

Segregation, Desegregation and De-Racialisation

Racial Politics and the City of Durban¹

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This chapter examines the origins, implementation and the demise of racial segregation in Durban through an abstraction of specific moments in the history of the city. Like many South African cities Durban does not function efficiently, 'largely due to the legacy of apartheid' (Williamson 1996: 3). In fact, Durban was a pioneering 'exponent of group race policy' (Swanson 1968: 142), and as Maylam (1996, 26) has emphasized:

much of the history of Durban in the twentieth century has been about the contesting of space. The local state consistently tried to control space in the service of the city's predominantly white middle class. Residential space has been manipulated through various mechanisms with a view to banishing the black underclasses to the city's periphery and so insulating and immunising whites from the supposed dangers that accompanied the black urban presence. The closing down of physical space for the underclasses also served to limit their access to other forms of space, economic, cultural and political.

Conceptually, this chapter is influenced by the view that any realistic analysis of urban structure must recognise that the city is an embodiment of the political, economic and social structure of society. There are numerous conflicts over the control of urban space around such issues as urban development plans, political influence, land use controls and the socio-spatial distribution of resources within the city. These conflicts

cannot be explained from a single perspective as they are influenced by local specificities and contingencies. However, a common feature of such conflicts is the battle for 'political power and participation in the decision-making process' (Leitner 1992: 112).

The chapter will reveal that in Durban the perceived economic threat from Indians consolidated an historical alliance between the white working class and the local state, and influenced the development of segregation policies which culminated in the Group Areas Act (1950). By the 1970s the socio-spatial structuring of the apartheid city of Durban was complete. Economic imperatives influenced the development of 'grey areas' in the early 1980s. Social movements with strong grassroots support demanded the transformation of the apartheid local state. The local authority was also forced to deal with land invasions and the development of informal settlements.

Political contestation between the African National Congress (ANC) and the Inkatha Freedom Party (IFP) resulted in the Durban region being racked by endemic violence since the 1980s (Morris and Hindson 1992). The high levels of crime and violence in the region had a major impact on growth and development. The development crisis in the Durban region is illustrated by the rapid population growth, a slow economic growth rate, housing backlogs, an increasing number of informal settlements, rising poverty, high unemployment rates and an inadequate supply of basic services to the majority of the population (Pillay 1996).

After the unbanning of the liberation organisations in 1990, civic organisations began a campaign for a democratic city. This initiated the restructuring of local government and culminated with the election of a non-racial, democratic local authority. The democratically elected Metro Council faced a number of challenges, not least of which were land restitution claims from those who had been dispossessed, promoting local economic development, and addressing the historical backlog in infrastructure and service provision in previously disadvantaged areas.

Historical Perspectives²

In Durban the local state has historically played a critical role in facilitating the growth and development of commerce and industry. In fact economic and industrial growth has featured prominently on the agenda of the local state since its very inception. Every attempt was made to market the city as a 'premier borough' in terms of its potential for development in order to attract capital to Durban. There is evidence

of a 'growth coalition' between the local state, the Railways administration and local capital, which co-ordinated attempts to market the city as an industrial and tourist centre (Maharaj 1996b), whilst the harbour was the key factor attracting industries to the city.

Frequent references were made in Durban to economic competition with other urban centres and the mobility of capital.³ In order to further ensure that Durban was attractive to investors, the local state became heavily involved in the provision of the social means of reproduction – especially housing for working class whites. There were frequent requests for the Council to provide housing for poor whites. For example, although the Council's entry into the housing arena would disturb market forces, the Town Clerk argued that the supply of housing would be increased and rents would therefore be lowered. Overcrowding and its attendant social problems would also be reduced.⁴ In November 1927 the Public Health Committee stated that there was an urgent need for the provision of houses for the poor class 'Europeans' and called for the initiation of a housing scheme to improve their living conditions. The Council agreed that poorer class whites were not adequately housed, and urged the government to assist in the provision of housing for this group.⁵ The ultimate concern was to cater for poor whites who were forced to live next to Indians. This concern with the problems of working class whites permeated the discourse of the Town Council.⁶

In Durban there was a strong alliance between the Council and the white working class. The Council bureaucracy, many of whom were recruited from this group, were particularly sympathetic to white working class interests. This was one of the factors influencing the local state to adopt a racist discourse which peaked in the 1950s (Maharaj 1996b). The perceived 'social menace' associated with the presence of Africans and Indians in Durban compelled municipal officers to wrestle constantly with 'problems' of crime, disease and sanitation (Swanson 1983). It was not merely by chance that the police and health authorities were largely pre-occupied with the urban 'Native' question. Municipal law identified such functions, apart from controlling trade licences and maintaining roads, as the chief function of local government. Furthermore,

the nature of urban labouring led white society to perceive public order and personal security, overcrowding and slums, health and sanitation, in terms of racial differences. Whites found it easy to deal with the labour question as a police problem and to debate the social consequences of African urbanisation in the imagery of a health menace (Swanson 1976: 166).

A local debate ensued about whether the African proletariat should be accommodated in compounds and barracks close to their place of employment or in locations outside the city. Employers (industrial capital and the municipality) supported the former, while the native affairs bureaucracy and the superintendent of police supported the latter. There was a great deal of concern about the rapid growth of *togt* (casual) workers, who commanded high wages and refused to be regulated by living in municipal barracks. The local state had to appease the white electorate without endangering the supply of cheap labour into the city or imposing any additional financial burden upon the white ratepayers or capital (Maylam 1982, 1985).

The local state was not prepared to finance African housing from the municipal budget. It developed a unique system whereby African workers contributed to the cost of their own reproduction. It established its own African eating houses as well as a monopoly on the sale of beer. A separate Native Revenue Account was established which was used to finance the native affairs bureaucratic administration (Swanson 1976; La Hausse 1984). Since very little housing was provided by the municipality, there was a proliferation of squatter settlements in the peri-urban areas, which further subsidised the costs of the reproduction of labour (Maylam 1982).

