

## **URBAN DWELLERS AND POLITICS:**

### **THE CASE OF OPERATION MURAMBATSVINA, HARARE, ZIMBABWE**

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## **OPERATION MURAMBATSVINA**

In May to July 2005, the Zimbabwean army and police destroyed numerous structures in a massive military-style 'clean-up operation', termed 'Operation Murambatsvina' (OM). OM started in the capital Harare on the 19<sup>th</sup> of May 2005. With little or no warning, 'illegal' vending sites, structures, other informal business premises and homes were bulldozed, smashed and/or burnt. People were forced to demolish their own houses, with the police beating some who offered resistance or who did not demolish their houses quickly enough. The operation targeted virtually every urban and peri-urban area in the

country.<sup>1</sup> Hundreds of thousands of people were rendered homeless and left without any viable form of livelihood, without access to food, water, sanitation, or health care. Education for thousands of school age children was disrupted. Many of the sick, including those with HIV/AIDS, lost access to care. Civil society and humanitarian agencies trying to reach affected people to protect and assist them were denied full access by the police. In those six weeks, the UN Envoy sent on a fact-finding mission estimated that 700 000 people were directly affected through loss of their homes and/or livelihoods and a further 2.4 million were indirectly affected.<sup>2</sup> The vast majority of those most affected were from the poor and disadvantaged segments of the population. They were left deeper in poverty, deprivation and destitution and rendered more vulnerable.<sup>3</sup> Colonial-era legislation was invoked as justification for OM.<sup>4</sup> Persons evicted were instructed to return to their ‘homes’ in Zimbabwe’s rural areas regardless of whether they were born and bred urbanites or second- or third-generation descendants of immigrants from Malawi and Mozambique.<sup>5</sup> The crackdown breached national and international laws on evictions and was widely condemned as a gross violation of human rights.<sup>6</sup> The

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<sup>1</sup> Page 17-19 of the ‘Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe Mrs. Anna Kajumulo Tibaijuka’ (UN Fact-finding Mission to Zimbabwe Report)

<sup>2</sup> Page 17-19 of the UN Fact-finding Mission to Zimbabwe Report

<sup>3</sup> as stated in the executive summary of the UN Fact-finding Mission to Zimbabwe Report

<sup>4</sup> a point noted by the UN Envoy

<sup>5</sup> Page 2 ‘Popular Reactions to State Repression: Operation Murambatsvina in Zimbabwe’ by Michael Bratton and Eldred Masunungure. page 17-19 of the UN Fact-finding Mission to Zimbabwe Report also notes that ‘people were told to return to their ‘rural origins’, but many simply did not have a rural home to go back to.’ Indeed, the rhetoric from a multitude of government officials that has accompanied this forced displacement, is that those who have lost their homes must ‘go back to rural areas where they came from’. When ZANU PF Members of Parliament were accused of having left people homeless by destroying their urban houses, a member of Cabinet denied this, saying:

It is common cause that the definition of an indigenous person is one who has a rural home allocated to him by virtue of being indigenous, and a home that one has acquired in an urban area because it has been bought or it has been allocated to him by the State. (Statement made in Parliament, 23 June 2005, by Phineas Chihota, Deputy Minister of Industry and International Trade)

On 2 June, Minister of State Security, Lands and Resettlement Didymus Mutasa told BBC World that ‘people must go back to their rural homes’. (BBC World, Focus on Africa, 8 pm, 2 June 2005) Officer Commanding Harare Senior Asst Comm Edmore Veterai is reported as saying: ‘There is no going back and we are going to pull down all the illegal structures. They must go back where they came from.’ (*The Chronicle*, 27 May 2005: ‘Operation Restore order intensifies’)

Harare City Council spokesperson Leslie Gwindi also commented; ‘All we are saying is that we want all the illegal structures removed. And we will not look for other places for them because how did they come to be where they are staying now?’ (*The Herald*, 26 May 2005: ‘Informal traders, police, clash’)

<sup>6</sup> Page 1 ‘Popular Reactions to State Repression: Operation Murambatsvina in Zimbabwe’ by Michael Bratton and Eldred Masunungure. Many compared the displacement of urban residents in OM to the rural areas with the antics of Cambodia’s former dictator Pol Pot, who forced masses to the countryside to

possibility of OM resulting in a charge of Crimes against Humanity under the Rome Statute – which prohibits the deportation and forcible transfer of populations<sup>7</sup> – was discussed in preliminary context; the Envoy believed that on the evidence, it would be a difficult charge to sustain.<sup>8</sup> Others would hold otherwise.<sup>9</sup>

