before 1994, has dramatically improved. However, this aspect of the peace process is still relatively weak and requires serious attention.

Peace as a Process

Building peace in KwaZulu-Natal has taken place over a number of years during which the stance of both the ANC and IFP has ebbed and flowed. At times, this has required the intervention of a specific individual such as Jacob Zuma or the establishment of a specific committee or structure such as the "5-a-side" meetings that were called just prior to the 2004 National elections. Such developments created and reinforced perceptions that these were parallel processes, and that there was no single process underway, but rather a series of sometimes related and sometimes disparate processes. It is important, however, to appreciate that in most instances these were not parallel processes but rather specific complementary measures, to bypass problems or difficulties that had arisen within existing structures and processes. In effect, the process was flexible enough to allow adaptations of, and additions to, existing processes that were mired or log-jammed. This created an impression that there was a lack of coherence, and it is evident that very few individuals have a comprehensive overview of all the constituent elements. Nevertheless, this diffusiveness ensured that the process was never permanently obstructed.

But violence in KwaZulu-Natal did not simply stop after the two parties met and agreed to a peace process in 1996. In fact, it was some time before the effects of the peace process were felt in the province and sporadic incidents of violence continue to break out, almost a decade later. It is not surprising therefore that in the context of the failure of past initiatives, some commentators were somewhat cynical about what this new process could deliver (Taylor 2001).

Initially after the first meetings between the ANC and IFP there was an expectation of what should happen and then there was the reality of what actually happened, peace was a gradual process. (Zweli Mkhize, ANC, January 2005)

The complexities associated with bringing the conflict to an end within the myriad of communities where it had manifested in different ways clearly presented a long-term challenge. It was, according to Zweli Mkhize, the ANC's current KwaZulu-Natal MEC for Economics 'a seeping process' that would take time to filter down to grassroots supporters of the different parties.

Although political violence has declined significantly throughout KwaZulu-Natal, there are still areas, such as Mtubatuba, where political intimidation and intolerance prevail. Even in areas like KwaMashu and Shoboshobane, although political violence no longer exists, mistrust and the residual effects of the violence, still need to be monitored and if necessary attended to, as these could still trigger incidents of violence that could otherwise be prevented.

The relatively peaceful nature of the 2004 general election was all the more significant because the ANC for the first time assumed a majority status in the province, and this did not result in any significant problems in terms of undermining the peace process. Nevertheless, for a number of key politicians we spoke with, the election merely marked a new phase in the continuation of the peace process.

Peace and Development

There is no blueprint for addressing development prerogatives in post conflict communities, although development can contribute to consolidating the peace, or conversely become a new terrain around which tensions and conflicts play themselves out.

In KwaZulu-Natal, the competition over scarce resources and the historical discrepancies regarding their distribution within the province was compounded by the fact that before 1990 the province received 25% less than its equitable share of national resources allocated in terms of population figures (Aitchison, June 1992). This squeeze on resources only made the impact of patronage and discriminatory resource allocation more profound for those who have been excluded.

This background presents a number of challenges for development in the province, as it must not only seek to redress historical discrepancies and rebuild infrastructure destroyed by violence, but also ensure that it plays a role in strengthening gains made by the peace process. During the “L” Section conflict in KwaMashu, for example, development issues became an integral and consolidating component of the peace talks, while in Shoboshobane, the absence of promised post-conflict development remains a source of tension in the community.

Direct political engagement in development can often have positive political overtones. The appointment of two champions, Ben Ngubane from the IFP and Thoko Msane Didiza from the ANC, by the national government was recognition of the need to involve both political parties in the development of the province and to avoid one-sided politicisation of this process. Regrettably, this initiative was stillborn having been rejected by the IFP’s Premier, Lionel Mtshali.

Even if successful, national interventions of this type will not ensure that development is implemented at the local level. In both Mtubatuba and Shoboshobane, the politicisation of development projects and exclusion of people perceived to belong to the ANC remains a source of serious tension. The challenge remains to hold local authorities accountable for the development process they control. A detailed profile of similar concerns should be developed across the province.

In KwaZulu-Natal, a substantial amount of resources have been allocated to rebuilding and rehabilitating houses that were destroyed as a result of conflict. These reconstruction processes are also open to abuse and discrimination at the implementation level. The lack of reconstruction of houses in Shoboshobane and the misuse of funds to develop homes that were not destroyed by violence is a clear example of this.

