DURBAN – Between Apartheid and Neoliberalism, and its Discontents

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Location of Durban in South Africa (Source: www.airport-technology.com)

PREFACE

Historically, there have been serious contestations (sometimes accompanied by violence) over right to live and work in the city of Durban. The history of Durban can be divided into three distinct phases spanning some hundred and seventy three years. It was first colonised by the British in 1844 who annexed it as a colony from the indigenous Zulu population. Durban served as a point of contact for extensive hinterland trade through its port. With the cultivation of sugar cane in the 1860s onwards it became an important point of export trade and import of manufactured products from the rest of the British empire. In looking at the early history of Durban as a British colony it would be a major omission if mention was not made of it being the centre for the trading of Indentured Indians, a contractual form of slavery to work the sugar plantations of the colony. During the period of colonialism violent clashes took place with the indigenous population as the British penetrated the hinterland.

In 1948, Durban took a new spatial form when the Afrikaner National party ascended to power. The Nationalist Party pursued strict segregationist policies which came to be known as apartheid. It tried to ensure that Blacks (Africans, Indians and Coloureds) who came to co-exist during the colonial times were confined to segregated neighbourhoods and the core city was predominantly preserved for white ownership and occupation. In pursuing apartheid policies, hundreds of thousands of Blacks were victims of forced removals and were relocated to dormitory type townships on the fringes of the city. Durban's socio-spatial configuration was shaped and styled by four distinct racial boundaries which has persisted into the post-apartheid era.

Since the dawn of democracy in 1994, policy makers, researchers and urban planners were caught in the political wave to desegregate urban spaces so that it is inclusive, sustainable and equitable. The guiding principle for such change was contained in the Reconstruction and Development Programme (RDP) which was the ANC's political mandate for the transformation of the country. This political mandate for social change was dealt a major blow when the Government of National Unity in 1996 adopted the Growth, Employment and Redistribution (GEAR) policy. GEAR was founded on a neo-liberal macro-economic policy that saw the ascendancy of the market and the retreat of the state. Hence, in most South African cities, including Durban, the social, welfare and basic needs of the poor and disadvantaged were sacrificed, and anticipated trickle-down benefits evaporated. This has resulted in violent contestations between communities and local authorities over access to resources and basic needs.

These themes form the focus of this paper, and there is a specific emphasis on the socio-spatial transformations which have taken place in Durban in the apartheid and post-apartheid eras, and the associated forms of urban violence. There have been violent contestations over the right to live and work in Durban.

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Abbreviations

ANC – African National Congress
BEE – Black Economic Empowerment
CBD – Central Business District
CDC – Campaign for a Democratic Committee
CMDA – Cato Manor Development Agency
CPF – Community Policing Forum
DCC- Durban City Council
DCRA - Durban Central Residents Association
DHAC – Durban Housing Action Committee
DIMES – Durban Integrated Municipal Employers Society
DMA – Durban Metropolitan Area
DMR – Durban Metropolitan Region
DLG – Development Local Government
DTMB – Durban Transport Management Board
FIFA – Federation of International Football Association's
GAA – Group Areas Act
GDMNF – Greater Durban Metropolitan Negotiating Forum
GEAR – Growth Employment and Redistribution
IDP - Integrated Development Plan
IFP- Inkatha Freedom Party
INK – Inanda, Ntuzuma and KwaMashu
IMATU – Independent Municipal and Allied Trade Union
JORAC – Joint Rent Action Committee
KZN – KwaZulu-Natal
LGTA – Local Government Transition Act
MDB – Municipal Demarcation Board
MIRA - Mayville Indian Ratepayers Association
NLTTA –National Transport Transition Act
NP – National Party
PR – Proportional Representation
RDP – Reconstruction and Development Programme
SAMU – South African Municipal Union
SACP – South African Communist Party
TA – Transport Authority
UDF – United Democratic Frond
UDS – Urban Development Strategy

Introduction

The purpose of this paper is to present an overview of the different forms of socio-spatial transformations which have taken place in Durban over the past twenty years, and especially in terms of how this has impacted on the different forms of urban violence. Historically, there have been serious contestations (sometimes accompanied by violence) over right to live and work in the city of Durban. This was especially so in the apartheid era, when black male workers were considered to be temporary sojourners in white urban spaces, heralded by the Urban Areas Act (1923)[1] and the male migrant labour system (Rich, 1978). This was followed by the forced displacement and relocation of settled and established black communities to the distant periphery in terms of the Group Areas Act (1950)[2] Given the city's racial and ethnic mix, there was incipient tensions between the indigenous Zulus and Indians (descendants of indentured labour) which occasionally flared up into open violence and conflict.

The post-apartheid era heralded the phase of reconstruction, development and planning, a strategy to address the socio-spatial injustice and inequalities associated with impress of apartheid. These great expectations were rapidly dashed with the adoption of the Growth, Employment and Redistribution[3] macro-economic strategy in 1996, and the capitulation of the state-market nexus to the neoliberal agenda. Hence, in most South African cities, including Durban, the social, welfare and basic needs of the poor and disadvantaged were sacrificed, and anticipated trickle-down benefits evaporated.

The focus on Durban turned to megaprojects such as the International Convention Centre, the uShaka Marine Park, sport stadiums, malls, and new port developments. In terms of the new port developments, it is envisaged that at least 80 000 people would be forcefully displaced. In preparing to host mega-events like FIFA 2010, attempts were made to clean up the inner city of Durban, and also to destroy a century-old market which could adversely affect the livelihoods of up to 25 000 people. These various themes form the focus of this city profile but some reflection on the historical development of the city is necessary and this is the focus of the next section.

Historical Background

The English had settled in Durban since 1824 with the establishment of a trading post, in a region which belonged to the Zulu nation. Within the next three decades Durban developed into a harbour town, which encouraged the expansion of secondary and tertiary economic activities (Figure 1). In 1854 Durban became a municipality with an

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[1] This Act made each local authority responsible for blacks in their respective areas. It regulated influx of blacks in urban areas and all surplus and redundant blacks were moved to designated African reserves.

[2] The Group Areas act was enacted under the apartheid government which assigned racial groups to different residential and business sections in urban areas.

[3] Commonly known by the acronym GEAR, it was designed to stimulate faster economic growth to provide resources to meet social needs. It encompassed most objectives of the Reconstruction and Development Programme (RDP) but aimed at reducing fiscal deficits, inflation rates, maintaining exchange rate stability, decreasing barriers to trade and liberalizing capital flows – basically a neoliberal strategy.

