In SERI’s Community Practice Notes we document the socio-economic struggles of community-based organisations in different settlement contexts in South Africa.

3

Thembelihle: Engaging an Unresponsive State
Informal Settlement Series

SERI’s first community practice notes are a series on informal settlement struggles for development, in which we examine how community-based organisations (CBOs) in four informal settlements in South Africa have organised and mobilised for development, particularly around the in situ upgrading of informal settlements.

The series examines the strategies and tactics of CBOs in four informal settlements located in Ekurhuleni Metropolitan Municipality (Gauteng), Mahikeng Local Municipality (North West) and the City of Johannesburg (Gauteng). The four CBOs profiled are: Makause Community Development Forum (Macodefo), Rooigrond Committee, Thembelihle Crisis Committee (TCC) and Slovo Park Community Development Forum (SPCDF).

The series documents and analyses the relationship between evictions, development, community organisation and mobilisation, local politics, protest and the use of courts.

Thembelihle: Engaging an Unresponsive State is the third community practice note in the series. The other three are: Makause: Resisting Relocation on the East Rand; Rooigrond: Community Struggle in the North West; and Slovo Park: Twenty Years of Broken Promises.

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Thembelihle: Engaging an Unresponsive State

*Thembelihle: Engaging an Unresponsive State* is the third in SERI’s Informal Settlement Series of community practice notes.

It provides a brief background to the Thembelihle informal settlement; summarises the key events in the struggle to resist relocation and promote *in situ* upgrading; and examines the strategies and tactics of the local community structure, the Thembelihle Crisis Committee (TCC).

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Thembelihle informal settlement is located to the south-west of Johannesburg in the suburb of Lenasia, within the City of Johannesburg. The settlement was established on municipal-owned land in the mid-1980s by rural migrants and employees of a brick manufacturing company. At the time, residents were granted permission to reside at the settlement by the government and were given materials to construct informal dwellings. Some residents have lived at the settlement for over 20 years. Currently between 7 000 and 8 000 households reside at the settlement. Thembelihle is partially regularised and serviced and very densely populated. Although it is located far from the economic opportunities of the urban hub of Johannesburg, residents are able to leverage some of the economic benefits offered by the suburb and light industrial area of Lenasia. Much of the settlement is located on dolomitic land, which exhibits geotechnical concerns relating to the formation of sinkholes making development potentially risky and expensive.
Key Events

The following figure summarises the key events in the struggle to resist eviction and push for development at Thembelihle informal settlement.

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>1992, 1998</td>
<td>The municipality conducts geological surveys of the area and discovers dolomite.</td>
</tr>
<tr>
<td>2002</td>
<td>The municipality declares the settlement unsuitable for habitation and takes the decision to relocate the community.</td>
</tr>
<tr>
<td>2005</td>
<td>Municipality agrees to investigate the feasibility of in situ upgrading, but reneges on this promise.</td>
</tr>
<tr>
<td>2006</td>
<td>TCC, through Operation Khanyisa Movement (OKM) contests local government elections for the first time.</td>
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<tr>
<td>2011</td>
<td>Thembelihle residents embark on a disruptive week-long protest. TCC leaders arrested.</td>
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<tr>
<td>2001</td>
<td>Residents form the Thembelihle Crisis Committee (TCC).</td>
</tr>
<tr>
<td>2003</td>
<td>Municipality seeks an eviction order. Residents resist and the case is dropped.</td>
</tr>
<tr>
<td>2007</td>
<td>TCC holds a mass meeting to present a memorandum to the ward councillor. With no response, the community stages a protest.</td>
</tr>
<tr>
<td>2012</td>
<td>Municipality undertakes to conduct a new geological study. A TCC member wins a ward committee seat.</td>
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Figure 2: Thembelihle summary timeline
TIMELINE OF EVENTS

1980s

1992

MAY

The municipality commissions a geotechnical survey of the settlement, supposedly to investigate the feasibility of in situ upgrading. According to the municipality, the survey reveals that much of Thembelihle is located on dolomitic land of various risk categorisations.3

1992

JUNE

The municipality commissions a second geotechnical report, 4 which substantially confirms the findings of the 1992 report.5

1980s

Thembelihle informal settlement is established by rural migrants and employees of a brick manufacturing company. The initial occupiers are granted permission to occupy the settlement by the government at the time and are given material to construct informal dwellings.1

Despite this, many residents remain unable to access a range of basic services.