In Shoboshobane, immediately after the 1995 massacre, undertakings were made by national government to the victims that their homes would be rebuilt. This raised expectations amongst the residents, and when this subsequently failed to materialise, it only served to further dishearten an already demoralised community.

In KwaZulu-Natal, a significant number of businesses were destroyed as a result of political violence, forcing a number of people out of work. In response to this, the KwaZulu-Natal Department of Finance and Economic Affairs (under the political leadership of Jacob Zuma) launched a special fund to which affected businesses could apply for assistance. More than R10 million was initially allocated to the fund. Problems have surfaced however, as the commercial banks that partnered with government in the initiative, had little understanding of the impact that political violence had on businesses. Many of these had struggled to stay operational and were eventually forced to close as a result of the conflict, having landed themselves in financial problems, with some having had adverse judgements and credit 'black listings' issued against them. As a result, banks either refused them loans or charged them high interest rates on the loans they were able to access.

Clearly there is a need for those who are driving the process for the rehabilitation and reconstruction of infrastructure to be sensitive to the impact that political violence has had on all sectors of the community.

Zuma and Mdlalose's Peace and Reconstruction Foundation was intended to offer the prospect of development funding as an incentive for communities to build peace processes at the local level. The Foundation had some success in areas like Mpumalanga township, Bruntville and Applesbosch and also received support from the industrial sector, such as the South African Sugar Association, which contributed more than R12 million in practical skills training for people living in areas where peace was initiated.

It is important that the focus on development does not lie exclusively on infrastructure development, but also addresses needs and options in terms of building of human capacity at a local level. Shoboshobane provides a concrete example of a failure to address this aspect. Once a community that was relatively self-sufficient, after the violence Shoboshobane is now a community that increasingly relies on handouts from government.

Another related challenge for development is to maintain a sustained focus on the development of young people. As some researchers have pointed out (Greenstein, 2003), development processes must also shift people's general perceptions away from the notion that 'youth' are a threat, and rather to see them as an opportunity for building peace. In KwaZulu-Natal, young people are identified in many development processes as an important sector, but the approach adopted towards them is often problematic. In both KwaMashu and Mtubatuba, for example, development initiatives for youth

have focused largely on recreational facilities and sports programmes. While these are not unimportant, it is necessary to look beyond these stereotypical responses to more sustainable youth development programmes that build capacities within and opportunities for the youth (Everatt, 2000). This might include a focus on life skills and creating programmes that address human development concerns, job opportunities, career guidance and training.

Many municipalities in KwaZulu-Natal have initiated Integrated Development Plans (IDP) for their respective jurisdictions. These IDPS have varied considerably in how they address the legacy of violence and conflict in their communities. In KwaMashu, for example, the IDP recognises that conflict and division in the community existed, but fails to carry this recognition through to the implementation of development plans in the community (Inanda, Ntuzuma, KwaMashu (INK) Urban Renewal Strategic) Plan. Indeed, a major weakness of the IDP's in communities emerging from political conflict has been their inability to pragmatically grapple with issues of building cohesion in divided communities as an integral part of sustainable development initiatives.

CONCLUSION

The lessons of the KwaZulu-Natal peace process are not just related to successes and failures but also to the ongoing challenges that still face the process. The process can also offer important lessons for building peace in other conflict zones or war situations.

There can be little doubt that the peace process in KwaZulu-Natal has been an important and successful contributing factor in addressing the high levels of political violence in KwaZulu-Natal and that this has brought welcome relief to the many affected communities in the province. The process has also succeeded in ensuring that political mobilisation through the use of violence is no longer the focus of political activity, and that such activities are no longer tolerated.

A significant aspect of the peace process in KwaZulu-Natal is that it has not focused on a 'winner take all' scenario, but has proactively sought an inclusive solution, reflecting a political maturation that does not espouse a 'winner take all' philosophy. Even after the ANC took majority control of the province in 2004 the emphasis remained on ensuring a co-operative approach with both parties continuing to participate in the provincial government, even though the IFP had pulled out of the national government after a decade of participation.

Even though the IFP leader, Dr. Buthelezi, has recently accused the ANC of 'treacherous and dishonourable' behaviour and that the IFP and ANC remain un-reconciled (*The Star*, 5 September 2005), such utterances are not seriously regarded as potential indicators of violence. Indeed, it now appears there is little likelihood that hard-line or militant rhetoric from national or provincial leaders could be translated as a mandate for violent action.

Although it is asserted that the peace process has successfully permeated most parts of the province, there are still areas where political violence and intolerance remain a problem. Recent assassinations indicate that there are still elements that seek to use violence as a means to 'resolve' political differences.