elected town council. Whites were the only franchised group in the city.[4] Initially, the city was dominated by mercantile interests within the predominantly White community. Durban experienced rapid economic expansion between 1870 and 1890, particularly in the shipping and allied industries. This was associated with increased production of raw materials, as well as diamond and gold mining in the interior, which generally increased trade.
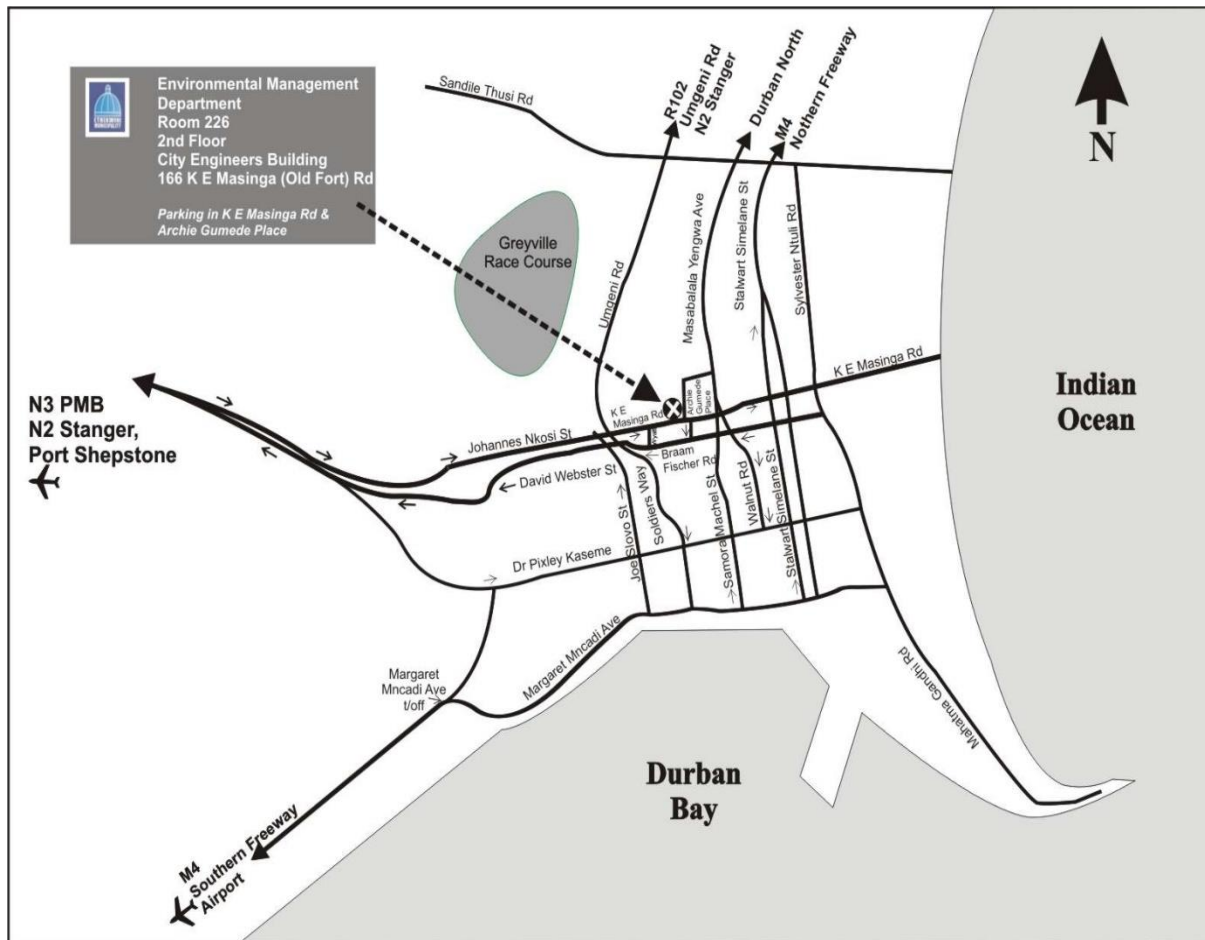
Figure 1 Early Settlement in Durban

The multi-cultural diversity of the city was linked to the presence of people of English, Zulu and Indian origins. The origin of South African Indians can be traced back to the agricultural labour requirements of colonial Natal in the mid-nineteenth century, which some have viewed as 'a new form of slavery'. 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. 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

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[4] Racial terminology in South Africa is a veritable minefield. Any study of the South African social formation cannot avoid reference to race and ethnic divisions. However, use of such terminology does not in any way legitimate racist ideology and doctrine.

sanitation, and influenced the development of segregation policies which culminated in the Group Areas Act (1950). Historically, there was a great deal of conflict and contradictions between the white dominated local state (Indians and Africans were denied the franchise, and provided with minimal resources), the white elite and working class groups over labour, housing and `race' issues in Durban. The anti-Indian agitation of the Durban City Council and its white electorate played an important role in the development of segregation legislation, especially the Group Areas Act (1950) (Maharaj, 1997a).

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. White capital increasingly required a constant supply of cheap Black labour to support its manufacturing enterprises in the city. The local state was not prepared to finance African housing from the municipal budget so that White capital interests could be supported. It developed a unique 'Durban 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.

Labour Control

Harold Wolpe's 1972 essay on capitalism and cheap labour power in South Africa describes the apartheid system as not only one of racial exclusion, but also a system of domination and control, intrinsically bent on reproducing and elaborating capitalist relations by maximizing cheap labour with little financial burden on the state. The increase of economic migrants and refugees in South Africa has a strong parallel to the world Wolpe (1972) described. In this case though it is a cheap labour pool without rights within a cheap labour pool of black South Africans; once again creating a situation in which some members of society are denied rights, without recourse to the state, subjected to bare life, and in this case policed through violence *both* by the state *and* by other poor South Africans who see themselves as bearers (and possible beneficiaries) of certain rights and concessions through the ANC-led state (Crush, 2001).

Durban experienced a very large increase in African workers at the turn of the century, and in many respects served as a laboratory for competing doctrines and policies for social and political control of labour in the country. By 1901 Durban had a population of 55 000, comprising 15 000 Africans, 14 000 Indians and 26 000 whites, and this increased to 68 000 in 1904, with proportions of 19 000, 16 000 and 31 000 respectively (Swanson, 1976:161). Changes in the population composition and demography of Durban led to the development of a unique system of black urban administration, which had a major influence on municipalities throughout the Union. A central concern of the local state was to control the rapidly growing African and Indian population in Durban, and this concern was commonly expressed in terms of the outbreak of diseases, insanitary conditions, and crime (Swanson, 1968:145). The local

state's attempts to control the labour force was met with increasing resistance and militancy by the African proletariat.

The increasing resistance and militancy of the African working class threatened to undermine the local state's attempts to exert social control over the labour force. Between 1918 and 1920 the dockworkers and municipal workers were involved in numerous strikes. This period was characterised by labour unrest and resistance nationwide. In April 1918 Durban's `ricksha' pullers refused to work because of an increase in their vehicle rentals. Under the leadership of J.L. Dube, President of the South African Native National Congress, and editor of Ilange lase Natal, many workers in other industries were demanding wage increases (Hemson, 1979). The local state reacted by requesting the central state to take action against Dube.

In July 1918 the railway workers were involved in strike action and the local state used the police force to intimidate the labourers, requesting the chief magistrate to intervene and the police to investigate potential instigators. As a result, "the close networks between particular employers, municipal officials, and representatives of central government were lit up starkly in the suppression of working class action" (Hemson, 1979:184). In fact, the local state, (a large employer of unskilled and semi-skilled African labour) entered into a pact with local capital in September 1919 to control wage increases. However, as worker action became more militant, employers were forced to make individual concessions (Hemson, 1979).

Ethnic competition and conflict - Indians versus Africans

It has been conventionally argued that the abundant indigenous Zulu labour in Natal was inadequate and unsuitable for sugar plantations. However, on the contrary, the local Zulus comprised a proficient labour force and were "by no means disinclined to labour, or unwilling to render it to the planters, but upon their own terms and at their own times" (Daily News, 13/11/60). There is adequate evidence which reveals that while Natal was arranging for the introduction of indentured labour, the Zulus were working diligently in both the skilled and unskilled sectors of the economy (Meer, 1985; Dhupelia, 1982). So the difficulty facing the planters was not a shortage of labour, but rather a lack of a plentiful supply of cheap labour. The cost of Indian labour was high, especially in terms of costs of recruiting and travel to Natal. This had the effect of lowering the wages paid to Africans, which was one of the reasons for introducing indentured labourers (Ginwala, 1974:26-7).

