

Dictating the local balance of power

Election-related violence in South Africa

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The 2009 South African national election has come and gone and was generally regarded as having been a great success. Voter turnout was high and the event took place, virtually without exception, in an orderly and calm manner. Despite this, there were numerous incidents of election-related violence in the build-up to the elections, and a few in the immediate aftermath. The 2009 election therefore cannot be described as having been violence free. That being the case, how should we understand election-related violence in South Africa? Is political violence during election periods here to stay, and is it something that we need to concern ourselves about in relation to future elections?

Since 1994, every national and local election day in South Africa has proceeded in an orderly and peaceful manner. There is no doubt that the results of each of these elections broadly expressed the will of the South African people. Nevertheless, violence and intimidation continue to leave an imprint on the outcome of our elections. This article reflects on the violence in the lead-up to the 2009 election against the background of violence in previous elections. The article argues that election violence will continue to be a threat in future elections particularly if the election is seen to have the potential to bring about significant shifts in the political balance of power.

VIOLENCE BEFORE AND AFTER THE 2009 ELECTION

During the latter part of 2008 and early 2009 a number of clashes took place between supporters of rival political parties. Several clashes were reported between African National Congress (ANC) and Congress of the People (COPE) supporters in places like Duncan Village and Kou-

Kamma in the Eastern Cape, and in Verulam in KwaZulu-Natal. In most of these cases ANC supporters were accused of disrupting COPE meetings. There was also a report that COPE members had been attacked by ANC supporters in Winterveld in the North West province, but this was disputed by the ANC.¹ On Saturday 31 January a confrontation between ANC and Inkatha Freedom Party (IFP) members took place at the funeral of an assassinated pro-ANC traditional leader in the Nongoma area, while on the following day buses transporting ANC supporters to an election rally in the area were blockaded. These were just two of a number of incidents of political violence in the area on that weekend.

While media coverage indicates that violence peaked early on in the build-up to the election, it appears that it continued until late in the election campaign.² In a report for the month of March the Election Monitoring Network (EMN)³ reported that 'political parties continued to be involved in intolerant behaviour' which included disrupting

each other's meetings, defacing posters, and, in some cases, physical violence. The report indicates that, during March, there were six cases of these kinds of political intolerance in the Northern Cape, four in the Eastern Cape, and seven in KwaZulu-Natal. The EMN report also refers to instances where local disputes became politicised and consequently more acrimonious. For instance, in one incident in Khayelitsha, 'community patrollers requested a shebeen owner to close his shebeen because it was operating beyond the accepted times. The shebeen patrons then accused the patrollers of being supporters of a rival political party. This then led to an altercation in which a councillor took part in the demolition of the patroller's houses and evicted members of the rival party in this area'.⁴

In one clash between party supporters at Walter Sisulu University in the Eastern Cape, a student was killed. People were also injured in some of the other clashes around the country. The most serious violence, however, did not manifest during clashes between party supporters, but in the murder and attempted murder of individual political party leaders or supporters, usually by anonymous gunmen. These included the murder of ANC Youth League KZN chairperson, Sthembiso Cele, 27, who was shot on 2 January in Umgababa on the KwaZulu-Natal south coast, and the murder of high profile ANC member, Inkosi Mbongeleni Zondi, in Durban's Umlazi township on 29 January. As indicated above, Zondi's funeral in Nongoma on 31 January was the site of a confrontation between IFP and ANC members. On the same weekend there were other serious incidents in the area, including an attempt on the life of an ANC organiser and an attack on a car in which an ANC MP and others were travelling, with three of those in the car injured in the attack.⁵

A few weeks later, in mid-February, IFP organiser Ntokozo Malibongwe Zondi was gunned down in his car near Esikhawini. The EMN report indicates that there were four cases of murder, apparently related to the election, in March 2009 in Nongoma, Esikhawini, Gingindlovu (Eshowe) and Molweni, with a further two people being shot in

Nongoma. On the night of the election COPE leader Gerald Yona was killed after he, his wife and children were attacked by three men at their home in Motherwell in the Eastern Cape. Five days after the election, on 27 April, members of the ANC who were travelling in a motorcade and had stopped to fix a broken tyre were shot at in KwaZulu-Natal. Simisele Hlongwane was killed in the incident, with police reporting that six others had been injured. Other serious incidents of violence included the burning down of houses of COPE supporters in Parys in the Free State.⁶

ELECTION, POLITICAL AND CRIMINAL VIOLENCE

When the supporters of political parties openly clash with each other in the build-up to elections, it usually seems reasonable to label the violence as political and as election-related.