Since the turn of the century, industrial capital required more land to expand its activities, and there was some concern about the need to increase control over the bulk of the labour force which was living in informal settlements in the peri-urban areas. The local state responded by expanding its boundaries in 1932 which almost doubled the black population in the borough. However, since they were not enfranchised, they could not influence the allocation resources, nor change the composition of, the local white power bloc (McCarthy 1991).

The view that the local state needed to expand its boundaries to expedite industrial expansion was reinforced during the 1940s, a period characterised by rapid growth of urban based industrial capital. To plan for the anticipated economic growth the local state appointed a special sub-committee to investigate a 'programme of post-war development'. In his evidence to the sub-committee, the City Evaluator and Estates Manager emphasized the need to plan for industrial expansion as well as racial residential segregation, arguing that it would be in the interests of whites, Africans, Indians and Coloureds to be housed separately.⁷ It was therefore evident during this period that city councillors as well as municipal officials supported racial residential segregation of the labour

force, an issue which was later to be taken up vigorously by the central state.

Although racial residential planning was introduced in the 1950s, restrictions on Indian acquisition and occupation of land in Durban dated back almost to their arrival in South Africa in 1860. The origin of South African Indians can be traced back to the agricultural labour requirements of colonial Natal in the mid-nineteenth century. The indentured labourers were followed by 'passenger' Indians who were mainly traders. As Indians progressed economically they were perceived to be a threat to European interests. There was a conflict between white and Indian capital, and this was being expressed in racial and ethnic terms. During this period trade was the main economic activity of local whites, and was also a symbol of social status. Indian merchants challenged white economic hegemony and status. Durban whites retaliated to this threat in racial terms (Wyley 1986). The local state in Durban, representing the white ruling class, was at the forefront of calls for the segregation of Indians. In 1940 white civic organisations and the Durban Chamber of Commerce complained about the increased Indian encroachment into white residential areas, and this led to commissions of enquiry into Indian 'penetration' in 1941 and 1943 (Bagwandeem 1991; Maharaj 1995). As a result of pressure from white residents the Durban City Council (DCC) played a significant role in the initiation, development and promulgation of segregation laws, for example, the Pegging Act (1943), the Indian Land Tenure and Representation Act (1946) and the Group Areas Act (1950). The local state regarded the Group Areas Act as a life line by which Durban could be preserved as a 'European' city. The Council almost matched the National Party in their defence of the Group Areas Act, arguing that it provided opportunities for blacks to develop on a parallel basis to Europeans, as well as offering them new economic opportunities.

Given the almost unanimous acceptance of the Group Areas Act by the Council, it immediately set machinery into motion to implement the act. A Technical Sub-Committee (TSC), comprising different municipal heads of departments, was appointed on 20 November 1950, which drew up detailed race zoning plans for Durban. The TSC's views on the implementation of the Group Areas Act had far reaching implications for the rest of the country. This was because neither the central state bureaucracy nor the executive had given thought to how the Group Areas Act would actually be implemented. The TSC believed that each group area must have effective boundaries, and each race group must have access to its place of employment without traversing the area

of another group. In making these recommendations, the TSC went beyond the legal requirements of the Group Areas Act from conviction rather than compulsion (Kuper et al. 1958; Maharaj 1997a).

The pattern of zoning favoured by the TSC was that of locating each race group as conveniently as possible in terms of its relation to other groups and access to places of employment. The TSC argued that this approach would utilise as far as possible existing natural topographical boundaries, as well as considering the type of development which had occurred in each area, the needs of each group in terms of employment, transport, etc. Planning in this context would lead to racial residential ribs or radii, extending from a spinal working area.⁸

The different race zoning plans drawn by the Council ensured that white interests would be entrenched at the expense of displacing settled Indian communities. Collaboration with the government resulted in the Group Area proclamation of 6 June 1958, in terms of which Durban was zoned a 'white' city. As a result, about 75 000 Indians and 81 000 Africans would be uprooted from settled communities.⁹ Consequently, integrated communities like Cato Manor were destroyed, with Indians being relocated to areas like Chatsworth and Phoenix and Africans to KwaMashu and Umlazi. African and Indian communities unsuccessfully resisted relocation. There was a lack of organised protest action and resistance (Edwards 1989; Maharaj 1994); but the main reason for the failure of resistance was the repressive state apparatus.

Another reason for the failure of resistance was that residents realised resettlement was inevitable, and they therefore joined the queue for new housing as soon as was possible. Furthermore, for Africans allocation to a municipal house would give them rights to live in the urban area and end their feelings of insecurity (Maasdorp and Humphreys 1975: 63). In the Indian community segregation affected the different classes in disparate ways. Segregation laws seriously affected those Indians who could afford to buy land in white areas. It reduced opportunities for investment and commercial expansion for the wealthy, and there was also a possibility of financial loss. The less affluent of the elite faced the possibility of moving into working class neighbourhoods. It did not have any immediate effect on the majority of working class Indians who could not afford to move out of the Indian ghettos. Segregation represented a double edged sword for the underclasses – with increasing rents and slum clearance some would become homeless, while others could possibly be housed in municipal housing schemes (Johnson 1973; Swan 1987; Freund 1995).

By the 1970s racial residential planning in Durban was complete,

with only one inner city integrated area remaining, the Warwick Avenue Triangle (Maharaj 1999). However, particular ambiguities still remained, for example, the failure of Cato Manor to develop as a white group area, and unsuccessful attempts to relocate the Indian central business district.¹⁰

Desegregating the City: 1980

Against the background of the post-1976 era, the material and social conditions in the relocated townships soon provided the impetus for civic movements to pressurise the Council for concessions and political changes. In the periphery and buffer zones land invasions escalated and informal settlements were burgeoning. Also rigid race-space divisions were blurred as blacks began to infiltrate white residential areas.

In the 1980s, *de jure* white residential exclusivity was being contravened as large numbers of blacks began to move into designated white group areas, and this led to the formation of so called 'grey areas' in most major urban centres in South Africa (Elder 1990). Three factors contributed to the development of 'grey areas' in Durban and other South African cities:

- With the process of suburbanisation, whites were moving from the inner cities to the suburbs, even before the influx of blacks into the area. There was a declining interest in inner city flatland as well as a movement to areas that had once been rural.
- There was a surplus of accommodation for whites, and landlords were forced to accept black tenants, who were experiencing a tremendous shortage of housing. Hence, landlords and black tenants were responding to market forces. The Group Areas Act created an artificial shortage of land and housing for blacks.
- With improvements in socio-economic status, blacks were seeking a better quality of life, away from dormitory, strife-torn townships (Maharaj and Mpungose 1994: 30).