For the first twenty years after the introduction of indenture, Indians probably constituted the poorest section of the Natal population. During this period Africans were the main suppliers of basic foodstuffs such as maize, vegetables and kaffir corn. However, by 1882 these products were being produced almost entirely by Indians in the Natal coastal region. Indians managed to survive the economic and political onslaught primarily because of their cultural and religious heritage, and the importance the community attached to education.

Hence, as the relative material circumstances of Indians improved with better access to markets with their produce, the African population became more impoverished. Thus, by the end of the nineteenth century Africans replaced the Indians as the most indigent

at the bottom of the economic hierarchy (Ginwala, 1974:71-73).

The wealth and business interests of the trader group was envied by whites as well as Africans. The limited number of African traders in urban areas resulted in Indian traders becoming very conspicuous. African leaders argued that preference should be given to African traders in African areas. Ethnic differences between Africans and Indians became more evident as Africans believed that all Indians had more privileges and opportunities than them (Kirk, 1983).

However, what was often obscured was the fact that the majority of Indians belonged to the working class. Surveys revealed that over 70 percent of the Indians were desperately poor. Being semi-skilled and unskilled workers, their wages were low. In addition, living in the joint family system, they had a large number of dependents (Ginwala, 1974). Hence, a significant proportion of Indians did not benefit directly from the comparative advantages enjoyed by Indians as an ethnic group. Their economic conditions were not much different from those of African workers (Ginwala, 1974). In addition, there were various institutional factors which limited the employment opportunities of Indians and Africans.[5]

Indians and Africans competed for jobs in the urban labour market. The main area of competition was in secondary industry, were there was a large demand for unskilled labourers. Indians had a comparative advantage over Africans in that they were more highly urbanised. With their experience, Indians dominated in the semi-skilled and supervisory jobs which whites rejected. However, except in the area of employment, the benefits which accrued to Indians were mainly in the interest of the bourgeois and petty bourgeois groups (Kirk, 1983: 30-33). As a result of the relative advantages enjoyed by the Indians and their relative material progress vis-a-vis the Africans, Indo-African relations in Natal were characterised by incipient tension and conflict.

Both Indian and African political organisations did not do much to foster inter-group relations. However, this began to change in the post-1945 period. In 1947 a pact was formed between the South African Indian Congress (SAIC[6], led by Dr Y. Dadoo), the NIC (lead by Dr G.M. Naicker), and the African National Congress (lead by Dr Xuma), to form a united front in opposing segregation and oppression. The pact did not receive much support, especially from the African petty-bourgeoisie. Selby Msimang, executive member of the Natal ANC stated that the "pact reflected a spirit of co-operation only at leadership level", and that to the best of his knowledge, Dr Naicker had not done anything to promote co-operation (Mesthrie, 1989:42). A telling indictment against the political leadership of the period was the failure to mobilise across racial barriers:

> A study of the working class areas of Durban would surely reveal that even by the 1930s there was a considerable intermingling of African and

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[5] These included restrictions on movement between provinces; the Colour Bar; Apprenticeship Act of 1944; and the `Civilised Labour' Policy.

[6] The SAIC was formed in 1923 and comprised the NIC, Transvaal Indian Congress (TIC, established in 1927) and the Cape British Indian Council. See Mesthrie (1989:42).

Indian workers. Much of this was superficial - on the race track, in the cinema, or in the bus - but some was more durable, in terms of worker or home relationships. This urban intermingling might have become the basis for a political movement, if the Indian leaders had not remained so completely middle class, whether they were moderates or radicals in their ideology (Tinker, 1973:525).

The tensions and conflicts which characterised Indo-African relations were vividly played out in Cato Manor in 1949 and Inanda in 1985.

Violence and Conflict – Cato Manor
The history of settlement in Cato Manor is very complex, especially in terms of its race-class configuration, types of legal and illegal tenure, and the extent to which the right to live in the area has been "fiercely and often violently contested" (Edwards, 1994:415). It is located within 5km from the CBD and is also very close to the industrial areas of Durban (Figure 2). Cato Manor has traditionally been a mixed area, occupied mainly by Indian and Africans. The history of Cato Manor is inextricably interwoven with the history of Durban.

Figure 2 Location of Cato Manor in Durban
(Source: http://www.cmda.org.za/annual_report_02/location.htm)

The area was originally owned by George Cato, the first mayor of Durban, and comprised of about 4 500 hectares (Edwards, 1989:7). It consisted partly of a marshy, animal-infested jungle, although the land was variable in quality. After completing their period of indenture, many pioneering Indians settled here and built simple houses from their modest earnings and savings, facilitated by pooled incomes from the joint family system. They had purchased or leased their land from wealthy white farmers who had made lucrative profits from transactions with Indians.

The conversion of undeveloped Cato Manor into a thriving, productive agricultural area resulted from the "effort of the Indian through industry, resourcefulness and thrift" (MIRA, 1958:4). The Indians were mainly fruit farmers and market gardeners who ensured that Durban was adequately supplied with fresh fruit and vegetables at reasonable prices. With the passage of time more Indians were attracted to Cato Manor and the area grew by leaps and bounds. This was not unrelated to the fact that being located outside the jurisdiction of the DCC, they were able to erect substandard dwellings at low cost. Schools, temples, mosques and halls were built and sustained through community initiatives in Cato Manor, without any assistance whatsoever from the state:

> Its cultural and social centres included the Aryan Benevolent Home begun in 1918 and the Arya Samaj which was established in 1920. The temples at 'First River' and 'Second River' were also early foci of Hindu activity. Church groups, temple groups and school boards flourished (Chetty, 1990:12).

In addition to Indians, the area had a large African population. Africans began to move into Cato Manor in the early 1940s as they were ejected from areas like Overport and Puntans Hill by the DCC. Many Indian farmers realised that they could make more profits by allowing Africans to build shacks on their lands, and many of them became `shacklords' (Edwards, 1983:4). This arrangement was tacitly accepted by the City Council because the DCC was unable to provide alternative accommodation (Ladlau, 1975). Often Indians would let a huge plot of land to an African for a nominal site rent. The tenant would then sub-lease to hundreds of others who would build shacks and pay rent (Fighting Talk, August 1959).

As a result, a large class of African `tenant-landlords' came into being, who had a vested interest in the continued existence of Cato Manor. This group also operated `shack shops' in Cato Manor, and experienced a great deal of insecurity and competition:

> They lead an insecure, harassed existence squeezed by the authorities on one side and by competition with Indian traders on the other. These illegal traders and `tenant-landlords' form the social soil for the anti-Indian attitudes that one finds in the area (Fighting Talk, August 1959, p. 3).

While the interaction between African workers and the Indian petty bourgeois was primarily exploitive, Indian businesses in Cato Manor provided opportunities for African workers and their families to escape from the austerities of direct local state control:
Indian traders provided the basic infrastructure of the squatters' slums: the bus
> services and retail outlets - the services which could be provided

because of the particular position of Indian people as a `buffer group' in the racial hierarchy of urban segregation (Hemson, 1977:103).

The incipient conflict between Africans and Indians in Cato Manor, however, burst into the open with the 1949 riots. There were different interpretations of the cause of the riots (Kuper, 1965; Meer, 1969; Ladlau, 1975; Webster, 1978). The state viewed the violence as a racial conflict between Indians and Africans (Union Government, 1949). However, while there was Indian-African tension, the riot was a "complex phenomenon, fed by white prejudice and Government policy as well as by the aspirations of an embryonic African bourgeoisie"(Ladlau, 1975:19).