## **THE POLITICS OF THE MATTER**

### **A Brief Background...**

Zimbabwe had been ruled by the same political party for 20 years before a real opposition emerged in 1999.<sup>10</sup> A then-fledgling opposition party, together with civil society handed government its first ever defeat by successfully mobilizing a vote against a Government-backed Draft Constitution in a referendum in February 2000.<sup>11</sup> The government responded by initiating the invasion of many white-owned farms and sparking off an orgy of violence against perceived political opponents in the run-up to June 2000 Parliamentary elections. Government accused the urban electorate of having had the temerity to ‘mislead’ the rural electorate into rejecting the Draft Constitution. During the June 2000 parliamentary elections process, ruling party activists barred urban

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disperse his opponents. (The Monitor in its commentary ‘Systematic Cleansing in Zimbabwe’; these points are also suggested by Chris Maroleng, ‘Zimbabwe: Increased securitisation of the state?’ Institute for Security Studies Situation Report, 7 September 2005 issue, page 1)

<sup>7</sup> defined in Article 7 as the forced displacement of persons from the area in which they are lawfully present, without any grounds permitted under international law, in the context of a widespread and systematic attack against civilians

<sup>8</sup> Page 64-65 of the UN Fact-finding Mission to Zimbabwe Report, although she strongly recommended at page 66 that the culprits who have caused OM be brought to book under Zimbabwean national laws.

<sup>9</sup> ‘Operation Murambatsvina: A Crime Against Humanity, An Independent Legal Opinion on whether the 2005 Operation Murambatsvina Forced Evictions constituted a crime against humanity under the Rome Statute’, May 2007, prepared by Martin Westgate, Barrister, Doughty Street Chambers with the substantial assistance of Oxford Pro Bono Publico Group, University of Oxford for the Centre on Housing Rights and Evictions and Zimbabwe Lawyers for Human Rights analysed further evidence and concluded that a charge could be sustained.

<sup>10</sup> the still-ruling Zimbabwe African National Union-Patriotic Front (Zanu PF) political party under still-President Robert Mugabe. The UN Fact-finding Mission to Zimbabwe Report noted that a combination of the political influence of current ruler Robert Mugabe, who commands much respect for his role in the struggle for independence against colonialism, and the inherited colonial administrative structures contribute to a heavily centralised governance system in Zimbabwe

<sup>11</sup> the opposition is the Movement for Democratic Change (MDC)

dwellers from visiting their rural folks until after the elections.<sup>12</sup> Although the ruling party eventually won the parliamentary elections, the elections were widely criticized as being neither free nor fair. This period saw increasing unemployment and political violence leading to widespread disenchantment with the Government. Towns and cities emerged as strongholds of opposition to the ruling party.<sup>13</sup> In three consecutive elections, Zimbabwe's urbanites have registered a strong vote against the current government. In the 2002 presidential elections, ruling party strategies employed included the limiting of polling booths in the urban areas while they were distributed with extreme generosity in rural areas, thus disenfranchising many urbanites with voters being turned away on the last day of voting. An opposition party court order extending the election period by a day was hardly complied with by the Registrar-General. Urban constituencies were reduced and rural constituencies increased during subsequent elections, where gerrymandering was rife.<sup>14</sup> For most of the last 10 years, the City of Harare has been run by government-appointed commissions rather than the elected mayors stipulated at law.<sup>15</sup> This ploy has also been used in other significant urban centres.<sup>16</sup>

### **Zimbabwe's Urbanites and the Politics of OM**

There is a view that the Zimbabwean government's national identity has become very much rooted in rural, traditional Zimbabwe.<sup>17</sup> Peter Kagwanja has said that the ruling party has long been anchored in 'the Beijing consensus,' which elevates peasantry as the

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<sup>12</sup> 'Onus is on Zanu PF, not MDC' National Agenda by Alois Masepe in *The Financial Gazette* 4 January 2004

<sup>13</sup> page 17-19 of the Report of the UN Fact-finding Mission to Zimbabwe Report

<sup>14</sup> This, for example, during the March 2005 Parliamentary elections created a majority rural constituency in Harare City – Harare South Constituency; it was the only Harare 'urban' constituency won by the ruling party. Urban constituencies were reduced

