

**Ilitha Lomso  
and a community's  
struggle for water**

*Megan Anderson*

Environmental Monitoring Group

2004

**About the author:** Megan Anderson has worked as a freelance writer and researcher who has focused on land, environment and social justice for the past five years. She has recently taken a job as a researcher at Sustainable Energy Africa. She was commissioned by EMG to document Ilitha Lomso's work on water justice.

Published by the Environmental Monitoring Group, 10 Nuttall Road, Observatory, 7925, Cape Town/PO Box 13378, Mowbray 7705  
tel: 27(0)21-4482881 fax 27(0)21-4482922 email: [info@emg.org.za](mailto:info@emg.org.za)

ISBN: 0-9583910-4-1

First published in 2004

Typeset in Garamond

Editing: Jessica Wilson  
Design and layout: Page Arts cc  
Printing: Revolutionary Print

## Harare, Khayelitsha

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Harare is a suburb of Khayelitsha, Cape Town's largest township, developed in the 1980s. Population density figures for Khayelitsha vary from anywhere between 250 000 to nearly a million although Stats SA puts the figure at 330 000 based on the 2001 Census. Mrs Ndlovu lives with her husband, sister in law and children in one of Harare's informal houses. Mrs Ndlovu was one of the many households in Harare who had their water supply cut off by the City of Cape Town between 2001 and 2003. The municipality was attempting to address the City's R570-million water arrears.

Mrs Ndlovu's household was without water for almost a year before their water supply was re-connected by community activists. Leading the struggle for environmental justice within the Harare community are the youth workers of Ilitha Lomso. They have assisted Mrs Ndlovu to tackle her water debt and become 'legally' reconnected again.

## Ilitha Lomso: a new day dawns

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On a sunny winter's day Mrs Ndlovu sits outside the Ilitha Lomso office chatting to volunteer worker Zikhona. They talk about the terrible effects of water cut-offs and the frustrations of the trickle system that restricts users to the free basic water supply of 6kl per month. The conversation meanders from personal to public issues. They comment on the shooting of a security guard at this office complex a few weeks ago. This was the sixth shooting in Harare this month, they say. One of the dead was an Ilitha Lomso worker. They are still feeling this pain. This is the world of community-based organisation Ilitha Lomso.

Ilitha Lomso has deep roots. Co-ordinator, Senza Kula, has been involved with the organisation since 1993 when he joined the local youth group – Ilitha. The organisation became Ilitha Lomso in 1996 when it merged with the Umso youth group from Nyanga township.

Ilitha Lomso works in the areas of human rights, arts and culture, and the environment. Primarily their target is youth, but they also reach the broader community of the Western Cape. Their activities all aim to motivate youth to address the challenges they face on a daily basis: teenage pregnancy, HIV/Aids, violence and poverty.

As a youth member of Ilitha Lomso, Senza came under the mentorship of Thabang Ngcozela. As a political activist during apartheid, Thabang came to realise that issues of environmental justice and sustainability were no different from the struggle against apartheid. Both were human rights struggles. Thabang inspired the group with his

passion for human rights and environmental justice. Thabang remains an important mentor to the organisation in his current position as Western Cape co-ordinator of the Environmental Justice Networking Forum (EJNF).

Thabang's departure, however, left Ilitha Lomso at a low ebb. Senza, newly appointed coordinator, found himself all alone. Activities had wound down and there was a lack of commitment and little clarity around roles and responsibilities.

This was 1999. The City was beginning a process of installing water meters in Khayelitsha houses. The aim was to reduce the City's water debt. People were confused about the new metering system. Some did not know how to pay, others were not able to pay. Non-payment resulted in cut-offs. Ilitha Lomso responded to the crisis. Funds were raised and their work as community water advisors and activists began.

## The water story and the City of Cape Town

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The national Department of Water Affairs and Forestry (DWAF) remains the sector leader and national water policy maker. With municipal restructuring in place, local authorities are now water service authorities, with the constitutional responsibility for planning, ensuring access to, and regulating provision of water within their area of jurisdiction.

DWAF provides a framework and has some regulatory powers. Local water providers are encouraged to have at least three tariff bands. The right to Free Basic Water (FBW), determined as 25kl per person per day (6kl per household per month based on an average household of eight), has been set by national government.