The riots were also attributed to the poor socio-economic and housing circumstances of Africans in Cato Manor. Although Cato Manor was incorporated into the Borough of Durban in 1932, no attempt was made to upgrade the area, and it remained a chronically neglected area in terms of services and facilities for some years after consolidation. At the time of incorporation there were about 2 500 Africans living in 500 shacks. Ten years later the population escalated to 17 000, and by 1948 there were about 29 000 Africans living in shacks in Cato Manor (Edwards, 1983:9). In 1950 there were 6 000 shacks in Cato Manor housing 50 000 Africans (Maasdorp and Humphreys, 1975:15). The proximity of Cato Manor to the city centre and surrounding industrial zones contributed to the rapid development of shacks in the area (Maasdorp and Humpreys, 1975).

Living conditions in Cato Manor were far from satisfactory. The crime rate in the area was high. The police were particularly concerned about the brewing of illicit liquor and shebeens, important components of the informal economy of Cato Manor. There was overcrowding, inadequate health and sanitation services, and disease was rampant (Edwards, 1983). The Durban Housing Survey (1952:372) stated that Cato Manor was "the spearhead of an attack on Durban's health", and described the area as follows:
In general, the area has few water taps. There are a few small and ill-
constructed pit latrines, but no system of drainage or rubbish removal.
Waste water oozes from the shack surroundings to form stagnant pools.
Vermin, flies, cockroaches and other pests flourish in the uncovered food,
overflowing pits, neglected refuse dumped a few yards from the shacks
and general filth. Unsavoury odours cling to shacks and to whole areas.

The Durban Housing Survey (1952) concluded that trade and industries had developed in the city without any consideration being given to the social and human consequences. The contradictions embodied in Cato Manor, especially with regard to the contribution of its residents to the development of the city, and the responsibility of the DCC, is aptly conveyed by the following Sunday Tribune (16/6/57) editorial:
Cato Manor, with all its burden of pain and misery, its sick and dying
children and its insanitary shacks, is Durban's responsibility. A modern
city, exemplifying all the highest standards of western civilisation, cannot
disassociate itself from its gloomy satellite. Durban also needs Cato
Manor, or it needs the 100 000 people who live there, journeying into the
city every day to contribute their labour to the general prosperity.

Notwithstanding the poverty and despair, Cato Manor was home to its residents. The

<u>Durban Housing Survey</u> (1952:375) noted that

> there are many attempts to maintain pride and self-respect, which cannot fail to move deeply, and even hurt, a visitor to these homes. Some dried mud or tin walls are painted and decorated with pictures cut from newspapers. In more than one case the earth floor is covered with linoleum and the household linen unbelievable in its whiteness. Actually, many interiors of shacks are remarkably clean and tidy, and seem to be out of tune with their environment.

A major advantage of Cato Manor was that Africans were spared the controls which were imposed upon them in the locations. The terrain occupied by Africans in Cato Manor was, however, contested space. Although the area was owned by Indians, Cato Manor "became ever more central within the state's plans to allow the spatial and social features of Durban" (Edwards, 1989:192).

**Race Zoning, Protest, Resistance and Relocation**

In terms of the Asiatic Land Tenure Act (Ghetto Act) of 1946, Cato Manor was zoned for Indian ownership and occupation. By 1950 some City Councillors and the Native Administration Department expressed concern about the future of Africans in Cato Manor. While recognising that the area was primarily owned and occupied by Indians, the Native Administration Committee of the DCC suggested that separate zones for Indians and Africans should be set aside in Cato Manor (DCC Minutes, 20/11/50). However, the Committee recognised that "Cato Manor is ultimately to become an Indian area, and that permanent accommodation will have to be found for the Natives put there under a temporary controlled shack scheme" (Durban Housing Survey, 1952:380).

The DCC subsequently obtained central state consent to expropriate 450 acres of land in Cato Manor, as well as a loan of 153 000 pounds towards the costs to provide temporary accommodation (later known as the Cato Manor Emergency Camp) for Africans. The main purpose of this gesture was to ensure that the shack lands of Cato Manor were cleared. However, the Minister of Native Affairs, Dr. Verwoerd, emphasised that the central state would never support permanent African housing in Cato Manor as the area would be zoned white in terms of the Group Areas Act (<u>Daily News</u>, 24/4/51).

In 1952 the DCC recommended that Cato Manor should be zoned as a white group area. In spite of objections from Indian political and civic organisations, Cato Manor was proclaimed a group area for white ownership and occupation in 1958 (Figure 2). The DCC was forced to reconsider its 1952 recommendation as the financial implications of group area relocations became apparent. In June 1958 it resolved that a 'more realistic approach' be adopted to race zoning in the city, with emphasis on the "minimum disturbance of the existing population" (DCC Minutes, 5/6/58). As a compromise the DCC recommended that a portion of Cato Manor which was predominantly Indian owned and occupied should be zoned for this group. This proposal was rejected by the government (Figure 3). By the early 1960s there was evidence of increased central state control over local authorities, and the space for local opposition to central policies was significantly reduced. The weak apartheid state

of 1948 was very much in control by the early 1960s (Maharaj, 1994).

Removals from Cato Manor commenced in March 1958 and was almost finished by August 1965. During this period 6 062 shacks were destroyed, and 82 826 Africans were officially relocated in the new townships of Kwa Mashu and Umlazi. It was
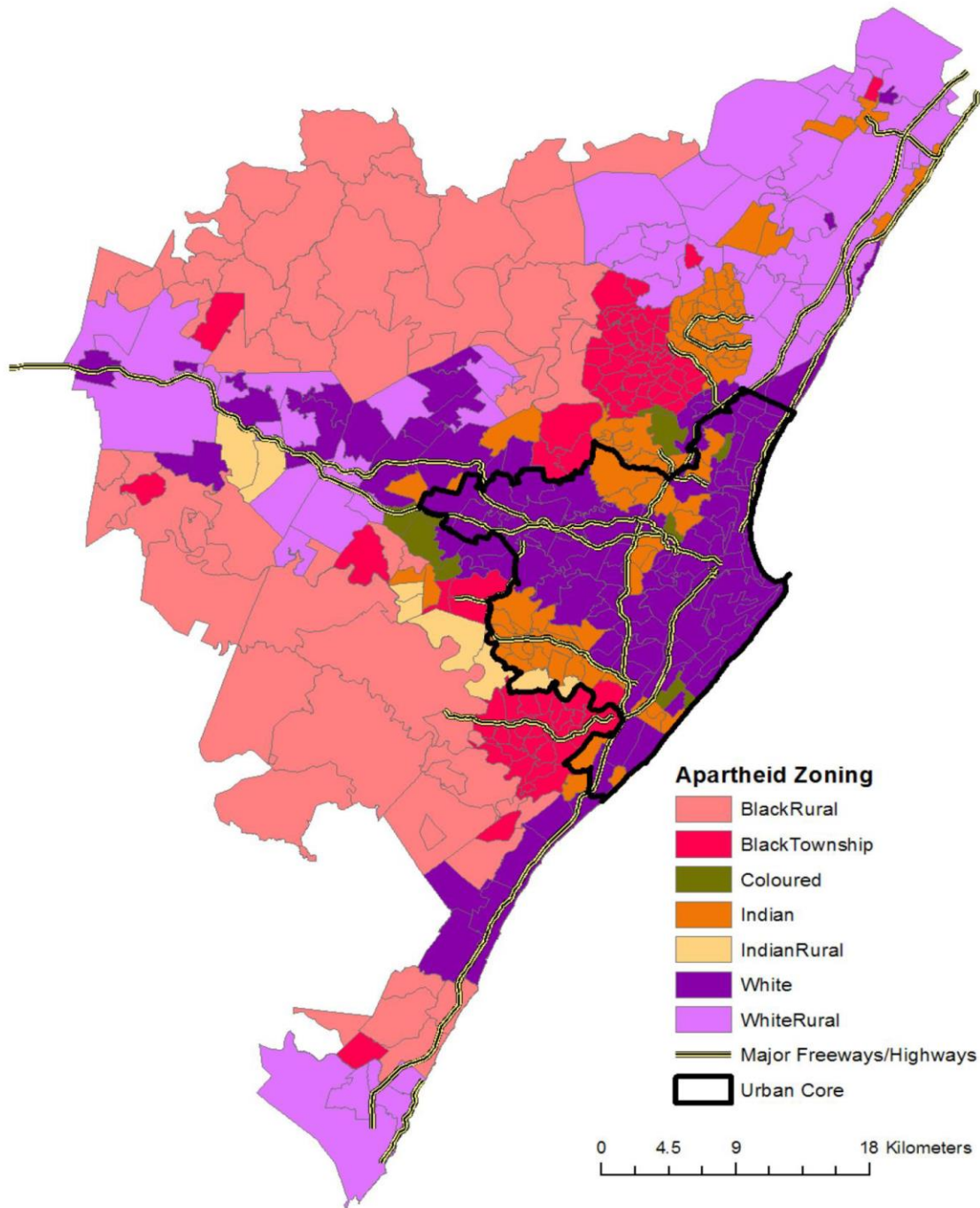
Figure 3 Group Areas Act 1950 –Racial Apartheid Zoning in Durban (Source: Schensul, 2009, p. 143).