In Durban black tenants living in 'grey areas' were subjected to constant threats of eviction. The Durban Central Residents' Association was formed in 1984 to oppose eviction of such tenants. It played a key role in mobilising, organising and protecting the rights of black tenants in Albert Park and other parts of the city.

The reaction of Council to the development of 'grey areas' in the city can best be described as ambivalent and contradictory. In May 1986 it resolved to request the government to scrap the operation of the

Group Areas Act in the city. Failing this, the Council requested that it be granted the authority and flexibility to implement the act in the city (Maharaj and Mpungose 1994). Conservative councillors argued that the repeal of the Group Areas Act was a matter for the central government to decide, and that it should not be discussed by the Council. Liberal councillors referred to the possible implications if the Council dragged its feet over the matter, warning that the Council could 'get rid of Group Areas voluntarily, and make a small contribution to relations, or wait for violence, consumer boycotts, and commerce in chaos to force us' (*Natal Mercury* 20.05.86). In August 1987 the Council protested to central government against the eviction of blacks from white areas in Durban.

The issue ended in deadlock when none of the above options were accepted. The stalemate reflected the clear divisions in opinion held by the different power blocs on the Council. Councillors on the political left supported a motion to declare the whole of Durban a free settlement area. Such a move, they argued, would demonstrate to the government that the Council supported a reform policy which would ultimately lead to the abolition of the legislation. Councillor Bruce Boaden maintained that 'Durban should be able to show its face to the rest of the world as the city which has cast aside apartheid.' Councillors on the political right maintained that no existing residential areas should be opened, in accordance with the mandate they had received from the municipal elections of October 1988. The primary concern was to protect the interests of the white working class. Their views were summarised by Councillor Arthur Morris who contended that 'it was all very well for the upper class of the Berea who had high walls and security systems' to call for total residential desegregation. He expressed concern about the white working class who would be forced 'to live cheek by jowl with lower class people' of other races (*Natal Mercury* 04.04.89). The debate was interpreted as the beginnings of a move for a non-racial city. It had separated those who favoured a democratic city and those who supported the status quo. However, while whites spent a great deal of time discussing the integration of facilities, such changes only emerged as a result of initiatives from blacks (Maharaj and Mpungose 1994).

The 1980s also witnessed a massive influx of migrants into the Durban region. During apartheid planning, large vacant land, known as buffer zones, separated white suburbs from black townships. During the 1980s the black townships had experienced an increase in backyard shack dwellings, which expanded on vacant land on the peripheries of white suburbs. Given the shortage of formal housing for the poor, the only accommodation available in Durban was in informal settlements.

Also, violence and crime in the townships and rising unemployment precipitated movement of people to vacant land in the inner city, and open land occupations and invasions replaced clandestine squatting (Hindson et al. 1994; Hindson and McCarthy 1994; Cunnann and Maharaj 2000). In June 1987 the DCC debated the problems of squatter communities and accepted the Housing and Health Committee's recommendation that the settlements should be accepted as permanent. However, squatters in Wentworth, Clare Estate and Reservoir Hills had their shacks demolished by the police, and many were arrested and charged for trespassing. According to Councillor Margaret Winter the Council was unable to prevent the eviction of squatters from private property (*Daily News* 06.06.87).

A further stage of squatting began in inner city areas such as Clare Estate and Cato Manor. While spatially the racial impress of the apartheid city was changed by this process, it had little social effect on the new black residents, as they were excluded from access to virtually all facilities and social institutions within the neighbouring white suburbs (Saff 1994: 328). Officials subsequently stated that 'the city must accept that urbanisation and the attendant squatter problems are part of its future' (*Daily News* 12.04.89).

Cato Manor itself became a highly contested terrain (Edwards 1994). All the groups removed from Cato Manor in the 1950s and 1960s staked moral claims to some form of right in the resettlement and development of the area. These claims were made on a racial basis. The few Indian families that remained in the area were able to realise this claim in the form of new housing constructed for them in Bonella by the House of Delegates at the end of the apartheid era. New groups of African invaders were also staking claims. Cato Manor had become a large and undeveloped piece of land attractive to many low-income residents in the Durban functional region. Aspirant home-owners from the metropolitan periphery were rapidly invading the area (Hindson and Makhathini 1993; Hindson and Byerley 1993). In spite of the competing interests, there was a view that Cato Manor could become the microcosm of a new non-racial society where people live in a peaceful, inter-cultural and democratic setting, contributing to nation-building and unity in the new South Africa (Gigaba and Maharaj 1996).

The illegal occupation of land raised fears and anxieties and this has led in some instances to racial and class based conflict. The expansion of the informal settlements on the fringes of affluent areas had a profound effect on the property values of these suburbs. In Cato Manor the residents of the affluent Manor Gardens suburb demanded an interfaced

development instead of low cost housing in order to retain the value of their property. Although some wanted to sell their properties and move out, banks would not provide finance due to the large informal settlements adjoining their homes (Maharaj and Khan 1998).

Land invasions in Durban and other cities have largely taken place on land adjacent to existing townships on the periphery of urban areas. More recently, the urban poor began moving towards the city-core areas, mainly on land surrounding Indian and Coloured suburbs. These invasions have tended 'to reinforce the broad apartheid geography of the cities rather than fundamentally challenge it' (Mabin 1992: 21–2), despite the occasional counter-examples such as that of Cato Manor.

The last decade of apartheid rule was characterised by reform in the urban arena. The decentralisation of administrative functions to local black township councils required a massive increase in the local revenue base and was accompanied by major increases in rents, property taxation and other township revenues (Morris and Padayachee 1988; Lupton 1992; Seethal 1993). These increases precipitated widespread urban protests and rent boycotts, spearheaded by civic organisations.