Principles set out by national government to be incorporated in water service providers credit control policy:

- **Compassion**, especially towards poor and vulnerable households. Policies and procedures should seek to avoid the accumulation of bad debt and the high costs associated with restrictions or disconnections and reconnections.
- **Communication** requires that consumers are informed with respect to water consumption, credit control, debt collection and disconnection policies and consumer responsibilities.
- **Fair and transparent process** needs to precede any restriction or disconnection.
- **Warning** prior to any credit control action, including alternative methods of payment (such as instalments) and the consequence of non-payment.
- **Restricting domestic connection.** In the first instance, and after following due process (including a warning), domestic water supply connections must be restricted and not disconnected, ensuring that at least a basic supply of water is available.
- In instances of **tampering** or **interfering** with services equipment the municipality may disconnect (after a warning).
- **Disconnecting water supplies.** *A water service provider has the right to disconnect water services provided to domestic water consumers only where all of the above provisions have been followed.*

(*Strategic Framework for Water Services*, 4.5.8 Credit Control, DWAF, DPLG, Treasury, 2003)

Within this framework the City of Cape Town buys 'raw' (untreated) water from DWAF (70%) and the remaining water is drawn from the City's own dams. The Municipal Infrastructure Grant (MIG) transfers money from national government to the City for the capital projects – the development of service-related infrastructure, such as dams, water pipes, sanitation and treatment plants. The Equitable Share is a direct transfer of money from treasury to the City for poverty alleviation. In Cape Town, this fund currently finances the new R20 Indigent Grant for water and sanitation provision to households below a certain income (over and above FBW).

Water charges (spread across a rising step-tariff structure) take into account the cost of the raw water, treatment, storage, delivery, wastewater treatment and subsidies. The cost of water, particularly at the lower levels, is cheaper in Cape Town than many of the other big municipalities. This is influenced by a range of factors, including good cost recovery and internal water treatment.

Cape Town has a payment level of 92%. Not only are they able to pay DWAF for their water (on which many municipalities default), but they raise an annual R120 million in 'profit' which is transferred to the City's rates account and used for the funding of public goods not specifically accounted for. The average water use per household in Cape Town is 26kl/month. The top-end users are in the region of 50kl/month. Cross-subsidisation is funded by these top-end users.

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## The water story: “without water there is no life”

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“Water is life, sanitation is dignity” is the slogan of DWAF. This is the principle behind our right to water – a right guarded in our constitution, but often eroded as it translates into the processes and policies of delivery. In an ironic twist, Mrs Ndlovu echoes the Minister when she refers to her experience of water cut-offs conducted within the delivery of the new policy: “Without water there is no life,” she says.

In 1999 Mrs Ndlovu was living with her husband, sister-in-law and nine children. Five of the children were foster children for whom the family was caring. Mrs Ndlovu is unemployed, but is exceptional in the area in that she lives with her husband, who works for the railways. He earns about R1 200 a month – Mrs Ndlovu does not know the exact amount. There is no other income. Mrs Ndlovu’s home is a self-built, informal, two-roomed house.

*In 2002 Mrs Ndlovu’s water was cut off. Her arrears ran into thousands of rand. She was not alone.*

The house is serviced by a single tap and a flush toilet. Both tap and toilet are located in the yard outside the house. Until the introduction of the meter system in 1999/2000 no administrative system was in place to measure water consumption and charge for this consumption. Instead, a flat rate was charged. The newly introduced meter system caused great confusion.

In 2002 Mrs Ndlovu’s water was cut off. Her arrears ran into thousands of rand. She was not alone. The water bills of many households in the area showed insurmountable debt, ranging anywhere between three and fifteen *thousand*



rand. This debt remains. How does this happen? A range of factors seem to contribute to the situation:

- consumers appear to still be paying off debt built up during apartheid service payment boycotts and the early years of democracy;
- many Harare residents have built their own domestic structures, consuming substantial water in the process;
- the presence of large informal settlements has resulted, over the years, in household water taps servicing these settlements;
- pressure on the single tap and toilet system and poor building materials has resulted in leakages that households cannot afford to fix.

How can poor households, with no bath or shower facility, no washing machine or swimming pool, generate water bills as high as R700/month? One of the major reasons appears to be the poor building materials used in the erection of homes. Many of the houses in Khayelitsha, Manenberg and surrounds were council stock handed over to owners in 1997/8. Building materials included betavalve, a plunger-type, rather than siphon-type, toilet cistern system. When plungers are not properly down, or the washer has perished, the water simply pours through. With toilets located outside of homes this is difficult to monitor. Where houses do have indoor taps these are frequently plastic taps that crack and whose threads become stripped. Again, water pours through. Contributing to the problems of broken materials is the lack of skills, particularly within black communities who were prevented from becoming skilled artisans during Apartheid. With unemployment standing as high as 80% in places such as Harare, there is little money to spare for fixing breakages and leaks.

A City meter-reading official notified Mrs Ndlovu that they would be cutting off her water. After begging for assistance at the Post Office she was given a repayment schedule of R100 a month. This payment amounted to almost 10% of the household's income. Mrs Ndlovu failed to make these payments. Her water supply was stopped.