estimated that 30 000 to 40 000 people disappeared, "either returning to their rural areas or else taking up illegal residence elsewhere in the city" (Maasdorp and Humphreys, 1975:61).

The removals were resisted by the communities. 'Illegal residents' who were in Durban without permits felt that they were being deprived of their rights to live in the city. Others who were engaged in selling liquor and other illicit activities felt that their livelihoods were being threatened. The main reason for the resistance was that the cost of living would be higher in the townships, especially with regard to rent and transport expenditure (Maasdorp and Pillay, 1975).

In April 1959 residents protested against the razing of shacks at Mnyasana, bringing a temporary halt to the relocation process. In June 1959 spontaneous protest action in the Cato Manor Emergency Camp resulted in the destruction of buildings and facilities and beerhall riots. The rioting and boycott of beerhalls was sustained up to November 1959. While the ANC played a role in the protest action, it was mainly 'initiated by the underclass - illicit entrepreneurs and women for whom municipal shack demolition and removals posed an absolute threat to continued city residence" (Edwards, 1989:196). Removals were resumed in November 1959, under police protection. By the end of 1959 about 10 600 people had been relocated (Maasdorp and Pillay, 1978:62), and the "fate of Mkhumbane had finally been settled" (Edwards, 1989:317). The majority of Africans were moved to Kwa Mashu and Umlazi.

A major problem was the lack of organised protest action and resistance:
> Although the municipality was to have difficulty in applying municipal policy in the shantytowns, the struggle over the ultimate future of the shack lands was decided with an almost complete lack of organised African resistance. Despite shack resident asserting their desire to remain in their conquered space, there was no clear political strategy and a lack of any clear leadership. Furthermore, existing African political organisations, especially the African National Congress, did not have the political will to struggle for the Mkhumbane shantytowns (Edwards, 1989:207).

In January 1960 nine policemen who were involved in a liquor raid were killed in Cato Manor. The state of emergency introduced after the Sharpville[7] riots resulted in a reduction resistance action in Cato Manor as residents were unable to counter the repressive power of the state. There was a further change in attitude in early 1961 when between 400 and 500 families were requesting to be moved to Kwa Mashu. There were two possible reasons for this change in attitude:
> The official explanation ... was that the residents realised that they would be leaving the squalor and overcrowding of Durban's worst slum area, but a more likely explanation is that they realised the inevitability of resettlement and thus attempted to get into the queue for new housing as

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[7] On the 21st March 1960 the apartheid armed forces fired against a crowd of Anti-Pass supporters resulting in 69 dead and 180 seriously wounded.

soon as possible. Moreover, occupation of a municipal house would end any insecurity they might have felt about their right to reside in the urban area (Maasdorp and Humphreys, 1975:63).

Indian political organisations were vociferous in their condemnation of, and opposition to, the GAA and being uprooted from Cato Manor. They resolved to mobilise their resources, and to use every available avenue of protest to oppose the implementation of the GAA, and to defy the unprecedented assault on basic human rights and privileges. In an atmosphere of increasing hostility and intolerance these organisations utilised peaceful measures, which included recourse to law, passive resistance and appeals to India and the United Nations, to expose the injustice and violation of human rights in South Africa. The Mayville Indian Ratepayers' Association (MIRA) made an emotional appeal to the DCC and the government, emphasising the attachment of people to place and community:

> People form deep and lasting attachments to the places in which they live and such attachments are rooted in emotional association with homes, temples, churches, mosques, schools, burial places and with neighbours - years of friendship, the passing on of homes from generation to generation. Such are worthwhile values which cannot be set aside lightly. Is it fair to ask people, now advanced in years, to break up old associations and homes, businesses, etc. and to start afresh. Besides, can monetary compensation, even though seemingly adequate, take the place of homes, businesses, etc.? Enforced removal must necessarily bring resentment and resentment can be so very easily smoulder into hate (MIRA, 1958:2, original emphasis).

Although they claimed to represent the Indian community, there was very little evidence of mobilisation of the working class. This was because segregation presented an immediate threat to middle class Indians, and political action and resistance was directed to protecting the interests of this group. For the poor there was the possibility of being housed in municipal housing schemes and a relief from the high levels of exploitation from the Indian landlords (Maharaj, 1992).

The main reason for the failure of resistance to the zoning of Cato Manor for Indians was the repressive state apparatus. Many Indian political leaders were arrested and were being tried for High Treason. The majority of Indians were low income labourers who were afraid of being arrested, and the consequent loss of jobs, earnings and family support associated with political activism (Maharaj, 1995).

The leadership vacuum in the Indian community that developed in the struggle to oppose the GAA was filled by civic and ratepayer organisations, a trend which continues to the present time. These organisations tried in vain to oppose relocation through mass protest meetings, petitions and negotiations, in spite of being berated and humiliated by the Government.

The Leader (24/7/81) described the relocation process as follows:
> These mass removals are affected in a manner that reflects an almost uncaring attitude on the part of those who make the decisions to move people hither and thither ... It is almost as if humans are being used as pawns and moved into

white and black squares by a manipulator who plans and plots to achieve a desired objective. He annihilates and sacrifices to that all important end. But this is no game that is being played. Human lives are involved and the very core of community life is being seriously affected. Everything that has been built up over many years, and decades, is destroyed ... leaving in its wake resentment, enmity, despair and pain.

Cato Manor vividly illustrates the nature of local state, its abdication of critical roles, and the social relations between the Indian and African communities. The 1949 riots were a key incident which shaped social relations in Durban, and was used by the apartheid government to justify racial residential segregation. Since then, there was incipient tensions in the relations between Indians and Africans in Durban and this flared up again with the 1985 Inanda riots.

The 1985 Inanda Riots

In Inanda the first two decades of growth took place without any formal authority structure. The Durban City Council protested that Inanda falls outside the Durban municipal area and therefore was not its responsibility. The fact that Inanda "has more than a century been used by the Durban economy as both a labour reserve and dumping ground for the 'economically expired' was conveniently forgotten" (Makhatini, 1991:3). The state on the other hand, claimed that it was the onus of the landowners themselves to develop Inanda as they were housing squatters for personal profit (Makhatini, 1991).