In addition, the peace process also faces a number of other challenges that are not linked specifically to acts of political violence. When addressing these challenges, real success will lie not purely in measuring the extent to which it has eradicated political violence but also in the ability of the peace process to redress the historical legacies left behind by the conflict and the building of stability in affected communities.

In this regard there is a need to recognise the mobility of violence, which is linked with the historical discrepancies in resource allocation. This could lead to new forms of conflict and criminal violence, which could impact negatively on the peace process in the province.

Issues related to demobilisation and demilitarisation of the province remain areas that require additional attention in the peace process. Some of the problems that are linked to addressing these issues, relate not only to the limitations of the national demobilisation process, but also to the continuation of political violence in KwaZulu-Natal after the demobilisation process was initiated.

Unfinished justice and accountability issues, weaknesses in the criminal justice system and the failure of any previous process to provide not just full disclosure for specific acts of violence, but also of the political violence machinery that exists in the province, compound these problems. The permanent dismantling of this machinery remains essential for the development of long-term sustainable peace in the province.

Residual and long-term psychosocial factors have impacted negatively in many communities and can have ripple effects on all aspects of the peace process. The Shoboshobane case study highlights the traumatic impact that violence has had on efforts to rebuild a sustainable community. Violent crime continues to plague many communities, undermining post-conflict opportunities for building and developing trust and social capital within communities. These aspects require further investigation and attention, as part of broader endeavours to determine what is necessary in terms of empowerment, healing and facilitating recovery.

Socio-economic development, if managed sensitively could advance peace efforts and consolidate gains made by the peace process. Equally, development and service delivery can also be the 'pot of honey' that perpetuates violence and even stimulates new conflicts. Development processes must factor in the peace process as a resource and vice versa. However, in order for this to successfully take place development needs to become more responsive to the needs and demands generated by the conflict.

In a context where political violence creating divided communities and no-go areas in many locations, it is important to ensure that the peace process is implemented in all the affected local communities across the province. There are specific conditions in each community, which often explains why peace holds in some communities and not in others. Understanding why peace works in some communities and not in others becomes crucial for filtering peace down to local communities.

Addressing the challenges of building peace should not only involve political parties and must include other role-players such as government officials, development practitioners and non-governmental organisations working in conflict areas. If all the different role-players understand the peace process and are sensitive to the conflict they can play an important role in contributing to peace in the province. What is ultimately required is a multi-disciplinary approach where all the role-players recognise the importance of their role in building and sustaining peace in KwaZulu-Natal.

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7. ANC statement on Peace in KwaZulu-Natal, 16 August 2001

List of Interviews conducted

PROVINCIAL POLITICAL LEADERSHIP

Blessing Gwala	IFP (March 2004)
Musa Zondi	IFP(March 2004)
IFP provincial official, KwaZulu-Natal	IFP (May 2004)
Dr Zweli Mkhize (MEC for Finance and Economic Affairs)	ANC (21 Jan 2005)
Willis Mchunu	ANC (August 2004)
Dumisane Makhaya	ANC (May 2004)
Provincial ANC Youth League representative	ANC (June 2004)

OTHER ORGANISATIONS

Selwyn Chetty	Ex field worker NIM (December 2004)
Martin Mbiyasa	Ex NIM field worker (March 2004)
Alona Harper	Ex official of the KZN Peace Accord (May 2004)
Gail Wannenburg	Ex NIM field worker (May 2004)
Ex field worker	LDRC Port Shepstone (May 2004)
Danny Chetty	Ex Director Practical Ministries (November 2003)
Ex JWC worker	Durban JWC (November 2003)
Ex youth rep on JWC	Durban JWC (February 2004)
IEC official Durban	Durban (February 2004)

SAPS OFFICIALS

Station Commissioner	KwaMashu Police Station (June 2004)
Head of Crime Prevention KwaMashu	KwaMashu Police Station (June 2004)
Station Commissioner	Izingolweni Police Station (May 2004)
Station Commissioner	Matubatuba Police Station (August 2004)