Within days the toilet filled with worms and mosquitoes filled the air. Everything stank. The children began to get sick. They had rashes and sores. They got diarrhoea. Taking the children to the clinic placed a new financial burden on the already stretched household. The neighbours did not want to give them water. They themselves were struggling to meet costs. Mrs Ndlovu – a grown lady, a mother and a member of the community – was forced to 'steal' water from her neighbours' houses. Relations broke down with her neighbours. Finally the household had to break up. The children were sent away to different homes, spread among friends and relatives.

## **Youth-based environmental justice: balancing rights and responsibilities**

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Ilitha Lomso believes that water is a right. They believe that what happened to Mrs Ndlovu, and the hundreds of other households in the same position, was an abuse of their human and constitutional rights. They began their work around community water issues by hosting public meetings in response to the new meter system and water cut-offs. These meetings aimed to provide residents with an understanding of what was happening to them, to

increase awareness about the issue of water and advise people what they could do in the event of having their water cut off.

Ilitha Lomso and community volunteers met to discuss possible strategies in the face of the mounting water crisis. After lengthy consideration it was decided that households under intense pressure (no, or little income, elderly or sick residents, numerous members) would qualify for a process of reconnection. These households would have to agree to enter a programme, run by Ilitha Lomso, in which they would begin a process of addressing the debt, while also looking at water savings measures.

Mrs Ndlovu's household was one of thirty in the Ilitha Lomso programme. Volunteer community activists would visit homes on Wednesdays to carry out reconnections and follow-up visits. Ilitha Lomso conducted workshops looking at water saving. They also accompanied household members on visits to administrative offices in order to assist them through the maze of bureaucracy that confronted them. People who had been paralysed by the system, the bills and intimidated by administrators gained confidence and began to be able to tackle their debt.

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Ilitha Lomso also became a voice for the community, helping them to articulate their problems with the new water system and the cut-offs. These include:

- water cut-offs resulted in tensions escalating within the community as neighbours were forced to steal water

from each other and a whole new technology around 'locking' taps grew;

- some households, such as Mrs Ndlovu's, had to disband and disperse – which was emotionally and socially taxing;
- health problems exploded, particularly amongst the elderly, children and those living with Aids, which exacerbated the problems of poverty;
- people do not understand the billing system, or how to read the meter. Water meter marshals come at irregular intervals and made calculations that are not clear to water users;
- households were often substantially larger than the average of eight, on which the Free Basic Water supply is estimated;
- pre-paid water meters (that were installed in some areas and within informal settlements using communal taps) meant that users had no access to water once they had consumed their FBW supply. In addition the pre-paid card system appeared at times to be faulty.

The situation appeared to people to be in contradiction to their right to water, to life and human dignity.

## Community activism and the City's new approach

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Acting city manager Stewart Fisher summed up the approach of the City in 2001: "If people don't make arrangements or inform the council, then we'll cut off their services" (*Cape Argus*, September 27, 2001). By October 2002 Khayelitsha residents were fed-up with the City's approach

and a City official was held hostage by an angry crowd in a hall in Khayelitsha for more than four hours. He was told that if he needed the lavatory he could use a bucket on the stage (*Cape Argus*, 24 October 2002).

The new mayor, Nomaindia Mfeketo, responded to community pressure and directed the City to develop an indigent policy to deal with those living below the poverty line. Dave Ramsay, Director of Water Services in the City, says that this has spelt the end to domestic cut-offs, except in instances where meters have been tampered with (bypassed). Non-payment will result in water restriction, rather than disconnection. This involves placing a water restrictor, or valve, within the system that restricts the flow of water into a house to the 6kl free basic water allowance. The new approach has brought the City in line with national regulations set out in the Strategic Framework for Water Services (2003). A R20 grant over and above the Free Basic Water has been established to assist the poor and the second 6 kilolitres are subsidised at R2.15/kl (excluding VAT).

In the instance of payment default users are given the opportunity to come to some repayment arrangement with the City. A toll-free call centre number is provided on the water bill for any queries about the account. Where there is no response from the defaulting user, the City will issue a warning letter indicating that if no repayment plan is in place by a certain date the water will be restricted.

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The City realises that the billing and meter system can be hard to understand. The reading period is not always exactly 30 days, but may be read at 20 days, or 40 days, and the Free Basic Water is calculated accordingly, which leaves many users suspicious and confused. A pilot project, in partnership with the University of Cape Town, is exploring ways to improve the billing system. The City believes that the call centre is improving after an initial response overload. It has also established an operations emergency call centre to improve its response to pipe bursts and leaks. A critical issue, however, remains unaddressed: crippling debt arrears, going back in instances into the pre-democracy era. Dave Ramsay says that he is aware of the issue and insists the City is grappling with it. Currently this involves looking at individual accounts and “where appropriate” writing off debt.