But in the case of apparently premeditated murders, attacks and acts of arson, committed by anonymous perpetrators, it is not so straightforward. In some cases incidents perceived to be election-related might be purely criminal, but labelled as political by media reports, based purely on the coincidence that the person was a political leader who was killed close to election time. Killings or attacks might also be related to the election or to political rivalry, but be linked to internal party rivalry as opposed to inter-party conflict. Even where acts of violence are clearly election-related, it does not always follow that they are purely politically motivated. A murder may be organised by political opponents but have little to do with the election. For instance, the killing of ANC Mpumalanga local councillor Jimmy Mohlala on 4 January was widely believed to be linked to the fact that he had 'blown the whistle' on alleged corruption in a 2010 construction project.⁷ As this case also suggests, there are instances in which criminal and political motives may intersect so that 'political violence' and 'criminal violence' cannot be understood as mutually exclusive categories.⁸

If a politician is killed at election time it is therefore not necessarily the case that the killing is

political, and even where it is political, not necessarily election-related. There is therefore a need for some caution to be exercised in analysing the topic of 'election-related violence'. It is probably appropriate to acknowledge that many of these kinds of acts are 'presumed election-related violence' but that there is an element of uncertainty. Certainly some of the murders took place in circumstances that strongly suggest a political motive. It may be reasonable to assume that most, and possibly all, of the killings discussed here were election-related. But at least until someone is convicted for the killing, it is necessary to acknowledge that an element of uncertainty as to the exact motive remains in relation to each one.

VIOLENCE AND PAST ELECTIONS

The levels of violence in the build-up to the 2009 election were of course much lower than those experienced in the build-up to South Africa's first democratic election on 27 April 1994. This took place in the immediate aftermath of the bloodiest period in recent South African history. In 1993, 3 794 people were killed in political violence, and this violence continued into 1994. This included the March 2004 Afrikaner Weerstandsbeweging invasion of the then Bophuthatswana capital, Mafeking, an event marked by the random killing of black civilians.

The most violent and persistent clashes, however, involved the ANC and IFP. These mainly took place in what is now KwaZulu-Natal, as well as the East Rand, which was also a major focal point of ANC-IFP conflict. The violence was fuelled by 'Third Force' elements of the South African security establishment who provided arms and military training to elements within the IFP. On 28 March 1994, 53 people were killed, many in the Johannesburg city centre, in a day of confrontation between the IFP and ANC. The build-up to election day continued in an atmosphere of enormous political tension and uncertainty. This was finally defused on 19 April, eight days before the election, when the IFP announced that it would participate in the election.

The entry of the IFP into the election race allowed the election to go ahead in an atmosphere of relative normality. One thing that is often glossed over is that large parts of KwaZulu-Natal remained effective no-go areas right up to election day. ANC-IFP conflict continued well beyond that point. Though there was a decline in political violence relative to the pre-election period, large numbers of deaths from political violence continued to be recorded, most of them in KwaZulu-Natal.¹⁰ Fortunately a peace process was established to bring an end to political violence in the province,¹¹ and the level of political violence was steadily reduced. But as shown by this year's election, violence continues to be a feature of political conflict between the ANC and IFP to this day.

By comparison with 1994, the June 1999 election was much more peaceful. Again, the most prominent flashpoint for political violence was KwaZulu-Natal, but in a reflection of the impact of the peace process the build-up to the election was not marred by large-scale ANC-IFP conflict. In so far as violence was a feature of the pre-election period the most prominent incidents involved conflict between the ANC and a new political party, the United Democratic Movement (UDM), concentrated in the Richmond area in KwaZulu-Natal. The violence started well before the elections. In late 1998 South African National Defence Force (SANDF) troops were deployed to the area and a specialised unit of detectives and prosecutors was established to investigate political violence, in a move that was intended to put an end to the conflict.¹²

Richmond however exploded into violence again in January 1999 when local strongman and former ANC leader, Sifiso Nkabinde, who had defected to the UDM, was gunned down. The following day 11 more people in a nearby village were killed after gunmen attacked homesteads believed to belong to ANC supporters. On the same weekend gunmen in the nearby Ndaleni area attacked a convoy of ANC vehicles.¹³ Despite several other incidents of violence and a continuing problem of intimidation, no violence anywhere near this scale was reported in KwaZulu-Natal after this point,

though in early March 1999 violence between the ANC and UDM in Nyanga and KTC in Cape Town claimed five lives.¹⁴