In the absence of a formal authority structure the relationship which came to be established between landlord -retailers (mostly Indian) and tenant - consumers (mostly African) was one in which the landlord cum-retailer wielded a significant amount of power in the area, and especially over the condition of their tenants. Often the landlord threatened the very presence of the tenants in the area. Many tenants reported that the landlords had a dictatorial attitude to them and tried to control their daily lives (Meer, 1985, Hughes, 1987a).

The state also deepened lines of fracture between Indian landlords and tenants by forcing them to provide services or evict tenants. This was done at a time when the State was touting a plan to expropriate Indian owned land. It is significant that the state did not call on African landlords to provide services. The State was keen to draw Inanda into the KwaZulu Bantustan, as much of the land available in this area was under the tutelage of tribal authorities. The cost of consolidation would involve paying compensation to 326 Indian landowners. A few Indian landowners sold their properties before the violence. Many hesitated because of the inadequate compensation offered.

There was no real community of interests between Indian and African tenants. When African residents found employment it was at the lowest rungs of the employment hierarchy. The majority of people employed in the formal sector were semi-skilled and non-manual labourers. Indian workers unfettered by legal constraints in terms of their movement in the city and being better educated through community and state aided schools had increased chances not only of finding a job, but also of moving up the job

hierarchy. Often Indian tenants were seen to be favoured in their relationship with Indian landlords. In any case, many of the 2 000 or so Indian tenants bore some familial relation to the landlord.

By the mid-1980's relations between Indian landlords and African tenants was becoming increasingly tense. At the beginning of 1984, newspapers reported that Indian landowners were being molested, threatened and victimised by African tenants. Under banner headlines like 'Inanda time bomb' Indian tenants complained that they were being assaulted (Sunday Tribune Herald, 26/2/84).

The Department of Community Development received reports of the `acute possibility of Indian women being raped'. The central apartheid government appealed to the Durban City Council to rehouse the 4 500 Indians living in Inanda. The state was probably keen to consolidate Inanda into the KwaZulu bantustan. It would be a further step in the development of the homeland system.[8] It would also mean that capital would continue to have access to African labour without the state having to concede Section 10 rights.[9] The KwaZulu government was also pressurising the state to give it control over Inanda. This was one of the few areas surrounding Durban that did not fall under its jurisdiction. The removal of Indian presence would smooth the process of consolidation. However, the City Council refused to rehouse the Indian residents. It argued that it already had a waiting list of 17 500 families and the Inanda residents was not its liability (Natal Mercury, 28/2/84).

The spark for the violence was the assassination of a prominent UDF leader, Victoria Mxenge outside her house in the African township of Umlazi. Protesting the assassination, a school strike and boycott spread out of Umlazi and engulfed Kwa Mashu, Clermont, Lamontville and Inanda in quick succession. Whilst the spark that set off the spiral of violence was the assassination, the form that the violence took displayed a significant degree of specificity in the different areas.

In Inanda gangs of youth began threatening Indian shopkeepers, landlords and residents. The threats gave rise to mass panic. When, on 6 August, two Indian-owned shops and houses were looted and burnt, hundreds of Indians left Inanda and sought refuge in the adjoining Indian township of Phoenix. By the end of the week 42 Indian-owned shops and businesses and as many houses were destroyed, whilst 2000 Indian refugees pondered their future in Phoenix. The media and many in the Indian community billed Inanda 1985 as a repeat of the 1949 riots.

On the night of 5 August, a group of youths besieged the house of a policeman in Ntuzuma, a township adjacent to Inanda. The policeman fatally shot one of the youths, and the "following day the `rolling strike', now enraged, reached Inanda" (Hughes, 1987b:348). That afternoon the looting of Indian-owned shops began. This pattern was to continue through Wednesday and Thursday. An eyewitness reported that on

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[8] South Africa's indigenous Africans were denied citizenship but were, legally considered citizens of one of the ten tribally based self-governing '*bantustans* 'commonly known as homeland. Four of these homelands became independent states.
[9] The Black (Natives) Laws Amendment Act of 1952 prescribed that African people over the age of 16 had to carry passes, and no person could stay in an urban area for more than 72 hours unless allowed to by Section 10.

Wednesday "at about 1 pm a mob besieged the Phoenix Cash Store and looted it once the owner, Ebrahim Jeebhai, left. They went on a kilometre further to loot Laljeeth Rattan's store and then into two Indian homes" (Meer,1985, p 155). Businessman Ranjith Ramnarain was informed on Wednesday that family and friends were trapped in Inanda. An initial rescue attempt was repulsed by a stone-throwing crowd. Fully armed, he made a second more successful attempt by riding with a shotgun in a truck: "It had been a rough ride. It was frightening because at Ntuzuma crossing we were stoned and then when we got to Inanda near Cassim's store it happened again" (Natal Mercury, 7/8/1985). The scene that greeted Ramnarain when he got to Inanda was the burnt out shells of buses and cars still in their parking lots. Ramnarain's own house lay in ruins. The only thing left untouched was the temple in the yard, with the red flag dedicated to the Hindu god, Hanuman, still adorning the roof.

Another family told of how they begged a military contingent to give them protection while they moved their family and some of their belongings. The military refused. "They did not even get off their vehicles and left after stopping by for about two minutes." The family managed to get away. The next day, Thursday, at about 1:30 pm, when members of the family returned to collect what remained, they saw the Casspirs (military vehicles) stationed in front of the shop, but when a building opposite was about to be attacked by a mob, the Casspirs disappeared. The shop was burnt soon thereafter. It seemed to them that the Casspirs were almost protecting the crowds in their burning and looting (Meer, 1985:159).

As over a thousand Indian refugees made their way into Phoenix, tensions and anger heightened in the sprawling township on Friday, 9 August, armed groups massed on both sides of the Inanda/Phoenix divide `spoiling' for a fight. Whilst the confrontation did not materialise, both sides followed each other in ransacking and ultimately destroying the Gandhi Phoenix Settlement - a shrine of peace. As Hughes (1987b:350) comments: "The tragic symbolism of the burning of the Gandhi Settlement went far beyond the immediate act of the violent destruction of a `place of peace'. It signified also the void of political organisations and ideas on all sides of the Group areas divide, which could have allayed, or at least toned down, the confrontations". It is tragically ironic that it was at the Settlement that 'peace camps' were held to bridge racial divides in the early 1970's.

While the drama unfolded at the Gandhi Settlement, a new factor had entered the fray. A resident in Ntuzuma reported on Friday 9th that Inkatha[10] supporters armed with sticks were going house to house, trying to persuade people to join them. "They are taking anybody. They say they are people they want to kill" (Daily News, 9.8.1985). Inkatha impis[11] armed with spears began to engage UDF[12] - aligned youth in KwaMashu and Umlazi. By Saturday they had seized control of both areas.

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[8] It is a reference to the Inkatha Freedom Party (IFP) formed in 1975 with wide support from the Zulu ethnic group in KwaZulu-Natal. The IFP is a political organization which encourages Zulu nationalism. Inkatha has a symbolic meaning in Zulu culture as it represents the spiritual and political powers of Zulu kings.

[11] Impi is a group of Zulu Warriors who arm themselves with traditional weapons (sticks, spears, pangas).

[12] It is an acronym for the United Democratic Front (UDF) which was a national non-racial coalition of civic, church, students', workers', sports bodies and other organisations (national, regional and local) established in 1983 to oppose apartheid.

The Lindelani impi which had tamed KwaMashu now turned their attention to Inanda. The impi, however, met with sustained resistance. A series of attacks was beaten off by Inanda residents. Many in Inanda turned against Inkatha since the attacks were carried out in its name.