KWAMASHU

Mr Jwara, IFP Councilor	KwaMashu (August 2004)
IFP official	"A" Section hostel, KwaMashu (July 2004)
Mrs Sithole	"A" Section hostel KwaMashu (July 2004) (July 2004)
Woman, living in informal section of hostel	"A" Section hostel KwaMashu (August 2004)
Youth	"A" Section, hostel KwaMashu (August 2004)
Mr Sithole, youth living in hostel	"A" Section, hostel, KwaMashu (August 2004)
Mrs Mchunu, wife of "A" section hostel resident	"A" Section, hostel, KwaMashu (August 2004)
IFP member living in Lindelani	KwaMashu (July 2004)
KwaMashu resident and official of Safer City eThekweni	KwaMashu (July 2004)
Councilor Majola	"L" Section KwaMashu (July 2004)
Councilor Mbatha	"K" section KwaMashu (July 2004)
Mr Sithole, Youth living in Ntuzuma	KwaMashu/ Ntuzuma (July 2004)
Ex SDU member	KwaMashu (August 2004)
Ex Mk member	KwaMashu (August 2004)
Member of gang	"M" Section KwaMashu, August 2004
Member of gang	"M" Section KwaMashu, August 2004
Ms Ngcobo, youth resident	"K" Section KwaMashu (August 2004)
Women resident	:"K" Section KwaMashu (August 2004)
CPF member KwaMashu	CPF Kwamashu (August 2004)
Member of KwaMashu Youth Organization	KwaMashu (August 2004)
Mr D Mbatha, KwaMashu resident	"B" Section KwaMashu (August 2004)
Youth resident	"B" Section Kwamashu (August 2004)
Male resident	"L" Section KwaMashu (August 2004)
Woman resident	"L" Section KwaMashu (September ,2004)
Group of youth	"L" Section Kwamashu (September ,2004) (September ,2004)
Mother of "L" Section prisoner	"L" Section KwaMashu (September ,2004)
Mrs Mkhize of M section	"M" Section Kwamashu (September ,2004)
Official from Inanda Nutuzuma KwaMashu (INK) Urban Renewal Project	KwaMashu (September ,2004)
Taxi operator	KwaMashu (August 2004)
Shop owner	KwaMashu (August 2004)

LOWER SOUTH COAST

Sipho Ngcobo, Mayor	Izingolweni Local Government (May 2004)
Mr Gumede, IFP resident	Izingolweni (May 2004)
IFP youth	Izingolweni (April 2004)
Wife of assassinated IFP member	Port Shepstone (May 2004)
Male IFP member	Port Shepstone (May 2004)
Amos Nyawose, ANC leader	Shoboshobane (March 2004)
Nkosiyazi Khomo, youth	Shoboshobane (May 2004)
Youth person displaced from Shoboshobane during 1995	Shoboshobane (May 2004)
Women resident	Shoboshobane (May 2004)
Mr Gwala, Cosatu worker	Post Shepstone (May 2004)
ZS Zindela, Chairperson of Izingolweni Community Policing Forum	Izingolweni (May 2004)
CFP member	Izingolweni (May 2004)
Wife of man killed in Shoboshobane massacre	Shoboshobane (May 2004)
Ward Councilor	Shoboshobane (May 2004)
Development worker	Shoboshobane (March 2004)
Priest	Port Shepstone (May 2004)
Ex school teacher	Port Shepstone (May 2004)
Mr Cele, ANC supporter	Port Shepstone (May 2004)
Shop owner	Izingolweni (May 2004)
Taxi operator	Port Shepstone (May 2004)
Group of women	Shoboshobane (May 2004)

MTUBATUBA

Tour operator	St Lucia (June 2004)
Mr Swart, Mayor	Mtubatuba Local Government (October 2004)
Councilor Jamacia Mbatha, Deputy Mayor	Mtubatuba Local Government (October 2004)
Councilor Dos Santos	Mtubatuba Local Government (October 2004)
Councilor Gumede	Mtubatuba Local Government (October 2004)
Local government worker	Mtubatuba Local Government (November 2004)
Private security operator	Mtubatuba (November 2004)
ANC youth	KwaMsane (October, 2004)
Chris Msibi	KwaMsane (November 2004)
Alicia Willams	KwaMsane (November 2004)
IFP women	Kwamsane (November 2004)
Councilor Kloppers CPF member and councilor	Mtubatuba (October, 2004)
Youth representative	Khula Village (November 2004)
Group of women residents	Khula Village (November 2004)
Mr Gumede	Khula Village (November 2004)
Businessman	Mtubatuba (November 2004)
Taxi operator	Mtubatuba (November 2004)
Social worker	KwaMsane (November 2004)
Conservation official	St Lucia (October 2004)
Youth member	Dukuduku (November 2004)
Group of women residents	Dukuduku (November 2004)
Lucky Mnguni	KwaMsane (November 2004)