Civic protests around collective consumption issues (rent, housing, transport) dominated the urban political arena in the 1980s. The urban locale, and in particular the local state, became a contested terrain. Although rent boycotts started as protest movements, they soon provided the catalyst for civics to explore alternative local government structures which would transform the apartheid city. This represented the beginnings of a move towards a more democratic, non-racial local government.

Two major civic organisations, the Joint Rent Action Committee (JORAC) and the Durban Housing Action Committee (DHAC) were formed in the early 1980s, and were 'structured largely along racial lines because of the discrete geographical area and bureaucratic structures that Africans and Indians respectively operate within, and must therefore confront' (McCarthy 1985: 11). JORAC opposed the Port Natal Administration Board rent increases in African townships around the Durban region, and resisted the planned incorporation of these townships into the KwaZulu bantustan (Reintges 1990).

The DHAC was formed in March 1980 in response to the DCC's decision to increase rents in public housing. In Durban the apartheid local state initially ignored the DHAC's request that rent increases be reviewed and the civic was branded as being radical. However, as the DHAC's capacity to mobilise thousands of residents and the reality of a rent boycott became apparent, the Council was forced to negotiate. By

demonstrating its capacity for mass action, the DHAC forced the local state at various stages to defer temporarily rent increases in 1980–81, 1985 and 1987–88. Clearly, the DHAC's pragmatism and willingness to negotiate with local state officials and to participate in local state structures and forums dispelled the state's attempts to discredit it. By the late 1980s these campaigns in the Coloured and Indian areas served as a catalyst for the development of a non-racial alliance opposing the high rents for public housing imposed by the local state (Maharaj 1996a).

Housing issues, especially rents and affordability, were central concerns for civics in South Africa because blacks were denied land tenure in urban areas until 1986. In Durban, Coloureds and Indians were forced to relocate in segregated public housing estates like Phoenix, Chatsworth and Newlands East in terms of the Group Areas Act. The local state attempted to dominate residents in public housing estates by imposing unbearable rent increases. Residents opposed these increases. Hence, public housing estates constituted a 'terrain of resistance' (Routledge 1993). The housing issue also served as a catalyst for the formation of a multi-class, non-racial, populist alliance and the emergence of metropolitan integration in Durban. In consequence, local housing issues involved a challenge to apartheid at the highest levels.

Despite their geographic and seemingly racial emphasis, DHAC and JORAC worked closely together and were further aligned through their affiliation to the pro-ANC United Democratic Front in 1983. Civic organisations like the DHAC and JORAC served as important agents of social change and initiated a shift towards a non-racial local government. They also contributed towards the development of collective political consciousness across race barriers. A major factor facilitating mobilisation was material – the incapacity of the people to pay increasing rents in Durban. While the focus was on local problems, the civics were aware that these issues were inextricably linked to the apartheid central state. Hence, the civics consciously advanced non-violent strategies – mass meetings, demonstrations, marches, boycotts and petitions – that advanced the struggle for national political change. The mode of resistance was non-violent (Maharaj 1996a).

The DHAC and its affiliates were also at the vanguard of the demands for a non-racial city – a move which gained considerable impetus following the unbanning of the African National Congress in February 1990 and the commencement of negotiations for a non-racial, democratic South Africa.

The collapse of apartheid in the early 1990s and the imminent prospects of democracy brought about immense pressures for the

deracialisation of South African cities. In Durban, the local state was forced to respond to a multitude of problems and demands as it attempted to come to terms with burgeoning numbers, a depressed economy, political demands for a non-racial city from civic organisations with strong grassroots, and land claims from those who had been dispossessed under apartheid.

Deracialising the City: 1990s

On 10 March 1990 a number of civic organisations including the DHAC, Westville Residents' Support Group, Berea Residents' Association, and Lamontville Residents' Association met to discuss strategies for non-racial local government in the Durban area. At the meeting many speakers highlighted the unequal allocation of resources in black areas, and attributed this to being disenfranchised. They stressed the necessity for a non-racial local government, representative of all communities in Durban and called for the boundaries of the city to be redefined.

The vehicle to achieve these objectives was the Campaign for a Democratic City (CDC). The CDC was launched on 29 September 1991 and was supported by about 75 civic groups, straddling race, class and geographic boundaries. The CDC resolved to strive for:

- the eradication of apartheid local government structures in the Durban region;
- the realisation of a non-racial, democratic and equitable local government based on a common non-racial voters roll;
- the immediate improvement in the living conditions of the people who inhabited the region (Maharaj 1996a).

The launch of the CDC was welcomed as it focused 'attention on the true meaning of democracy in municipal government' and served as 'watch dogs in this period before transition and also at all stages until democracy is truly established in municipal affairs' (*Leader* 27.09.91). Local government analysts viewed the campaign 'as the most serious attempt yet to change the face of South Africa, and really establish the "new South Africa"' (*Natal Mercury* 05.10.91).

The CDC strongly opposed the racial allocation of public housing in the city. In a memorandum, the Council was asked to formulate a new non-racial list, so that vacant dwellings could be allotted to those in need.¹¹ Councillor Mona Riddle, chairperson of the Community Services Committee, replied that the non-racial housing allocation had been accepted in principle, but that the municipal restructuring process

had delayed its implementation (*Daily News* 27.06.91). At a meeting held on 10 July 1991 a sub-committee comprising representatives from the CDC and the Community Services Committee was formed to develop a new non-racial housing list. The CDC was satisfied with the outcome of the meeting, particularly as they would be involved in the decision-making process (*Daily News* 11.07.91). This represented a penetration of the apartheid local state by the civics.

The closer working relationship between the Council and civics led the latter to believe that there

was a change of style in the way the Council operated, if not of heart. For example, Deputy Mayor Margaret Winter, later to join the ANC, stated the Council was more inclined to recognise civics as an important constituency in the city, whereas previously they were viewed as a nuisance.