The settlement is regularised as a transit area in terms of the Prevention of Illegal Squatting Act 52 of 1951. This means that residential stands can be marked out and numbered, and that some water, electricity and telephone services can be installed.2

1992

MARCH

The Thembelihle Crisis Committee (TCC), a membership-based CBO focused on promoting socio-economic development at the settlement, is formed. The TCC initially attempts to get the municipality to electrify the settlement, and becomes aware of the dolomite issue and plans to relocate residents through its initial engagements with City Power over electrification of the settlement.

On the basis of the geological reports, the municipality declares Thembelihle “unsuitable for human habitation” due to the presence of dolomite. The municipality formally informs the community that they will be relocated to the comparatively poorly serviced area of Vlakfontein, located 8km away on the periphery of the municipal area.

The TCC leadership attempts to re-negotiate the City’s decision using a mixture of formal and informal tactics. While some residents agree to relocate, “tired of the City’s decade-long intransigence over proclamation and attracted by the lure of better services in the relocated settlements”, the TCC and other residents resist the relocation. They question the reliability, accuracy and interpretation of the geological reports and raise concerns about whether the surveys were sufficiently comprehensive, as both reports were based on an insufficient number of exploratory drilling holes. The community and TCC request that the municipality undertake a further comprehensive geotechnical study to properly assess the dolomite threat.

Despite attempts by the TCC to engage the municipality, the latter sends security personnel from the Red Ants to demolish dwellings at the settlement and forcibly relocate households to Vlakfontein. 647 households are relocated. In response, a group of residents gather in protest of the relocations and violence erupts between the Red Ants and community members. The residents get a temporary reprieve from relocation.

In April the City of Johannesburg approaches the High Court for an urgent application to evict all the Thembelihle residents and relocate them to Vlakfontein or Lehae. The municipality claims that the presence of dolomite poses an imminent threat to the safety of those in the informal settlement.

The community, represented by a pro bono lawyer from Webber Wentzel Bowens, oppose the eviction application. They argue that the relocation would be prejudicial as it would mean that residents would be further from the livelihood opportunities of Lenasia and have access to fewer social amenities. The community also argues that the informal settlement is capable of being upgraded in situ. In support of these arguments, the community’s legal representatives consult with experts to verify the findings of the geotechnical reports on Thembelihle.

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6 M Clark “An Anatomy of Dissent and Repression: The Criminal Justice System and the 2011 Thembelihle Protest” (2014) 14-15. This interpretation of the geological reports has been brought into question by COHRE and Marie Huchzermeyer, who suggest that large areas of the settlement are suitable for medium to high density residential development if certain water management precautions are taken. See COHRE “Any Room for the Poor?” (2005) 89-90; Huchzermeyer “The struggle for in situ upgrading of informal settlements” (2009) 59-73.
8 M Mabaso “Geotechnical report insufficient to remove residents” LookLocal (29 June 2012).
10 City of Johannesburg “Peace settling in Thembelihle” press release (3 March 2010).
11 City of Johannesburg v Occupiers of Thembelihle Informal Settlement, South Gauteng High Court, 03/10106. Answering Affidavit.
The report commissioned by the community’s lawyer, based on the previous geological surveys done in 1992 and 1998, finds that large portions of Thembelihle remain upgradable if certain water precaution measures are adopted. The report finds that much of the settlement is suitable for medium- to high-density residential development and suggests that a more comprehensive survey of the Thembelihle area should be conducted. After a number of months in which it neither responds to the report nor takes any further steps to obtain an eviction order, the municipality drops the case.