<sup>15</sup> the recent Local Government Laws Amendment Act has abolished these. Local authorities are now governed by central government appointees

<sup>16</sup> Mutare City, among others, continues to be under a Commission

<sup>17</sup> Brian Raftopoulos, "The Battle for the cities", in *Financial Gazette*, June 3, 2005, who states that the ruling party rhetoric sneers at the urbanite as 'totemless'. In a blatant example of this position, Deputy Minister of Industry and International Trade said in Parliament (in the Parliamentary Debates, 23 June 2005) on 23 June '90% of all people who have been voted into Parliament from the other side (MDC) are not indigenous and the constituencies they talk about have no identity and recognition'. (the opposition won the vast majority of urban seats)

pivot of social transformation and holds urban people as irrelevant.<sup>18</sup> Zimbabwe historian Terence Ranger conceives of the government of Zimbabwe as developing its own ideologically coloured version of history which he terms patriotic history. In this patriotic history that townspeople are seen as ‘those without totems’; noting that the state press from time to time carries bewildered articles about why urban populations are so unpatriotic.<sup>19</sup>

It is widely believed that OM was an act of retribution against urban dwellers for voting for the opposition, simultaneously punishing opposition-supporting urban centres and sending the message that the ruling party through the army and police still controls urban areas in spite of urban councils being from the opposition. Bratton and Masunungure see OM as an effort by the government to reassert economic and political control in the aftermath of the March 31 2005 parliamentary elections. That, warned by the security agency that price increases and commodity shortages could spark food riots after relaxation of a strict price control regime which had preceded the elections, the state carried out a preemptive strike to prevent any mass uprisings which would be more likely to start in the poorer, high-density urban areas and to disperse prospective demonstrators to the rural hinterland.<sup>20</sup> They opine that OM undoubtedly did not succeed in banishing urban dwellers to rural areas.<sup>21</sup> Thus the ruling party was looking to remove ‘surplus’ elements of the urban population ahead of the next presidential election by drawing them into more controllable political rural relations; the long-term implications of which

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<sup>18</sup> ‘Africa Looks East for Political Role Models’ by Peter Kagwanja of Crisis Group in Pretoria who further notes that the ruling party’s power base is deliberately on rural folk – ‘people who will not go on strike and who don’t have electricity - whose demands on Mugabe are minimal.’

<sup>19</sup> Page 30 ‘Historiography, Patriotic History and the History of the Nation: the struggle over the past in Zimbabwe’ by Terence Ranger, October 2003

<sup>20</sup> Journalist Baffour Ankomah, generally sympathetic to Mugabe, also reported that ‘the operation was the brainchild of Zimbabwe’s intelligence community’ designed to forestall ‘a Ukrainian-style revolution.’ New African (London), October 2005, reprinted in The Herald (Harare), October 4-5, 2005

<sup>21</sup> In the article ‘Popular Reactions to State Repression: Operation Murambatsvina’ in Zimbabwe where Bratton and Masunungure note that that the main victims of OM were younger, unemployed families whom state security agents saw as potential recruits for social unrest. It is pointed out that in extrapolating from the age structures of most Third World cities, at least half of the slum population is under the age of 20; Page 13 Panet of Slums nlr 26 by Mike Davis citing A. Oberai, *Population Growth, Employment and Poverty in Third World Mega- Cities*, New York 1993, p. 28. In 1980 the 0–19 cohort of big oecd cities was from 19 to 28 per cent of the population; of Third World mega-cities, 40 to 53 per cent.

process do not bode well for democratic politics.<sup>22</sup> In the rural areas, people would be under the sway of ruling party-aligned traditional chiefs in a context where systems of patronage are still very much in place, including the use of food aid as a political weapon.<sup>23</sup> The extension of patronage relations to urban areas through OM is also a given rationale. For example, residents of Harare's Hatcliff residential area were publicly encouraged to settle there by government ministers, then had their property destroyed during OM. Essentially, patronage systems were in place and the response to the electoral loss of the ruling party was to bring the local political machine into action against informal settlement that the political establishment had initially promoted and even facilitated.<sup>24</sup> Opposition spokesmen accused the government of trying to provoke violent reactions from city residents in order to justify rule by decree under a State of Emergency.<sup>25</sup> Other allegations included that the idea was to tilt the playing field as the displaced victims of OM were rendered ineligible to be added to the voters roll by their not having a fixed abode.