In 2004 political violence barely featured, if at all, in media coverage of the election. Two years later, in the build-up to the local government election on 1 March 2006, protests against the incorporation of Khutsong into North West province flared into violence in the town. By election day, violence in the area had been largely brought under control, though those protesting against incorporation succeeded in preventing voters from turning out, with only about 300 of the 30 000 registered voters casting their votes. Notwithstanding a strong police presence in Khutsong on election day, many residents were afraid that if they cast their ballots they would be harmed, after the election, by opponents of incorporation.¹⁵ Apart from Khutsong, violence and intimidation did not feature in election coverage.

CAUSES OF ELECTION VIOLENCE

By comparison to the 2004 national and 2006 local elections, this year's election was considerably more violent. The reason for this appears quite simple. The 2004 and 2006 elections were in many ways merely a confirmation of the then existing post-1994 status quo with Thabo Mbeki as then ANC leader appearing to be firmly in control. By contrast, the 2009 election was distinguished by two major factors, which contributed to far greater political dynamism and turbulence.

The first of these factors was the emergence of COPE as an opposition party. COPE was a product of years of intense conflict within the ANC and its leadership included a number of former ANC leaders who had recently broken away. The rivalry between the ANC and COPE has been shaped by the deep bitterness and hostility related to this conflict. In addition, COPE attempted to position itself as a serious challenger to the ANC's position of dominance in South African politics and tried to compete with the ANC in several wards where the ANC believed

that its control was virtually guaranteed.

The second factor, obviously closely related to the first, was the dramatically changed political situation in KwaZulu-Natal, related to the symbolic impact of the election of Jacob Zuma as national political leader of the ANC. Until the 2009 election the IFP held a position of relative strength in the province. Although it no longer controlled the provincial government, the number of seats held by the IFP was not far short of the number held by the ANC. However, political loyalties in South Africa, not least of all in KwaZulu-Natal, continue to be strongly shaped by racial and ethnic identities. Zuma is a charismatic politician who identifies himself with traditional Zulu cultural practice and who ordinary people appear to identify with. His ascendancy to leadership of the ANC would have been seen by many IFP supporters to threaten the still strong power base of the IFP within the province. That this was indeed the case was confirmed by the 2009 election results. Compared to 2004 the ANC improved its provincial position by 16 percentage points, winning 63 per cent of the vote in the province. The IFP lost more than 14 percentage points, ending with 22 per cent of the vote.

While election-related violence can be analysed in terms of national and provincial level power struggles between the key political parties, it should however be clarified that the evidence suggests that the violence that did take place cannot be linked to the senior leaders of the political parties, whether at national or provincial level. While rivalry between political parties, particularly in the early days of the campaign, was sometimes expressed in acrimonious language that may have fed into some of the incidents of violence, the violence that did take place cannot be seen to have been orchestrated by senior party leaders. In so far as it was orchestrated the people who would mainly be implicated would most likely be leaders at local level. Furthermore, these local leaders were often motivated by the concern to ensure access to resources, and service patronage networks, rather than by questions of policy and ideology. The overlap between 'political' and 'criminal' violence referred to above is therefore likely to have been a factor in many cases.

Along with local level leaders, rank and file supporters of political parties also seem to have been a driver of violence in some areas. Along with a culture of political intolerance, political violence may therefore also be understood as a manifestation of a broader culture of violence in South Africa, in which violence is seen as a way to address conflict and assert interests.

The example of Nongoma

One of the areas that features most prominently in reports of ongoing political violence in South Africa is the Nongoma area. Far from being isolated incidents, the clashes and killings in the area in the build-up to the 2009 election form part of a continuing story of violent political rivalry there.

In mid-2000, for instance, the highly partisan local police failed to intervene, and were even implicated, in a series of politically related killings in the area. The failures of the local SAPS led to national intervention that included amongst others the deployment of investigative units from outside the area to investigate some of the more high-profile murders. Although these interventions gave rise to allegations of SAPS favouritism towards the ANC, the investigations resulted in the trial of six ANC members for the killing of an IFP-aligned mayor, who had been one of the key protagonists in the conflict.¹⁶ Another incident in the area took place in October 2004 when a crowd of IFP supporters disrupted an imbizo that was to have been addressed by ANC MECs.