In 2004 the TCC begins working with the Centre for Applied Legal Studies (CALS) to help learners gain entrance to schools in Lenasia. The TCC accuses the schools’ administration of denying access to Thembelihle learners as a result of racism. The TCC also begins working closely with local schools to ensure that learners are admitted to and continue to attend school.

In a surprise about-turn the municipality gives the community an undertaking that it will investigate the feasibility of in situ upgrading at the settlement pending a new geotechnical study of the area. However, despite its undertaking, the municipality’s official position remains that the community should be relocated to Lehae, an area located 2km from Thembelihle with no schools, clinic, community centre, shops or public transportation. The municipality further refuses to fund the new geotechnical survey, arguing that the Thembelihle community should pay for it. The TCC rejects this position, maintaining that the municipality should bear the costs of development.

The TCC and other CBOs form the Operation Khanyisa Movement (OKM), a socialist movement supporting independent candidates in local government elections in parts of Johannesburg, including Thembelihle and Soweto.

TCC’s spokesperson Bhayi Bhayi “Bhayiza” Miya stands as the OKM ward candidate for Thembelihle during the 2006 local government election. The position is won by the African National Congress (ANC) candidate Dan Bovu (now MMC for Housing in the City of Johannesburg).

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15 TCC “Focus group interview” (21 July 2012).
17 Tselapedi and Dugard “Reclaiming Power” (2013) 60.
18 See N Pingo “Institutionalisation of a Social Movement: The Case of Thembelihle, the Thembelihle Crisis Committee and the Operation Khanyisa Movement and the Use of the Brick, the Ballot and the Voice” Research Report submitted for MSc in Development and Planning, University of Witwatersrand (May 2013).
2007

**JULY - AUGUST**

On 8 July the Thembelihle community holds a mass meeting demanding a report from the municipality in relation to the provision of housing and electricity at the settlement. There is no response from the ward councillor or the municipality.

As a result, the community stages a peaceful protest march to the municipal offices to meet with the City Manager and to bring previous memoranda to the attention of municipal officials. However, the City Manager refuses to receive their memorandum, following which they decide to stage a blockade so that the Mayor would come to address their grievances. The demonstration continues late into the night and is eventually dispersed by police officers. Many community members are injured and 17 protestors (many of whom are members of the TCC) are arrested on charges of public violence. On 14 August, after various court appearances and two postponements, the charges against all protestors are withdrawn.

19 Anti-Privatisation Forum (APF) “Charges against Boiketlong and Thembelihle activists dropped” press release (16 August 2007).
20 Ibid.
22 T Ngwane and N Vilakazi “Social Movement Responses to Xenophobia: A Case Study of the Soweto Electricity Crisis Committee, the Anti-Privatization Forum and the Coalition against Xenophobia” Centre for Sociological Research (2011).
23 APF “Gauteng landless communities march against evictions” press release (29 October 2008).

2008

**JANUARY**

The City of Johannesburg mayoral committee takes a resolution that the settlement should not be developed into a formal housing project due to the high risks associated with dolomite; however states that “if any party is able or willing to fund credible studies to verify the suitability or otherwise of the property for housing, such party may approach the City for permission to conduct such a study at their own costs.” The Thembelihle community applies to the High Court to have the 2008 resolution by the mayoral committee reviewed in terms of the Promotion of Administrative Justice Act 3 of 2000 (PAJA).

**MAY**

Xenophobic violence breaks out across Gauteng. A local trader is attacked at Thembelihle and the TCC responds to prevent similar attacks at the settlement by organising a mass meeting with the community to condemn attacks. The TCC also organises a soccer match between foreign nationals and locals as a gesture of good faith and organises street patrols to protect foreign nationals.

**OCTOBER**

The TCC and a number of other CBOs march under the banner of the Anti-Privatisation Forum (APF), demanding a moratorium on evictions.
2009

**MARCH**
The High Court dismisses the review application brought by the Thembelihle residents. The judgment states that the prior reports conducted at the settlement appeared to concur that development at Thembelihle would entail a significant cost, a high risk to the community, and the need to educate residents on an ongoing basis. The judge did acknowledge that "the seemingly uncaring attitude of the authority to deal with and finalize matters has resulted in the inhabitants feeling that they are discarded and have been thrown away and forgotten about." The judgment effectively brings an end to legal attempts to promote in situ upgrading of the settlement.