The choice of speed and brutality rather than due process in terms of local planning legislation – archaic law though it is – would suggest that the motivation had little to do with planning needs. The political tilt of the entire matter was clear even in that various

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<sup>22</sup> 24, The Sunday Herald quoting Brian Raftopoulos, Professor of Development Studies at the University of Zimbabwe

<sup>23</sup> The traditional leadership controls access to all communal resources, including the right to build a home, the right to graze, or plant a crop – and the right to Grain Marketing Board maize sales, the only source of grain in rural areas, most of which are currently facing starvation. People are being forcibly moved from MDC dominant urban centres to ZANU PF dominant rural areas; it is simple, those translocated will have to show allegiance to ZANU PF or face a real risk of starvation this winter. (For documentation of political abuse of food in rural areas ahead of the 2005 election, see Solidarity Peace Trust, *Out for the Count: Democracy in Zimbabwe*; May 2005, in both video and report format).

At page 4 Sustainability Oriented Urban Development: *A General Introduction with Case Studies from Gaborone, Johannesburg and Santiago de Chile* by Marco Keiner (Institute for Spatial and Landscape Planning, ETH Zurich) is an acknowledgement that persons sometimes permanently migrate from the rural areas to avoid social control and social destabilization

<sup>24</sup> Pages 15-16 Panet of Slums nlr 26 by Mike Davis who stated that;  
national and local political machines usually acquiesce in informal settlement (and illegal private speculation) as long as they can control the political complexion of the slums and extract a regular flow of bribes or rents. Without formal land titles or home ownership, slum dwellers are forced into quasi-feudal dependencies upon local officials and party bigshots. Disloyalty can mean eviction or even the razing of an entire district.

<sup>25</sup> page 3-4 'Popular Reactions to State Repression: Operation Murambatsvina' in Zimbabwe by Michael Bratton and Eldred Masunungure

researchers trying to survey the effects of the OM were impeded by political functionaries.<sup>26</sup>

### **Autocratic Regimes and Urbanisation**

Jeremy Wallace argues that urbanization hinders and undermines autocratic regime survival by increasing the number of potentially significant malcontents. In statistical analysis, he finds that the median duration of ‘under-urbanized’ regimes is 14 years, which exceeds the median of the ‘over-urbanized’ regimes by 5 years.<sup>27</sup> A suggestion is that urban residents can more easily threaten regime stability than rural residents because urbanites’ proximity to each other and to the seat of government reduce collective action costs and makes them politically relevant.<sup>28</sup>

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<sup>26</sup> Interference in a Zimbabwe Lawyers for Human Rights research in Epworth and harassment which also involved the police at Hopley Farm and in Epworth near Harare in January 2006 (Research Students Harassed by the Students Solidarity Trust January 31 2006 Kubatana.net). Also note page 4-5 ‘Popular Reactions to State Repression: Operation Murambatsvina’ in Zimbabwe by Michael Bratton and Eldred Masunungure where it was noted that the achieved sample of a field research into Operation Murambatsvina’s impact fell short of the intended sample because fieldwork was disrupted by unruly political elements affiliated with the ruling party, causing MPOI to abort the survey towards the very end and this unfortunate experience demonstrates that, as the political environment in Zimbabwe becomes ever more closed, occasions for impartial scientific research are rapidly diminishing.

<sup>27</sup> Page 3-4 ‘Cities and Stability: Urbanization and Non-Democratic Regime Survival’ by Jeremy Wallace

<sup>28</sup> Page 4 ‘Cities and Stability: Urbanization and Non-Democratic Regime Survival’ by Jeremy Wallace citing Bates 1981, Olson 1965 and Lipton 1977. He thus notes the common African story of food price inflation leading to a riot in the capital city followed by a military coup, elite defections, or regime breakdown of some other sort and notes that the regimes of Sadat, Nimeiri, Kaunda, Moi, Gowan, and Tolbert all faced pressures from urban workers due to food price escalation, and some regimes did not survive (Bates 1981). The same disconcertment by workers aided the military coup d’etat in Ghana in 1972 (Libby 1976).