### Trapped in unsustainable frameworks

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Has the City’s new approach helped? The response of water activist Thabang Ngcozela is that even where the intentions of the City are good, the City itself is trapped within a framework that binds us into an unsustainable and inequitable system. At the heart of this is the paradigm of cost recovery and profit making in which the restructuring of local government in South Africa has taken place. Within this paradigm water is both a basic right, guarded in our constitution, and a saleable commodity.

Municipalities are responsible for the development of service infrastructure and service delivery. To do this,

they must generate revenue. While the semi-desert conditions of the Western Cape demand that we develop a culture of water saving and user restraint, the logic of cost-recovery, the need to generate income from service delivery, results in a system that accommodates wasteful levels of consumption as long as it can be paid for. The system is designed not to conserve water through reduced consumption, but to encourage payment for water consumed. At the other end of the spectrum, service delivery is in terms of people's ability to pay, rather than based on people's needs.

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## Water demand management rather than cost recovery

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Some activists suggest abandoning the cost, time and effort of water meter installation and looking at a flat rate for the poorest water users (*Cape Argus*, 24 October 2002). Patrick Dowling of the Wildlife and Environment Society of South Africa disagrees. "Metering is not in itself a bad thing," he says, "but the emphasis needs to be on water demand management rather than debt collection. Meters provide information that helps people manage their water use and increases the public's ability to participate in the important debates around water." Non-metered, flat rates may work up to a certain point, but beyond that fail to encourage public participation in domestic water management.

There is also no indication that steeper pricing is the

most effective way to manage water demand at the top end of the market. Dowling recommends that a number of the restrictions put into operation during times of water shortages need to be converted into permanent water demand policies. This would include such things as enforcing the Conservation and Agricultural Resources Act (CARA) and banning watering of gardens in the City. Information also points to 17% of Cape Town's water being lost through leakage. The City, through plugging water leaks, could make massive water and cost savings.

The South African Municipal Workers Union (SAMWU), whose workers are often those sent in to implement water cut-offs, would like to see a rising block tariff system in place. The first block would be 50 free litres per person per day, with the second block still highly subsidized. Cross subsidization to poor users would come from large users, notably industry and the very wealthy. SAMWU are highly opposed to pre-paid metres, which they believe are self-disconnecting measures through which the council abdicates its responsibility in terms of tackling the issue.

## Water activism into the future

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Grassroots environmental activism is challenging. Democratically elected councillors are often not aware of, or not interested in, environmental issues or programmes. In



challenging the broader economic paradigm Ilitha Lomso is sometimes seen as posing a threat to the established political order and local politicians in meetings have roughly set organisation members aside. Their experience is that any challenge to government policies is seen as a challenge to the ruling party.

Ilitha Lomso and the network of environmental activists persevere despite daunting political and economic obstacles. Putting proposed alternatives into practice is key. An exciting new project is the Water Leaks project – a joint initiative between Ilitha Lomso, the Environmental and Justice Networking Forum and an NGO, the Environmental Monitoring Group (EMG). The project aims to explore ways of reducing the amount of water lost through leakage within the system. It potentially represents massive cost- and water-saving to the City. This project will be working with many of the households who participated in the initial reconnection programme.

Ilitha Lomso's longer term vision includes reducing the community's dependence on the city's water and showing the government that poor people can be responsible for water and show appreciation for service provision by water saving. This will involve education and awareness programmes and a project looking to install rainwater tanks within the community.

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## Conclusion

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With the help of Ilitha Lomso Mrs Ndlovu has paid her reconnection fee of R125. She is “legally” reconnected, but her water supply is restricted to the Free Basic Water. This is frustrating. The supply trickles out through the restrictor valve, taking ages to fill a bucket. Mrs Ndlovu holds her bills in her hand. The papers are well worn. Her bill stands at R3 630.63. This is the equivalent of four months income for the household. Her son held her up with a knife over the weekend – he wanted money for drugs. “What can you do?” she asks.

Certainly the problems of poverty are not easily solved. But we need to begin by seeking workable solutions in consultation with communities. The City and local politicians need to enter the water debate in a transparent manner with full disclosure of facts and figures: budgets, tariffs across the different sectors, cross-subsidisation, national subsidy allocations, debt arrears and so on. DWAF needs to actively regulate water service providers to ensure compliance with national principles. We need to call into question a basic service delivery system structured in a business cost recovery way, providing scarce water resources in virtually unlimited quantities to those who can pay, while simultaneously placing poor users, struggling under debt burden, into situations of great social pressure.

And we need organisations such as Ilitha Lomso. They may not always be in their office to answer the phone at your convenience, and may be unable to send a fax as there is no money for the pre-paid fax/phone, but we

need Ilitha Lomso to be there, tomorrow and into the future, doing what they do well – working at the community level, while collaborating with other organisations with similar vision.

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