Municipal politics in Durban in the 1980s and early 1990s was 'characterised by numerous shifts in alliances, parties enjoying short-lived majority control of the Council, and very tenuous balances (Pillay 1995: 142). By mid-1990 an alliance between the National Party (NP), right wing, and independent councillors ensured that for the first time in its history the NP gained control of the City Council. However, by October 1990, Mayor Venter was reviewing his association with the conservative alliance. Venter supported President De Klerk's reforms, and gave them a local ambience by initiating dialogue between the region's key political players (Maharaj 1997b). The challenge for Durban was to initiate processes which would not only guarantee the results of national political negotiations but would also reinforce that outcome at the local level (Mkhwanazi 1990: 2). On 15 October 1990 the Council adopted an unambiguous mission statement which 'committed itself to pursuing the restructuring of local government on a non-racial and democratic basis within the context of a unitary and democratically governed South Africa' (*Natal Mercury* 16.10.90; Council Minutes 15.10.90).

In addition to political restructuring, the employment policy of the city had to be revised. The Council had a history of racist employment practices which favoured whites at the expense of blacks. There was a clear class, race and gender stratification of the Council's labour force. Africans and Indians made up the bulk of the general staff and basic skilled staff, white women dominated as secretaries and clerks, and white males were dominant at the middle and senior management levels. Given the political changes and pressure from trade unions, the Council was

forced to commit itself to adopt and implement affirmative action policies so that its staff began to reflect the race and gender composition of the communities they served (Maharaj 1997b). In September 1993 the Council adopted a 'charter of intent for an affirmative change process' which was approved by the different stakeholders in the Durban municipality (including unions). The following 'vision statement' was adopted by the charter: 'The Council, both the work-force and the body politic, reflects the demographics of the region and creates opportunity for all people to achieve their full potential' (Durban City Council 1993: 1). According to the Durban Integrated Municipal Employees' Society (DIMES) 'affirmative action will involve transforming the ethos, quality and content of local government to help reverse the legacy of inequality, under resourcing and impoverishment of an apartheid environment' (DIMES 1994: 40).

Democratic local government elections took place on 1 November 1995 in South Africa. However, elections in KwaZulu-Natal only took place on 26 June 1996 because of administrative problems and the high level of political intolerance and violence. In spite of these problems, the 26 June elections in KwaZulu-Natal was 'substantially free and fair'. As expected, the ANC was successful in the major urban areas, and the IFP in the rural areas. Against the background of the political conflict, violence and instability, the relatively peaceful local elections marked the beginning of a new era which would focus on reconstruction, development and planning. The new non-racial local authorities in the Durban region faced major challenges as they focused on urban reconstruction and development strategies to address the socio-spatial distortions of the apartheid era. Central government control over local development planning has been reduced, with an increased emphasis on local and regional economic strategies as South African cities try to alleviate the high levels of unemployment and poverty in the country (Rogerson 1995; Maharaj and Ramballi 1996). In Durban the International Convention Centre and Point Redevelopment Project were part of the DCC's strategic planning initiative to form an alliance between local government and the private sector to help save the region's ailing economy. These projects were underpinned by a protocol to address past inequalities, with policies for affirmative action, stable job creation and levelling of playing fields (Maharaj and Ramballi 1998). It was envisaged that these projects would influence a significant increase in international tourism, which would create one new job for every eleven visitors and also bring foreign currency into the country. This money would have a multiplier effect of five to seven times (*Mercury* 16.12.92).

However, all these predictions of thousands of employment opportunities did not consider the cyclical nature, low pay and unstable jobs that were created by the tourism-convention centre industry. Local examples (the Victoria and Alfred Waterfront project in Cape Town) and international examples illustrate that additional or long term, stable jobs were not created (Loftman and Nevin 1996), but were merely redistributed to white suburbanites and not the low income groups. Grant and Kohler (1996: 539) have similarly concluded that the 'unrealistic plans which characterise the Point reconstruction programme are problematic and unlikely to benefit those most in need'.

Although a number of processes have been responsible for the inequitable distribution of political power and wealth in South Africa, it has been argued that the dispossession of land was the most important for most black communities. With the demise of the Group Areas Act and the Land Act serious attention has focused on plans to reconstruct some of the areas which were destroyed by the legislation. The Restitution of Land Rights Act of 1994 provided a mechanism to address the land dispossession that occurred during the apartheid era. In an era of reconstruction, development and planning, land restitution can be regarded as an opportunity to heal the scars resulting from apartheid planning and forced removals.

In Durban, Cato Manor attracted 3 000 urban claims. However, plans are well in advance for the reconstruction and development of Cato Manor into a model non-racial environment. A non-profit Section 21 company,¹² the Cato Manor Development Association (CMDA), was formed to administer the project (Maharaj and Ramballi 1997). Section 34 of the Restitution Act allows local authorities to apply to the Land Claims Court to prevent restoration of property to original owners who were displaced by apartheid laws, if this was perceived as not being in the public interest. In August 1996, the Durban Metro made a Section 34 application to stop restoration in Cato Manor.

The CMDA's policy framework for the development of Cato Manor envisages the provision of between 30 000 to 40 000 houses for middle to low income people over a 10-year period, catering for their economic and social needs. Land restoration would impede development progress; therefore the CMDA was in favour of restitution (alternate sites) which would accommodate claimants in its land allocations policy. However, there was no mention of the historically dispossessed in the CMDA's land allocation policy. The CMDA argued that the project was in the public interest because it would deliver affordable housing, provide economic benefits, influence the environment and would be a model

for the future. Although there were some impressive plans for the development of Cato Manor, there was little tangible progress in implementation. The Land Claims hearings were costly and time consuming, and the local authority was forced to negotiate with the claimants. The chief Land Claims Commissioner Joe Seremane warned that the 'claimants' rights to restitution should not be sacrificed on the altar of ambitious plans that disregard the needs and rights of dispossessed citizens' (Media Release 03.02.97). The essence of the Cato Manor agreement concluded in April 1997 was that where feasible, restoration must be incorporated in the development plans for the area as a whole (Maharaj and Ramballi 1997). In Durban the Cato Manor land claims hearings confirmed the need for negotiations and consultation before development plans are drawn for land with potential restitution claims and that there had to be a compromise between restitution and urban development projects.