26 City of Johannesburg “Letter to the TCC: Various services delivery issues, J Water, City Power by the people of Thembelihle” (8 March 2011).

27 A PR councillor is elected through a party list and is therefore primarily accountable to the political party they represent. The PR system gives parties that are relatively popular, but not strong enough to win seats, a chance to take part in local government.

28 Johannesburg Water is a water utility company wholly owned by the City of Johannesburg.


2011

**FEBRUARY**
The Thembelihle community however continues to push the upgrading agenda. In February, residents gather at the municipal offices to hand over a petition containing a number of grievances. A month later, the Office of the Speaker of the City Council acknowledges receipt of the petition in a letter to the TCC. In the letter, the Speaker states that she instructed "the administration to provide the TCC and the community with monthly updates until the petition is declared closed by the Petitions and Public Participation Committee". However, despite this undertaking, the municipality fails to provide these monthly updates to the community.

**MARCH - MAY**
In March and April, the months leading up to the 2011 local government election, the TCC garners support for Miya who is standing as an OKM ward candidate. On 18 May the local government election is held and Janice Ndarala, the ANC candidate, is elected as ward councillor. Miya does not gain a seat, but Simphiwe Zwane, a TCC member, is elected as the OKM proportional representation (PR) councillor.

**JUNE**
A meeting is scheduled between the TCC, Johannesburg Water, the ward councillor, a contractor from Limpopo and the police to discuss the installation of sanitation services in the area. According to the TCC, this meeting fails to materialise, and residents embark on a protest. The ward councillor claims that the meeting did take place at a later date.
On 22 August, frustrated by the continued delay in addressing their grievances, Thembelihle residents embark on a protest march to the municipal offices to hand over a memorandum to the ward councillor. According to the TCC the memorandum consists of a list of issues from the community and represents a participatory mandate for the councillor’s tenure. The memorandum underscores the community’s challenges in accessing adequate water, electricity, sewage and public lighting, and requests investigation into possible corruption in the allocation of state-subsidised housing. In particular, the memorandum criticises the fact that many households do not have access to basic sanitation services, including Ventilated Improved Pit (VIP) latrines.

A week later the municipality acknowledges receipt of the memorandum, however does not respond to the grievances raised. A day later, the TCC criticises the municipality for not taking the community seriously and states that because the municipality failed to keep them updated on previous petitions – as the municipality promised in February 2011 – the TCC has “lost confidence in the petitions committee, the City structures, Region G administration and the Office of the Speaker”.

On 5 September amid rising frustration with the municipality Thembelihle residents embark on a large-scale protest at the settlement, which lasts a week. The South African Police Service (SAPS) respond with a severe clamp down on protestors, firing at protestors with rubber bullets and making multiple arrests. However, they struggle to maintain control in the settlement.

The police allege that the TCC, including Miya and Zwane, are the “ring leaders” of the protest and are responsible for the violence. However the police later acknowledge that Miya is instrumental in subduing the violence at various points throughout the protest.

On 6 September, concerned about the number of sustained protests involving various poor urban communities in the province, Gauteng MEC for Local Government and Housing Humphrey Mnemezi addresses the Thembelihle community. He states that water and electricity could not be installed at the settlement as a result of the presence of dolomite and that the community would be relocated to Vlakfontein and Lehae. Residents are unsatisfied with these pronouncements and continue their protest. Later, the MEC is heard on a local radio station, stating that authorities would “deal” with protestors.