On Sunday l2th August Inkatha called a meeting to establish peace in the Phoenix and Inanda areas. About 5000 supporters and 1000 Indians attended the meeting. Oscar Dhlomo, General Secretary of Inkatha told the meeting that Inkatha had taken control of the townships in order to put an end to the violence, to protect property, public buildings and business (Sitas l986:111-112). The last incident of violence in Inanda, identifiable as part of the August upsurge, came exactly a week after it had all begun. On Tuesday, l3th August, the burnt bodies of three - Indian men were found on the Phoenix / Inanda border. They were all from the same family: a father, his son, and his brother in-law (Hughes, 1987b:351). This brought the death toll to 70.

In order to understand why the violence took a particular form it is necessary to focus on the social relations that prevailed in Inanda at the time of the uprising. The discussion will focus mainly on the nature of the relationships between Indian landlords and African tenants and landlords.

Indian and African landlords and retailers did not develop an `alliance of interests'. Rather the relationship was competitive and often antagonistic. Africans were restricted from acquiring more land through the provisions of the 1913 Land Act. Indians, their own attempt to expand within the confines of central Durban curtailed by legislation, began to turn to places like Inanda. 'Protected' from competition by Africans, Indians were able to expand their landowning and trader interests.

When the influx of squatters started in the early 1960's, the African petit-bourgeoisie wanted a share of the market. They saw the Promotion of Bantu Self-Government Act of 1959 as a means not only to break into the lucrative market provided by the squatters but also as a weapon to completely wipe-out Indian competition. AWG Champion, the ANC leaders of the 1940's re-emerged in the 1960's as the propagandist of this position. Hughes (1987a:4) points out that Champion and other African landlords and traders "couched their class protectionism in explicitly anti-Indian terms". Champion, a resident of Inanda, sought to remind the residents of the area that "when Indians were very arrogant, the Africans took sticks to them in 1949... They beat them up and made them close their shops. Yes, the enrichment of Africans from stores and buses started in 1949, it started like that...."(Hughes, 1987a: 4).

Following the passing of the Promotion of Bantu Self-Government Act of 1959, African petit-bourgeoisie interests sought a dominant share of the spoils in Inanda. Champion welcomed the legislation: "The Government today insists on separation. The beauty of this policy to me is our obtaining a way to build up industries in the area where we live" (Sitas, 1986:90).

African traders were organised into an association called Inyanda. After initial hesitation Inyanda joined Inkatha in August, 1976. The affiliation of Inyanda to Inkatha brought a new dimension into the fray. Inkatha over the years had failed to make any inroads into

Inanda (the UDF by August l985 had no substantial presence either). Incorporation was perceived to be a quick ` fix ' to this problem as policing and local government function would fall into the hands of the KwaZulu government. Hence, the interests of Inyanda and Inkatha coalesced. Incorporation would remove Indian competition swiftly.

Inkatha thrived on ethnic politics, and Inanda was no exception. For Inkatha the affiliation was one more brick in the building of the Zulu nation. The interests of the Zulu nation had to be weighed up against the interests of the Indian nation. Buthelezi was prone to using the ethnic card. He had accused the UDF of being manipulated by the Indians. When criticised by students at the University of Durban Westville (a predominantly Indian institution at the time) he reminded Indians of what had happened in 1949. Mare and Hamilton (1987:151-152) point out that racism and racial stereotyping had emerged in KwaZulu and Inkatha politics at different times. Thus, Buthelezi, in an obvious reference to the Natal Indian congress, argued that there is "an African level (of fighting apartheid) whose dynamics can only be grasped by Africans", and that "Africans resent being seen just as a mass of brown, that must be guided by the brains of other race groups" (Mare and Hamilton, 1987:11-152).

Chief Sithole told the KwaZulu Legislative Assembly (KLA) that "when the Congress (ANC) was composed only of Africans, there were no problems, but the trouble started when different nations were allowed to join. We must be wary of these Indians because they want to use us as their tools, as a ladder for them to reach their goals" (Mare and Hamilton, 1987:151-152). This ethnic chauvinism was particularly inflammatory given the fragility of social relations in Inanda.

The state meanwhile was arguing that it could only support development in Inanda if Indians moved out. This would allow for land to be incorporated into KwaZulu. Indian tenants were keen to move but only if they were given access to subsidised state housing. Indian landlords and shopkeepers demanded adequate compensation. Thus, the KwaZulu government, the central state and African business interests had a stake in the removal of the Indian presence in Inanda.

Desegregating the City: 1980s

Against the background of the post-1976[13] era, the material and social conditions in the relocated townships soon provided the impetus for civic movements to pressurise the Durban City Council (DCC) 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.

i) The Development of Grey 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

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[13] The 16th June 1976 is a major landmark in history of South Africa. It marked the era in which the youth of the country revolted against apartheid education and its oppressive racial policies. The 16th June in the post-apartheid era is commemorated as national youth day.

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:

> i) 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.
>
> ii) 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.
>
> iii) In the post-1976 era there was an improvement in socio-economic status of blacks (as the apartheid government tried to create a black middle-class), who 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 (DCRA) 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 DCC to the development of `grey areas' in the city can best be described as ambivalent and contradictory. In May 1986 the DCC resolved to request the Government to scrap the operation of the Group Areas Act in the city. Failing this, the DCC 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 DCC. Liberal Councillors referred to the possible implications if the DCC 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, 20/5/86). In August 1987 the DCC protested to central government against the eviction of blacks from white areas in Durban.

In March 1989 the Management Committee of the Council recommended to following alternative options to the DCC with regard to residential integration:
i) The Government be requested to declare Durban a non-racial city.
ii) No part of the city should be declared free settlement areas.
iii) Specific parts of the city should be declared free settlement areas (Maharaj and Mpungose, 1994).

However, 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" (Natal Mercury, 4/4/89).

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, 4/4/89).

The DCC's debate was interpreted as the beginnings of a move for a non-racial city. The Council debate 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).

It is claimed that the departure of White residents and the arrival of Africans in the metropolis cascaded into the so-called decline of the central areas. It is alleged that Durban's inner city has become a place of perdition, violence and vice. It has become a lucrative destination for organised global crime syndicates, provides a fertile opportunity for social miscreants (street children, pavement dwellers, beggars etc) to reproduce themselves resulting in financial loss to the business sector, causing them to relocate to suburban areas. These and other social problems are blamed for the decline in the central areas, prompting business flight to the rich suburban areas. In Cape Town, it is alleged that such a phenomenon does not exist in the central area and consequently has a very positive image. In Johannesburg, the same simplistic arguments are maintained to explain the decline of the central areas (Guillaume, 2002:10). Hence, the assertion that the decline of the central areas emanates from social composition of new entrants into the city is refuted.

Violence and its visual materialisation are one of the main generators of such stereotypes. It is an established fact that South African metropolises and the central areas tend to have a higher incidence of crime and violence compared to the former townships. The sight of street traders, who were formerly prohibited by the apartheid regime from plying their informal trade, street children, pavement dwellers, sex workers and drug dealers in the Point and West Street areas have strengthened the negative perception of the Inner City. Many newspaper articles and television reports have amplified the idea of a "ghettoisation" of the Central Areas. People associated the decline of the Inner City with the arrival of West African immigrants, more particularly Nigerians. Even if some Nigerians are actual drug lords, the extent of xenophobic attitudes was undoubtedly diffused and transferred onto all immigrants. It would appear expedient to scapegoat crime and violence to be more an issue-involving foreigners instead of coming to terms with the complex dynamics emerging in the post-apartheid South African city through rapid integration into the rest of the globe especially in Africa. Even among the most progressive spheres, this crime label and association with African immigrants was widespread.

ii) Land Invasions/Informal Settlements

The 1980s saw 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, Byerley and Morris, 1994; Hindson and McCarthy, 1994).