*Contemporary Socio-Political Dynamics*¹³

While there was a new democratic council, there was concern about the lack of delivery and the great expectations of the people. Within the city there were extreme disparities: 'Well turned out suburbs adjacent to squatter camps mean that a disparate range of services is available to people living on opposite sides of the road' (*Daily News* 11.04.97). Existing levels of services were being maintained in the former white areas. Cynics would argue that this would entrench the inequalities inherited from the apartheid era. However, it should be noted that the new black elites have moved into these areas precisely because of the high standard of services. The focus in black areas was on the provision of infrastructure.

As part of its Reconstruction and Development Programme (RDP) strategy, the Council also had major plans for restructuring previously disadvantaged areas including those in the inner city zone (Maharaj 2000). For example, in November 1995 the Physical Environment Service unit of the city announced an impressive plan to upgrade the Warwick Avenue Triangle and the Grey Street areas in 'terms of safety, security, cleanliness, functionality and the promotion of economic opportunities'.¹⁴ In supporting the plan the Durban Metro acknowledged that these areas had been 'politically marginalised in the past in terms of physical, social and economic development and investment'.¹⁵

However, the government's new macro-economic framework, the Growth, Employment and Redistribution (GEAR) policy, which emphasizes fiscal discipline, debt reduction and cuts in public spending,

is viewed by some as a departure from the RDP (Marais 1998). In terms of this policy local authorities will be forced to generate a larger proportion of their own revenues, and there is also a strong emphasis on public-private partnerships. This raises questions about whether finances for addressing the historical backlogs in service provision in black townships would be available:

Many councillors representing constituencies in townships have had to explain to their long-suffering electorate why the housing schemes, community halls and sprawling green playgrounds are taking so long to rise from the ashes of apartheid, three years after political liberation (*Natal Mercury* 28.08.97).

The previously conflictual relations between the Council and local communities was reduced because in a democratic area there was direct access to councillors and officials. Although there was a high level of organisation and mobilisation in the late 1980s and early 1990s, many civic organisations were weak because their leaders were now part of the Council. There was a call for a 'renewed culture of political activism and strong grass-roots leadership' that will force the authorities to listen to the views of the electorate (*Mercury* 28.08.97).

Two issues that did receive attention were the inequitable rating system, and rent and service charges arrears. The inequitable rating system and the Council's neglect in the provision of services and facilities in black areas were one reason for Durban having the dubious distinction of being the only debt free local authority in the country. The Group Areas Act had inflated the rateable value of properties in Indian and Coloured areas (Seethal 1993), and residents in areas such as Clare Estate, Reservoir Hills, Newlands and Shallcross had initiated a rates boycott between 1994–96. As the campaign mounted, the new Council responded by providing a rates rebate in former Indian areas. It also requested the provincial government to write off the rent and service charges arrears which had accrued in the former black townships since the 1980s. However, the Council warned that 'the future prosperity of our local government structures rests firmly on the creation of a culture of payment for services rendered' (Mayor's Minutes 1995/96: 10). There was concern that high levels of non-payment and reduced state subsidies would undermine the financial viability of the city. In 1997 councillors supported the Masakhane¹⁶ campaign by appropriating most of the capital budgets to development projects in the townships. Councillor Nomvuso Shabalala, chairperson of the city's Masakhane committee,

maintained that the campaign would only be successful if there was a two-way strategy: 'We need to spread the word to our communities that our budgets are people's budgets and make them understand the reason for paying rates and tariffs' (*Daily News* 01.09.97).

Councillors complained about being overwhelmed with piles of agendas and being bombarded with technical jargon and data from the bureaucrats. Open debate on Council matters, especially controversial issues, was limited.¹⁷ Councillors were forced to support positions adopted at party caucuses even if such decisions were not favoured by their electorate. Hence, the interests of political parties superseded that of local communities. For example, perusal of the Council's minutes revealed that there was no evidence that the Council had seriously considered the impact of the Land Restitution Act in Durban. Such neglect is grossly insensitive, given the historical role of the Council in dispossessing hundreds of thousands of people. It was only after the Cato Manor Land Claims Hearings in January 1997 that the Council was forced to apply itself to the issue of restitution.

Historically, business interests were strongly represented on the Council (Purcell 1974). In the post-apartheid era the direct influence of big business on the Council has diminished. Indirectly, the influence of big business is still pronounced. Basically, business interests lobby politicians at the national and provincial levels, who then influence their caucuses on the Council to support specific business projects.

Conclusion

In the past there was a great deal of conflict and contradictions between the local state, the white elite and working class groups over labour, housing and 'race' issues in Durban. This was diffused with the adoption of a patronage style of politics which accommodated white working class interests. The increasingly racist discourse consolidated a political alliance between the local state, the white elite and the working class. The anti-Indian agitation of the Council and its white electorate played an important role in the development of segregation legislation, especially the Group Areas Act.

However, *de jure* white residential exclusivity was being contravened by the mid-1980s as large numbers of blacks began to move into designated white group areas in major urban centres in South Africa. In Durban, the local state was forced to respond to many problems as it attempted to come to terms with a rapidly increasing population, economic decline, and political demands for a non-racial city. Civic organisations resisted rent increases, opposed evictions, and initiated

demands for a non-racial democratic city. The delayed local government elections resulted in Durban, one of the first cities to develop and implement racist policies, becoming one of the last to embrace the new, democratic order.

While there has been an increased emphasis on local strategies for urban reconstruction and development in Durban there is a need to implement linkage policies which guarantee that benefits are channelled directly to the disadvantaged communities. In Durban the desegregation of the apartheid city was generally taking place within the inner city and on the fringes of affluent suburbs. In the apartheid era, squatting and land invasion were generally confined to the borders of townships and the peripheries of the city. In the post-apartheid era there has been an increasing tendency to occupy vacant land within the core city. The rapid increase in land invasions and the proliferation of informal settlements in Durban demands that the pace of land reform and housing delivery processes increase significantly. The land restitution process can be used as an opportunity to eradicate the apartheid city, provide non-racial housing, compensate victims of forced removals, and contribute to the development of the post-apartheid city.