The article Unrest in Rural China: A 2003 Assessment by Thomas P. Bernstein stresses at pages 11-12 that collective protests led by peasant representatives had staying power due to sustained networks of contact among activists and leaders and that a challenge to the regime would arise if there was to be cross-county and crossprovincial organization and coordination. Page 15 points out that repressive responses to demonstrations were allowed in cases of ‘hostile protests’ which was where there was linking up (chuanlian) with people in different jurisdictions and departments, a very important point since one of the main strategies of the regime for maintaining stability was to prevent escalation in the form of cross-society coalitions (cf last section). Connections with ‘hostile forces’ within China (i.e., dissidents) and those from the outside world also warranted enemy treatment. The organizational capacities here treated with hostility are much more easily within grasp of urban organizations

Thus an oft-held view is that many governments bias policies in favor of cities to mollify potential urban unrest.<sup>29</sup> Wallace notes that literature on urban bias has neglected the benefits of keeping people out of cities as a strategy of regime survival.<sup>30</sup> This is true in respect of colonial legislation in many African countries where a desire to restrict the urban African population to that necessary to provide a labour force for colonial enterprises led in some of the colonies to attempts to control and eradicate the informal economic sector and housing development.<sup>31</sup> China was a classical case of urban bias where urban China benefited from universal welfare provision denied rural China.<sup>32</sup> Political enemies were punished by stripping them their urban status and sending them to the countryside.<sup>33</sup> Wallace states that the Chinese government, due to its successful economic development, now has the resources and the confidence in its present situation to move away from urban bias by subsidizing the rural areas to keep people from moving to the urban areas in large numbers.<sup>34</sup> The Zimbabwean government lacks this security, thus the extreme measures in attempting to send people to the rural areas. What we see at the end is a serious democracy deficit being given full vent in the deprivation of a range of urbanites' human rights.

The association of urban political strategies with the lack of resources is also made by Tade Akin Aina who states that the decline of African economies undermined the main objective of the dominant political classes of controlling all institutions and entities outside the state, resulting in growing opposition and repression. He cites increasing human rights violations in settlement issues through mass evictions and demolition of the

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<sup>29</sup> Page 4 'Cities and Stability: Urbanization and Non-Democratic Regime Survival' by Jeremy Wallace citing Lipton 1977; Bates 1981

<sup>30</sup> Page 5 'Cities and Stability: Urbanization and Non-Democratic Regime Survival' by Jeremy Wallace suggesting that the Chinese Government's change from taxing to subsidizing agriculture is part of a strategy for regime survival aimed at slowing the pace of urbanization and mitigating urban unrest.

<sup>31</sup> The Urban Challenge in Africa: Growth and Management of its Large Cities Edited by Carole Rakodi, United Nations University Press 1997, Part I, Global forces, urban change and urban management in Africa by Carole Rakodi

<sup>32</sup> Mike Davis does mention at page 6 Panet of Slums nlr 26 that decades of Maoist policies of deliberate under-urbanization froze Shanghai's growth

<sup>33</sup> Page 2 Boundaries of Inequality: Perceptions of Distributive Justice among Urbanities, Migrants, and Peasants by Wang Feng. Note also the earlier noted antics of Pol Pot in sending urban opposition to the rural areas

<sup>34</sup> Page 12 'Cities and Stability: Urbanization and Non-Democratic Regime Survival' by Jeremy Wallace who further notes that other governments that are secure in the present have an incentive to distribute resources in ways that avoid inducing urbanization.

properties of the poor often with inadequate or no resettlement all over Africa, in places like Kenya, Senegal, Egypt, and Nigeria (Audefroy, 1994). Relations between state and urban communities deteriorated to hostility and systematic deliberate neglect.<sup>35</sup> Tade Akin Aina stresses that in Africa, with the predominance of primate cities, national politics is urban derived, urban based, and urban driven –<sup>36</sup> noting that most of the recent political struggles for democratization and protests against economic decline have emerged from the cities and towns;<sup>37</sup> although he states that narrower urban management issues are beginning to emerge.<sup>38</sup> This he presents as definitive of urban politics in sub-Saharan Africa.<sup>39</sup> In light of the potentials of urbanization for political change, increased urbanization presents greater opportunities for political change and relevant democratic representation. The concept of urban bias may be challenged as a reality in developing world Africa by, *inter alia*, the nature of the politics where incumbent governments are at odds with urbanites and favour the oft more manipulable rural areas.