On 7 September, 13 protestors (including three minors) appear in the Protea Regional Court facing criminal prosecution on charges of public violence and malicious damage to property. The charges are all connected to their participation in the protest. The protestors are represented by the Socio-Economic Rights Institute of South

TCC “Focus group interview” (21 July 2012).
31 TCC “Follow up memorandum of grievances and demands from the community of Thembelihle” (August 2011).
33 For a comprehensive overview of this protest and subsequent use of the criminal justice system, see Clark “An Anatomy of Dissent and Repression” (2014).
34 Ibid 21-38.
36 P Tau “Arrested man said to be peaceful protester” The Star (15 September 2011).
37 LookLocal “Thembelihle riots continue” (6 September 2011).
38 TCC “Focus group interview” (21 July 2012).
Africa (SERI). The prosecution requests a postponement to prepare a case against the protestors and rectify incomplete charge sheets.

On 8 September 50 protestors converge on the Protea Regional Court in solidarity with those arrested and in defiance of the police’s refusal to grant them ‘permission’ to protest. A number of residents are subsequently arrested outside the court.40

OCTOBER
Miya, represented by SERI, appears in court on multiple occasions before the High Court finally orders his release on bail on 20 October. By this time, Miya has been in detention for over a month.42 His criminal case is consolidated with the criminal prosecution of the 13 other residents arrested during the September protest.

2012

APRIL
On 10 April, after having been afforded nine postponements over a period of seven months to prepare for its case against the Thembelihle protestors, the prosecution requests another postponement claiming that it remained unable to proceed with the case due to incomplete charge sheets.43 The protestors’ legal representatives oppose this request, claiming that the unreasonable delay in prosecution has caused the accused residents emotional, financial and educational harm. The Magistrate strikes the case from the roll stating that it is unreasonable to expect the accused to keep coming to court for no reason as the state was unable to provide any particulars of the charges against them.44

AUGUST
The matter against the 14 Thembelihle protestors is re-enrolled by the state and the trial is set down for 6 August. On this date, the case is again struck from the roll as the prosecution failed to serve most of the accused with summons informing them to appear in court.45

SEPTEMBER
In September the TCC, together with the Informal Settlement Network (ISN) and a number of other informal settlement communities,46 participates in a protest march to present a memorandum to Gauteng Premier Nomvula Mokonyane.

On 13 September Miya is arrested on charges of public violence, intimidation, malicious damage to property and arson. Although the police have virtually no substantial evidence against him, the prosecution opposes his release on bail. They claim that if he were released he would evade his trial or jeopardise the proper functioning of the criminal justice system.41 The prosecution singles Miya out as all the other protesting community members are granted bail.

40 K Sibanda “ISN action plan for Thembelihle residents after bloody service delivery protests” (9 September 2011).
42 For more on this case, see http://www.seri-sa.org/index.php/litigation-9/cases/19-litigation/case-entries/95-state-v-bhayi-bhayi-miya
46 ISN is a “bottom-up agglomeration of the settlement-level and national-level organisations of the urban poor” in South Africa. See http://sasdialliance.org.za/about/isn

41
**OCTOBER**
As a result of the memorandum, the municipality agrees to conduct a new comprehensive geotechnical study of the Thembelihle area and to establish a technical team of geologists and legal representatives to monitor the study. The municipality also agrees to bear the costs of the study. However, despite these undertakings, the municipality continues to drag its feet in implementing the study.

**NOVEMBER**
Leaders of the TCC participate in the ward committee election and Miya is elected onto the committee.

The South African Bureau of Standards (SABS) publishes the new SANS-1936 standards for the development of dolomite land, which potentially allow more scope for residential development on dolomitic land. The TCC attempts to get the municipality to re-engage the dolomite issue in terms of the new standards.

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Over the past decade the TCC has utilised a range of formal and informal tactics to resist relocation, upgrade Thembelihle *in situ* and engage with the state. From attempts to electrify the settlement, “fight evictions, assist local learners to access schools in Lenasia and contest local government elections, to grappling with the burning issue of dolomite and relocation, the TCC has constantly shifted and mixed tactics and strategies according to perceived political realities.” The threat of eviction in 2002 played an important role in the mobilisation of the community, and the sustained momentum of the TCC. While the lack of access to electricity services at the settlement was initially the burning issue for the community in 2001, resisting relocation from the settlement cemented the TCC over time.