Notwithstanding the possibility that ANC members have been involved in acts of violence in the area, the key driver of violence appears to be the fact that the area, which borders on Ulundi where the IFP headquarters are located, is part of the IFP's political heartland. Attempts by the ANC to mobilise political support in the area are apparently seen, at least by some IFP members and supporters, as threatening the vested interests associated with local IFP political dominance.¹⁷

Political intolerance

The persistence of political violence in Nongoma is one example that indicates that there are still no-go areas in South Africa, where people are denied the right to freedom of association and expression. But if in Nongoma the principal victim of political intolerance appears to have been the ANC this does not mean that the ANC itself is always innocent of political intolerance. For instance, ANC dominance in the Richmond area in KwaZulu-Natal was established at the cost of many lives, with Richmond and the Midlands area also being a major IFP-ANC battleground in the 1980s and early 1990s. The death of Nkabinde in 1999 appears to have heralded the decisive ascendancy of the ANC in the area.¹⁸ Examining the issue of political intolerance in KwaZulu-Natal should involve examining to what extent such a problem exists in areas like Richmond, as much as in areas like Nongoma.

Continuing the focus on KwaZulu-Natal, it is also important to acknowledge that not only the IFP and ANC may be affected by political intolerance in the province. For instance, since ethnicity continues to be a powerful factor in the province, and both the ANC and IFP were able to mobilise support on the basis of Zulu identity, it may have seemed to other political parties, such as COPE, that efforts to mobilise support in the province would be largely wasted. But this 'strategic choice' may have masked another factor – the fear of those parties that active campaigning in KwaZulu-Natal would provoke a violent response.¹⁹ The absence of violence is therefore in itself not sufficient to demonstrate that a culture of political tolerance prevails. Such a culture can only be said to fully exist if all political parties feel free to canvas for support in all areas without any fear of harm.

CONCLUSION

It would not be true to say that the 2009 election was overshadowed by violence. The 2009 election, like those before it, can in many ways be seen as having been a great success. In this respect it

reflected the cumulative impact over time of several factors, including the intensive work that has been put into establishing peace in troubled areas of South Africa, and the commitment of the vast majority of politicians from all political parties to work within the democratic framework. In addition, the Independent Electoral Commission (IEC) has played an important role in motivating adherence to the Electoral Act and its attached code of conduct.²⁰ The SAPS also appears to have contributed to the fact that political violence is a relatively limited part of the problem of violence in South Africa.²¹

Nevertheless, the 2009 election was not violence-free. On one level the violence that did occur was a manifestation of a residual problem of ongoing political intolerance that is most strongly concentrated in some areas. It is also the case that political violence can be linked to local competition over resources. The fact that corruption remains a feature of political life in South Africa implies that 'criminally related' acts of political violence, such as political killings, will continue to be a risk until there is a more robust response to the problem of corruption. Finally, the emergence of COPE and the ascendancy to power of Jacob Zuma within the ANC, threatened, or appeared to some to threaten, the established political status quo.

This raises the question of whether political violence is to be expected in South Africa's next general election in 2014. As is reflected by the contrast between the 2004 and 2009 elections, levels of political violence appear to be partly related to whether the election holds out the prospect of a shift in the balance of power between rival political forces. The lesson of 2009 is that if there is the potential for such a shift, South Africa will again face the prospect of election-related violence in the build-up to 2014. Despite the impression that violence and intimidation were not a significant feature of the 2009 election, it still cannot be said that the rights to free political activity have been fully established in South Africa. Along with the problem of corrupt local level politicians, problems of political intolerance and no-go areas

need to be more decisively addressed in order to consolidate the rights of South Africans to free political activity.