Segregation, however, has been deeply entrenched in the social fabric, and is further reinforced by the socio-economic differences between blacks and whites. Decades of institutionalised segregation will not be eliminated overnight, and the legacy of apartheid will be visible for a long time in Durban and other South African cities.

NOTES

1. I am grateful to Bill Freund for his incisive comments which contributed to a significantly revised chapter.
2. For a good analysis of the political, social and economic dynamics in Durban in the twentieth century, see Maylam and Edwards (1996).
3. For example, in 1914 the Town Council emphasized the industrial and commercial advantages of Durban which enabled 'private enterprise to develop on terms and conditions such as no other South African town can offer' (Minutes of the Durban Town Council, 01.12.14).
4. Durban's Land Problem. Report of the Town Clerk to the Mayor and Councillors of the Borough of Durban, 12 November 1917.
5. Minutes of the Durban Town Council, 07.11.30.
6. Minutes of the Durban Town Council, 07.11.18.
7. City of Durban. 1943. *Post-War Development - Report of Special Committee*, p. 18.
8. Technical Sub-Committee on Race Zoning, Part II, paras. 267-70.

9. Hansard of House of Assembly, 05.08.58, col. 1472.
10. Cato Manor failed as a white group area for two reasons. Firstly, there was an abundant supply of land and housing for whites in other group areas. Secondly, parts of Cato Manor had eccla shale, which would contribute to significantly higher construction costs. The government did not proceed with the relocation of the Indian central business district in order to increase the legitimacy of the state-appointed South African Indian Council (SAIC). Many members of the SAIC had business interests in this area.
11. There were about 100 vacant Council flats in white areas (*Sunday Tribune* 07.07.91).
12. Organisations registered in terms of the Companies Act which are not for commercial purposes or for gain.
13. Unless otherwise indicated, this section is based on interviews conducted with three councillors in October 1998. They requested anonymity.
14. Physical Environment Service Unit Report for Committee, Greater Warwick Avenue and Grey Streer Project, November 1995, p. 5.
15. Ibid., p. 4.
16. A campaign initiated by the government to end the culture of non-payment for services. Initially the focus was on payment of services. This was subsequently extended to include the reconstruction and the provision of services and facilities.
17. In fact, towards the end of 1997 'a range of politically sensitive issues were discussed behind closed doors. These include the "financial disaster" of the World Veterans' Games and the subsequent internal inquiries into the matter, and discussions with the Airports Company about the La Mercy Airport' (*Daily News* 03.12.97).

REFERENCES

- Bagwandeen, D. 1991. *A People on Trial for Breaching Racism: The Struggle for Land and Housing of the Indian People of Natal, 1940-1946*. Durban: Madiba Publishers.
- City of Durban. 1995. 'Settlement Areas and Population Estimate Project Durban Metropolitan Area'. Urban Strategy Department.
- Cunnam, P. and B. Maharaj. 2000. 'Against the Odds: Health Care in an Informal Settlement in Durban'. *Development South Africa*, 17.
- DIMES. 1994. 'Classes of Struggle: 60 years of DIMES 1934-94'. Souvenir Brochure. Durban City Council. 1993. 'Charter of Intent for an Affirmative Change Process'. Affirmative Change Workshop held on 30 September - 1 October 1993.
- Edwards, I.A. 1989. 'Mkhubane Our Home: African Shantytown Society in Cato Manor Farm, 1946-1960'. Ph.D. thesis, University of Natal.
- . 1994. 'Cato Manor: Cruel Past, Pivotal Future'. *Review of African Political Economy*, 61.
- Elder, G. 1990. 'The Grey Dawn of South African Racial Residential Integration'. *GeoJournal*, 22.
- Freund, B. 1995. *Insiders and Outsiders: The Indian Working Class of Durban, 1910-1990*. Pietermaritzburg: University of Natal Press.
- Gigaba, M. and B. Maharaj. 1996. 'Land Invasions during Political Transition: The Wiggins Saga in Cato Manor'. *Development Southern Africa*, 13.
- Grant, L. and K. Kohler. 1996. 'Evaluating Tourism as a Policy Tool for Urban Reconstruction in South Africa: Focus on the Point Waterfront Development, Durban, Kwazulu-Natal'. In R.J. Davies (ed.). *Contemporary City Structuring*. Cape Town: IGU Commission on Urban Life, pp. 531-41.
- Hindson, D. and M. Byerley. 1993. 'Class, Race and Settlement in Cato Manor: A Report on Surveys of African and Indian Households in Cato Manor'. Institute for Social and Economic Research, University of Durban-Westville.
- Hindson, D. and M. Makhathini. 1993. 'Community Dynamics and Leadership in Cato Manor'. Institute for Social and Economic Research, University of Durban-Westville.
- Hindson, D. and J. McCarthy (eds). 1994. *Here to Stay: Informal Settlements in KwaZulu-Natal*. Durban: Indicator Press.
- Hindson, D., M. Byerley and M. Morris. 1994. 'From Violence to Reconstruction: The Making, Disintegrating and Remaking of an Apartheid City'. *Antipode*, 26.
- Johnson, R.E. 1973. 'Indians and Apartheid: The Failure of Resistance'. Ph.D. thesis, University of Massachusetts.
- Kuper, L., Watts, H., and Davies, R. 1958. *Durban: A Study in Racial Ecology*. London: Jonathan Cape.
- La Hausse, P. 1984. 'The Struggle for the City: Alcohol, the Ematsheni and Popular Culture in Durban, 1902-1936'. M.A. thesis, University of Cape Town.
- Loftman, P. and B. Nevin. 1996. 'Going for Growth: Prestige Projects in Three British Cities'. *Urban Studies*, 33.
- Lupton, M. 1992. 'Class Struggle over the Built Environment in Johannesburg's Coloured Areas'. In D.M. Smith (ed.). *The Apartheid City and Beyond*. London: Routledge.
- Maasdrop, G. and A.S.B. Humphreys. 1975. *From Shantytown to Township*. Cape Town: Juta.
- Mabin, A. 1992. 'Dispossession, Exploitation and Struggle: An Historical Overview of South African Urbanization'. In D.M. Smith (ed.). *The Apartheid City and Beyond*. London: Routledge.
- Maharaj, B. 1994. 'The Group Areas Act and Community Destruction in South Africa: The Struggle for Cato Manor in Durban'. *Urban Forum*, 5, 1.
- . 1995. 'The Local State and Residential Segregation: Durban and the Prelude to the Group Areas Act'. *South African Geographical Journal*, 77.
- . 1996a. 'Urban Struggles and the Transformation of the Apartheid Local State: The Case of Community and Civic Organisations in Durban'. *Political Geography*, 15.
- . 1996b. 'The Historical Development of the Apartheid Local State in South Africa: The Case of Durban'. *International Journal of Urban and Regional Research*, 20.
- . 1997a. 'Apartheid, Urban Segregation and the Local State: Durban and the Group Areas Act in South Africa'. *Urban Geography*, 18.
- . 1997b. 'The Politics of Local Government Restructuring and Apartheid Transformation in South Africa: The Case of Durban'. *Journal of Contemporary African Studies*, 15.
- . 1999. 'The Integrated Community Apartheid Could Not Destroy: The Warwick Avenue Triangle in Durban'. *Journal of Southern African Studies*, 25.