An important to make is that facilitating urbanization and increasing interactions between rural and urban areas, rather than trying to prevent or ignore it, can stimulate urban and rural development. Measures that try to curb urbanization can make both urban and rural poverty worse because they oft attempt to contravene economic realities.<sup>40</sup>

## **SUSTAINABLE DEVELOPMENT AND THE INDIVISIBILITY OF RIGHTS**

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<sup>35</sup> The Urban Challenge in Africa: Growth and Management of its Large Cities Edited by Carole Rakodi, United Nations University Press 1997, Part III, The State and civil society: Politics, government, and social organization in African cities by Tade Akin Aina

<sup>36</sup> The Urban Challenge in Africa: Growth and Management of its Large Cities Edited by Carole Rakodi, United Nations University Press 1997, Part III, The State and civil society: Politics, government, and social organization in African cities by Tade Akin Aina citing O'Connor, 1983; Simon, 1992

<sup>37</sup> citing also the struggle for democratization and multi-partyism in a wide range of countries, such as Togo, Benin Republic, Kenya, Mali, Zambia, Malawi, and Tanzania.

<sup>38</sup> The Urban Challenge in Africa: Growth and Management of its Large Cities Edited by Carole Rakodi, United Nations University Press 1997, Part III, The State and civil society: Politics, government, and social organization in African cities by Tade Akin Aina citing Kanyinga et al., 1994

<sup>39</sup> The Urban Challenge in Africa: Growth and Management of its Large Cities Edited by Carole Rakodi, United Nations University Press 1997, Part III, The State and civil society: Politics, government, and social organization in African cities by Tade Akin Aina citing Bratton and van de Walle, 1992; Mamdani and Wamba-dia-Wamba, 1995, he notes that deprived urbanites have often constituted the foot soldiers of urban protests and riots against economic hardships, political oppression, etc. that are initiated by more organized groups in civil society, such as students, labour, market women, and professional associations.

<sup>40</sup> UN report 'State of the World Population 2007: Unleashing the Potential of Urban Growth'

Deprivation of a wide number of economic, social and cultural rights to meet political ends in OM shows that without the entire plethora of rights, there is serious vulnerability to violations. When the Universal Declaration of Human Rights was passed, there was no ambiguity about civil and political and economic, social and cultural rights being interrelated and interdependent components of human rights.<sup>41</sup> Breach of this consensus was largely associated with the politics of the cold war; after which the 1985 Declaration on Development is considered a return to the initial agreed consensus, a return fully endorsed at the 1993 Vienna World Conference on Human Rights.<sup>42</sup> From here, the right to development emerged as a human right which integrated all rights in the manner envisaged at the beginning of the post-World War II human rights movement.<sup>43</sup> With the position now established, there was a shift away from the purely 'economistic' approach to development, towards development defined as human development, as a comprehensive, people centred economic, social, cultural and political process through which all the human rights and fundamental freedoms of all individuals and entire populations can be realised.<sup>44</sup> The development of the concept of sustainability meant that sustainable human development, which can only be achieved through the gradual integration and realisation of the basic human rights and fundamental human freedoms, has become the prevailing development paradigm both in terms of process and outcome. Thus, human rights and sustainable human development are interdependent and mutually reinforcing concepts.<sup>45</sup> Indeed, the point is made that slums were a result of a skewed

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<sup>41</sup> Page 1 The Right to Development as a Human Right by Arjun Sengupta citing the State of the Union Message to Congress by President Roosevelt, January 11, 1944 , where he said 'true individual freedom cannot exist without economic security and independence.'

<sup>42</sup> Page 1 The Right to Development as a Human Right by Arjun Sengupta; which reaffirmed 'the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights.'

<sup>43</sup> page 2 The Right to Development as a Human Right by Arjun Sengupta

<sup>44</sup> Page 6 of the discussion paper Sustainable Development from a Human Rights Perspective and the Challenges it Represents for the Caribbean SIDS

<sup>45</sup> Page 7 of the discussion paper Sustainable Development from a Human Rights Perspective and the Challenges it Represents for the Caribbean SIDS. At page 26, it was then stated that there has of late been an effort by the international development community to systematically integrate human rights considerations into the quest for sustainable human development, (i.e. a rights-based approach to development) which entails adherence to certain basic principles as a precondition such as participation, accountability, equality, non-discrimination, universality and indivisibility. Human development goals and objectives are to be regarded as claimable (by individuals or groups of individuals) entitlements, and not simply as human needs or development requirements, with corresponding duty holders such as the State or the international development community.