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NOTES

- 1 Lekota must stop urinating on ANC, *IOL*, 14 November 2008. Available at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20081114153848175C319607/ (accessed 14 May 2009); ANC supporters injure COPE members, *IOL*, 1 February 2009. Available at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090201092611700C506121 (accessed 14 April 2009); Members were attacked like dogs, *IOL*, 2 September 2009. Available at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090209053510545C586863 (accessed 14 May 2009); Cope in clash over venue for rally, *The Star*, 16 February 2009. Available at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090216055351202C130483 (accessed 14 May 2009).
- 2 Note that the incidents of violence referred to in this report are referred to in order to illustrate the nature of the problem of violence in the 2009 election. This is not intended as a comprehensive picture of the problem of violence and intimidation.
- 3 The Election Monitoring Network was a network of independent civil society organisations that began monitoring the run-up to the 2009 election in November 2008. Election Monitoring Network, Election Alert No. 2, March 2009. The report also identifies other alleged abuses of power intended to advantage one party over another such as the misuse of state funds.
- 4 Ibid. EMN reports do not identify political parties by name.
- 5 Another ANC KZN leader shot, *IOL*, 31 January 2009. Available at http://www.iol.co.za/index.php?art_id=nw200901311154343912C473824&click_id=13&set_id=1 (accessed 14 May 2009); Niren Tolsi, Echoes of bad old days, *Mail & Guardian*, 6 February 2009.
- 6 Dasen Thathiah, IFP organiser gunned down in his VW, *Daily News*, 17 February 2009. Available at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090217105705724C765558 (accessed 14 May 2009); Cope party official gunned down. Available at http://www.iol.co.za/index.php?set_id=1&click_id=3086&art_id=nw20090423060337371C908617 (accessed 14 May 2009); Wendy Jasson da Costa, Jeff Wicks & Gugu Mbonambi, Political violence erupts in KwaZulu-Natal, *The Star*, 28 April 2009; Election Monitoring Network, op cit: 5.
- 7 Arrests soon in Mohlala killing, police say. Available at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090106112200655C709741 (accessed 14 May 2009).

- 8 These labels apply when violence is classified in terms of the circumstances in which it takes place or motives of the killers. In law, of course, there is no distinction between the two. Irrespective of whether they are 'criminal' or 'political' they are prosecutable under criminal law.
- 9 P Waldmeyer, *Anatomy of a miracle*, London, Penguin Books 1997, 246-249.
- 10 The number of deaths in political violence in the 1994-1998 period (KwaZulu-Natal figures in brackets) was 1994: 2476 (1464); 1995: 1044 (684); 1996: 683 (347); 1997: 470 (226); 1998: 336 (250). South African Institute of Race Relations, 1999: 70-71.
- 11 See Injobo Nebandla, Freedom from strife: an assessment of efforts to build peace in KwaZulu-Natal, *Centre for the Study of Violence and Reconciliation* (2005).
- 12 Jonny Steinberg, Violence in Richmond is finally subdued, *Business Day*, 25 November 1998.
- 13 Pule Molebeledi and Sapa, Five held for Natal killings, *Business Day*, 25 January 1999.
- 14 Farouk Chotia and Pule Molebeledi, Security forces flood townships, *Business Day*, 10 March 1999.
- 15 D Bruce, G Newham and T Masuku, In service of the people's democracy: An assessment of the South African Police Service, *Centre for the Study of Violence and Reconciliation* and *Open Society Foundation for South Africa*, 2007, 33-34.
- 16 R Taylor, Justice denied: Political violence in KwaZulu-Natal after 1994, *Centre for the Study of Violence and Reconciliation*, 2002. The prosecution was ultimately unsuccessful and all six accused were acquitted.
- 17 The strength of IFP dominance in the area is reflected in the fact that in 2009 the IFP took 81.6 per cent of the vote in this area. Available at <http://www.elections.org.za/NPEPWStaticReports/reports/ReportParameters.aspx?catid=7>.
- 18 The ANC took almost 86% of the vote in the area in the 2009 elections with the IFP and Democratic Alliance each taking 4% of the vote and the UDM 3.3%. Available at <http://www.elections.org.za/NPEPWStaticReports/reports/ReportParameters.aspx?catid=7> (accessed 14 May 2009). For a more in depth account of efforts to address violence in the Richmond area see Injobo Nebandla, Confronting the legacy of weapons in Richmond, KwaZulu-Natal, *Centre for the Study of Violence and Reconciliation*, 2005.
- 19 This might have been a particularly strong consideration on the part of Cope partly due to the highly charged emotions in the province around Zuma and the fact that Cope was seen to be associated with former members of the ANC who were regarded as his bitterest political rivals. KwaZulu-Natal was the province where the party achieved its lowest electoral returns, receiving 1.3% of the vote, SAPA, Official provincial election results. Available at http://www.iol.co.za/general/news/newsprint.php?art_id=nw20090425154528306C894599, (accessed 14 May 2009).
- 20 Act 73 of 1998.
- 21 On the latter issue see Bruce, Newham and Masuku, op cit: 33-37.