- . 2000. 'Urban Decline and Renewal: A Case Study of the Inner City in Durban'. Paper presented at the Urban Futures Conference, University of Witwatersrand.
- Maharaj, B. and S. Khan. 1998. 'Urban Reconstruction, Development and Planning in the New South Africa: The Case of Durban'. In H. Dandekar (ed.), *Space, Urbanisation and Globalisation*. Ann Arbor: University of Michigan.
- Maharaj, B. and J. Mpungose. 1994. 'The Erosion of Residential Segregation in South Africa: The "Greying" of Albert Park in Durban'. *Geoforum*, 25.
- Maharaj, B. and K. Ramballi. 1996. 'Recent Trends in Local Economic Development in the USA: Policy Implications for Urban Reconstruction and Development in South Africa'. *Urban Forum*, 7.
- . 1997. 'Urban Land Claims: Contested Terrain: The Case of Cato Manor'. Paper presented at the CONSAS Conference on Land Surveying and Land Tenure, Durban.
- . 1998. 'Local Economic Development Strategies in an Emerging Democracy: The Case of Durban in South Africa'. *Urban Studies*, 35.
- Marais, H. 1998. *South Africa: Limits to Change – The Political Economy of Transformation*. Cape Town: University of Cape Town Press.
- Maylam, P. 1982. 'Shackled by the Contradictions: The Municipal Response to African Urbanisation in Durban, 1920–1950'. *African Urban Studies*, 14.
- . 1985. 'Aspects of African Urbanisation in the Durban Area Before 1940'. In R. Haines and G. Buijs (eds), *The Struggle for Social and Economic Space: Urbanisation in Twentieth Century South Africa*. University of Durban-Westville.
- . 1996. 'Introduction: The Struggle for Space in Twentieth-Century Durban'. In P. Maylam and I. Edwards, *The People's City*, pp. 1–32.
- Maylam, P. and I. Edwards (eds). 1996. *The People's City: African Life in Twentieth-Century Durban*. Pietermaritzburg: University of Natal Press.
- McCarthy, J.J. 1985. 'Progressive Politics and Crises of Urban Reproduction in South Africa: The Cases of Rent and Transport'. Paper presented at the Conference of the Association for Sociology in South Africa, University of Cape Town.
- . 1991. 'Planning Issues and the Political Economy of the Local State: An Historical Case Study of Durban'. *Urban Forum*, 2.
- Mkwanazi, D. 1990. 'Contextual Development'. Paper presented at the Economic Development Conference, 7 November 1990.
- Morris, M. and D. Hindson. 1992. 'South Africa: Political Violence, Reform and Reconstruction'. *Review of African Political Economy*, 53.
- Morris, M. and V. Padayachee. 1988. 'State Reform Policy in South Africa'. *Transformation*, 7.
- Pillay, U. 1995. 'Local Economic Development Initiatives in South Africa: The Case of Durban'. Ph.D. thesis, University of Minnesota.
- . 1996. 'The Uniqueness of Locality: The Case of the Durban Functional Region'. *Urban Forum*, 7.
- Purcell, J. 1974. 'Durban, South Africa: Local Politics in a Plural Society'. Ph.D. thesis, University of California, Los Angeles.
- Reintges, C.M. 1990. 'Urban Movements in South African Black Townships: A Case Study'. *International Journal of Urban and Regional Research*, 14.
- Rogerson, C. 1995. 'Local Economic Strategies in South Africa: Lessons from Britain's Local Enterprise Boards'. *Africa Insight*, 25.
- Routledge, P. 1993. *Terrains of Resistance*. London: Praeger.
- Saff, G. 1994. 'The Changing Face of the South African City: From Urban Apartheid to the Deracialisation of Space'. *International Journal of Urban and Regional Research*, 18.
- Seethal, C. 1993. 'The Transformation of the Local State in South Africa (1979–1991): Group Areas, Property Super-Taxation and Civic Organisations'. *Urban Geography*, 13.
- Swan, M. 1987. 'Ideology in Organised Indian Politics, 1891–1948'. In S. Marks and S. Trapido (eds), *The Politics of Race, Class and Nationalism in Twentieth Century South Africa*. London: Longman.
- Swanson, M.W. 1968. 'Reflections on the Urban History of South Africa: Some Problems and Possibilities, with Special Reference to Durban'. In H.L. Watts (ed.), *Focus on Cities*. Durban: University of Natal.
- . 1976. 'The "Durban System": Roots of Urban Apartheid in Colonial Natal'. *African Studies*, 35.
- . 1983. '"The Asiatic Menace": Creating Segregation in Durban, 1870–1900'. *International Journal of African Historical Studies*, 16.
- Williamson, A. 1996. 'General Overview'. Sector reports prepared for the Joint Steering Committee, Durban Metropolitan Council.
- Wyley, C.H. 1986. 'The Natal Dealers Licences Act of 1897 and the Conflict between Indian and White Capital in the Borough of Durban, 1897–1909'. Honours thesis, University of Natal, Durban.