development process. Responsibility for the development of slums has been placed on the IMF and World Bank's structural adjustment policies which demanded cuts in social spending. Here Mike Davis cites the UN Report *Slums of the World* widely, notably where the report states that the 'main single cause of increases in poverty and inequality during the 1980s and 1990s was the retreat of the state'.<sup>46</sup> The UN considers that two out of five African slum-dwellers live in a poverty that is literally 'life-threatening'.<sup>47</sup>

Satterthwaite argues that for cities to be genuinely sustainable, it is necessary to consider 'the underlying economic, social and political causes of poverty or social exclusion', based on pillars including the political empowerment of the disempowered.<sup>48</sup> There is thus a need to deal with the broader political crises that engulf many developing nations in any attempt to deal with 'standard' city development issues. While wider international development concerns are significant, lack of good governance remains a major culprit in producing poor urban environments.<sup>49</sup> In the urban context, democracy (and decentralization) is at the centre of the good governance agenda in which local authorities have become important partners of central government.<sup>50</sup> It is notable here that OM started in Harare with the consent of and at the apparent instigation of a central government-appointed Commission running the City and that it faced resistance in

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<sup>46</sup> Page 19 Planet of Slums nlr 26 by Mike Davis. He states at page 11 that;

*Slums* is also unusual in its intellectual honesty. One of the researchers associated with the report told me that 'the "Washington Consensus" types (World Bank, imf, etc.) have always insisted on defining the problem of global slums not as a result of globalization and inequality but rather as a result of 'bad governance'. The new report, however, breaks with traditional un-circumspection and self-censorship to squarely indict neoliberalism, especially the IMF's structural adjustment programmes.

<sup>47</sup> Page 16 Planet of Slums nlr 26 by Mike Davis citing *Slums of the World*, p. 12. at page 11 where it is clarified that this is quite apart from the incidence of the hiv/aids plague; he also cites the researchers on the report making the same point more blatantly.

<sup>48</sup> Page 1 Sustainable Urban Development in India: An Inclusive Perspective by *Darshini Mahadevia* (page 61 of *From Unsustainable to Inclusive Cities*); the other 3 pillars being environmental sustainability, social equity and economic growth with redistribution

<sup>49</sup> page 3 Sustainability Oriented Urban Development: *A General Introduction with Case Studies from Gaborone, Johannesburg and Santiago de Chile* by Marco Keiner (Institute for Spatial and Landscape Planning, ETH Zurich) citing Satterthwaite 1996, Gilbert 1998 in noting the argument that the size of the city and the speed of growth are relatively unimportant in producing poor urban environments. Ulrich Nitschke, Nina Ouan and Gerrit Peters at page 4 of the Discussion Paper *Mega-Cities – A Challenge for German Development Co-operation* restate, citing Leautier (2006: 7) that governance standards are key.

<sup>50</sup> page 7 GTZ-Services for Sustainable Urban Development (Division 42, Governance and Democracy). In this respect, Vinod Tewari, Director National Institute of Urban Affairs, New Delhi, India states at page 6 of *Municipal Reforms for Sustainable Urban Infrastructure Development in India* notes that decentralization of local government and empowerment of urban local bodies was achieved in India through the 74<sup>th</sup> Amendment Act to the India Constitution in 1992 which came into force on 1 June 1993.

virtually every city where there was a democratically elected council.<sup>51</sup> Thus issues of democratic participation at central government level (and also at local government level) – classical civil and political rights concerns – must always be addressed in any discourse that attempts to solve sustainable development concerns in the urban areas. Dogmatic distinctions between groupings of rights are of little service and certainly political ploys can offer little to the development of sustainable cities. Solutions to the crisis of the slums mean addressing the hard political questions.

## **CONCLUSION**

Unregulated processes in large cities are thus sometimes not unknown, but are in many cases allowed and deliberately not corrected for political purposes – knowing and acknowledging this is a first step in retaining formal govern-ability and control. OM shows that the solution to the slums problems in the developing world begins with a solution to the wider crisis of governance and proceeds to a decentralised return to state involvement in the provision of social and economic services to the public using a rights-based approach to development. Increasing urbanisation presents Africa with wider opportunities for political level changes to promote democracy and progress.

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<sup>51</sup> It was announced by the Chairperson of the Commission Running the Affairs of the City of Harare

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