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49 Ibid 62.
50 Ibid 58.
The TCC has a long history of formal engagement with local and provincial government through more traditional participatory mechanisms – petitions, memoranda, and formal meetings with officials. However, these mechanisms have rarely led to positive change at the settlement. While not always succeeding in their demands, the TCC has over the years consolidated its leadership and established partnerships and networks with like-minded organisations, CBOs and social movements, including the APF and ISN. The TCC has also worked with NGOs to further socio-economic development, for example their work with CALS and Planact, and have partnered with a number of public interest lawyers, including Webber Wentzel Bowens and SERI, when faced with eviction or being caught up in the criminal justice system.

Perhaps most significant is the TCC’s decision to become involved in formal politics, through its affiliation to OKM and the fielding of candidates in the 2006 and 2011 local government elections. This move seems unorthodox for the vast majority of social movements and CBOs, who usually engage government through more informal or extra-institutional means. The TCC considered this decision as a new tactical frontier for the struggle and felt the time had come to resist relocation and further socio-economic development from both within and outside local government. This move was also partially motivated by a desire to more fully understand the machinery of local government in order to more effectively confront the challenges facing the Thembelihle community. Although the TCC, through the OKM, did not initially perform well in the 2006 local government election, the movement gathered strength and was able to win

52 TCC “Focus group interview” (21 July 2012).
53 Tselapedi and Dugard “Reclaiming Power” (2013) 60.
a PR councillor position in the 2011 election and a seat on the ward committee in 2012. This seems to suggest that the TCC is widely respected in the community and that their tactics and strategies resonate.  

When formal participatory mechanisms have proved unsuccessful over the years, the TCC has resorted to informal tactics and more direct means of engaging the state. These informal mechanisms include protests which have often been met with a severe clampdown by police, especially the week long protest in September 2011. The TCC has made a number of significant gains through their protest action, including engagements with provincial government and undertakings to investigate the feasibility of in situ upgrading at the settlement. However, these gains come at a price. Some of these protests have also been highly disruptive and have included elements of violence. During protests, the community is often subject to severe police repression and occasional brutality. Local activists are often targeted by police and harassed or intimidated through the criminal justice system. Although the community claims to have a generally good relationship with police, it seems that this relationship breaks down during protests, when police are often left to treat the legitimate expression of popular dissent as a series of criminal actions that need to be dealt with. For this reason, the TCC views the police as “instrumental to the widening and narrowing of democratic space”.  

The persecution of TCC activists in the wake of the protest in September 2011 has also illustrated how the state is increasingly employing the criminal justice system in an attempt to silence dissent. In fact, events at Thembelihle raise several concerns about how

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54 Ibid 62.
government responds to local protests. The state has blurred the line between protests and criminal activity, enabling it to label protests illegal and allowing the police to react with increasing brutality. Miya’s arrest and bail proceedings indicate that local community leaders are specifically targeted for arrest and criminal prosecution. Charges are often brought against protestors on little or no substantiated evidence, and proceedings are unreasonably delayed to prolong detention and intimidate activists. The criminal justice system is not so much used for genuine prosecution of crimes, but for the deterrence and suppression of popular dissent:

The state’s endless foot-dragging in this case is clear evidence that this prosecution was brought, not to punish crime, but to stifle legitimate community protest in Thembelihle. The prosecution, and the way it has pursued, is yet another example of the abuse of the criminal justice system in aid of silencing the real and legitimate grievances of people living in informal settlement communities.56

By the end of 2012, the TCC had become adept at operating in both formal and informal political arenas in order to push its demands and objectives. The TCC’s longstanding struggle for in situ informal settlement upgrading at Thembelihle “can also be seen as a struggle to be considered as equal citizens who are consulted about development in their area”.57 As a result of these protests, the municipality agreed to conduct a new and comprehensive geo-technical study and to establish a multi-party technical team of geologists and lawyers to monitor the study. It also finally agreed to pay the costs of a more comprehensive geo-technical study of Thembelihle. However despite a promising start, as previously, the municipality currently appears to be dragging its feet over the implementation of this process.

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56 SERI “Magistrate strikes Thembelihle case from the roll” press release (11 April 2012).
Conclusion

This community practice note documents the Thembelihle community’s struggle against relocation and for the *in situ* upgrading of the settlement. It shows how settlement-level community organisation, such as constituted by the TCC, occurs “in a dynamic, flux environment where the struggle to upgrade and improve informal settlements is longstanding and complex, involving multiple strategies and tactics.”\(^{58}\) In this regard the Thembelihle community exemplifies the rising number of informal settlements that are being pressured into relocating due to technical issues such as the presence of dolomite.

The TCC and the Thembelihle community have therefore had to navigate not only political ambivalence but have also had to grapple with the complex, multi-faceted (and contested) technical issues that the municipality has utilised to justify their relocation and inability to upgrade the settlement *in situ*. This community practice note shows how the state uses technical issues as a way to exclude communities from decision-making processes. The TCC’s engagements underscore how community organisations attempt to understand these technical issues and participate in upgrading initiatives despite the complexity and barriers put in place.

This community practice note further highlights how the TCC has attempted to engage an increasingly unresponsive state over an extended period of time with little success. According to journalist Phillip de Wet, who covered the 2011 protest, “the unifying factor in Themb’elihle is frustration, and the root cause of that frustration is the sense that nobody is listening; memorandums of grievances go unanswered, politicians only arrive once the tyres are burning. The number one criticism of MEC Mmemezi’s failed attempt to calm the situation down on Tuesday was not his failure to comply with any demands, but the fact that he came and went without taking questions.”\(^{59}\) While the week-long protest in 2011 did result in the community’s issues being addressed to an extent, and was extensively covered by the media at the time, it resulted in drawn-out criminal cases for the TCC leaders arrested, illustrating how the criminal justice system is employed to silence legitimate expressions of dissent.

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\(^{58}\) Ibid 63.

\(^{59}\) P de Wet “Five Lessons from Themb’elihle” *Daily Maverick* (7 September 2011).
### Abbreviations and Acronyms

<table>
<thead>
<tr>
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<tr>
<td>ANC</td>
<td>African National Congress</td>
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<tr>
<td>APF</td>
<td>Anti-Privatisation Forum</td>
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<tr>
<td>CALS</td>
<td>Centre for Applied Legal Studies</td>
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<td>COHRE</td>
<td>Centre for Housing Rights and Evictions</td>
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<td>ISN</td>
<td>Informal Settlement Network</td>
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<tr>
<td>TCC</td>
<td>Thembelihle Crisis Committee</td>
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<tr>
<td>MEC</td>
<td>Member of Executive Council</td>
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<td>MMC</td>
<td>Member of the Mayoral Council</td>
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<tr>
<td>OKM</td>
<td>Operation Khanyisa Movement</td>
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<td>PAJA</td>
<td>Promotion of Administrative Justice Act 3 of 2000</td>
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<td>PR</td>
<td>Proportional Representation</td>
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<td>VIP</td>
<td>Ventilated Improved Pit Latrines</td>
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<tr>
<td>SABS</td>
<td>South African Bureau of Standards</td>
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<tr>
<td>SAPS</td>
<td>South African Police Service</td>
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<td>SERI</td>
<td>Socio-Economic Rights Institute of South Africa</td>
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• P Tau “Arrested man said to be peaceful protester” The Star (15 September 2011). http://www.iol.co.za/the-star/soweto/arrested-man-said-to-be-peaceful-protester-1.1137883

• TCC “Follow up memorandum of grievances and demands from the community of Thembelihle” (August 2011).

• TCC “Ward 08 – Acknowledgement of receipt of petition” press release (30 August 2011).


• Webber Wentzel Bowens “Public Interest and Gender Law Department and Corporate Social Responsibility Annual Report” (2006).