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, towards the end of June 1987 the DCC appeared to somersault on its earlier decision. 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 Winter the DCC was unable to prevent the eviction of squatters from private property (Daily News, 6/6/87).

In the late 1980s, a further stage of squatting began in inner city areas such as Clare Estate and Cato Manor in Durban. While spatially the racial impress of the apartheid city was changed by this process as blacks moved into a former white area, 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 in terms of apartheid laws (Saff, 1994:328). DCC officials subsequently stated that "the city must accept that urbanisation and the attendant squatter problems are part of its future" (Daily News, 12/4/89).

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. Indian families that remained in the area were able to realize this claim in the form of new housing constructed for them in Bonella by the House of Delegates. New groups of African invaders were also staking claims. Cato Manor is a large and undeveloped piece of land that is 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 amongst middle and lower income groups and even relatively better off township residents 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 as compared to low cost housing in order to retain the value of their property. The Manor Gardens residents made it clear that they were not opposed to black housing development on their borders, but were concerned purely in terms of their property being devalued. Although some wanted to sell their properties and move out, banks would not provide finance due to the large informal settlements surrounding 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). Indeed, as Figure 4 indicates, fifteen years after the historic 1994 elections, apartheid legacy areas remain largely unchanged (Schensul, 2009).

There were also problems in the inner city which were frequently associated with changing economic, political and social forces in urban areas, which operate at local, national and international levels (Diamond, 1991). More than three decades ago, Forrest et al. (1979:111) that reference to inner-city problems has become a convenient "shorthand for a combination of bad housing conditions, vandalism, racial conflict, a declining economic base, decaying infrastructure, high unemployment, and vacant and high priced land". A major social consequence of this "phenomenon has been the concentration in the inner city of what is frequently termed an 'underclass' population. These are the poor and the disadvantaged who find it difficult to participate in the changing urban economy" (Diamond, 1991:219).

The South African experience is no different, where "overcrowding, social and racial tension, degrading residential stock and community facilities, in short the creation of inner city ghettos, are a very real threat to the substantial existing social and economic infrastructure" in the inner city areas.[i] Inner-city problems in South Africa are perceived to be "both a creation of apartheid and a phenomenon of the post-apartheid era" (Olufemi, 1998:228), and this has been aptly summarised by the following Daily News (4/10/99) editorial:

> The situation which has now developed in our inner cities was, of course, inevitable. After denying the majority of the population access to homes close to their work and forcing them to travel long distances each day, it was natural that, given the opportunity for the first time, people would flock to the city and, because of poor salaries, be forced into overcrowding their accommodation. The challenge now is to offer incentives to demotivated landlords to clean up vandalised blocks, cultivate a spirit of pride in ownership and of surroundings and involve the community in rooting out bad elements which makes the streets unsafe.

One of the causes of the decline of Durban's CBD was the international trend favouring suburban shopping malls and decentralised offices. Basically, "capital disinvestment has created a space for those excluded from formal economic activity to gain a foothold in the urban system" (Bremner, 2000a:11).

Legacy Communities, 1996-2001
- African
- Indian
- White
- Major Freeways/Highways
- Urban Core
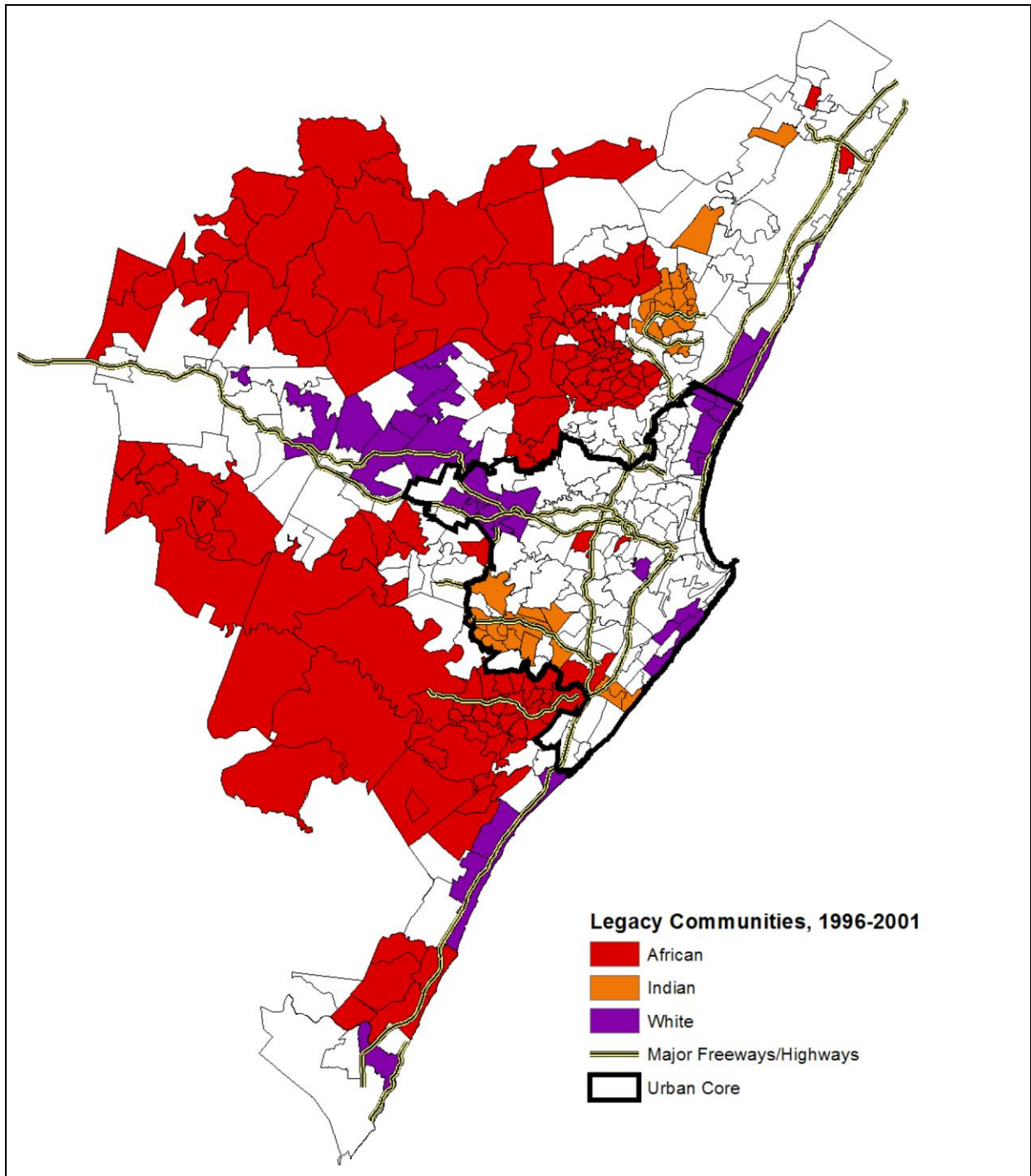
Figure 4 Apartheid Legacy Communities (Source: Schensul, 2009, p. 145)

iii) _Social Movements and Urban Change_

The 1980s were characterised by a reform of apartheid in the urban arena. The devolution of power from the centre to local levels was one of the key components of the state's reform strategy. 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; Seethal, 1991; Lupton, 1992). These increases precipitated widespread urban protests and rent boycotts, spearheaded by the civics, actions which dominated the urban political arena from the mid-1980s.

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 for a more democratic, non-racial local government.

In Durban 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 DCC was forced to negotiate with the civics. By demonstrating its capacity for mass action the DHAC forced the local state at various stages to negotiate with it and to temporarily defer 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. These campaigns in the coloured and Indian areas served by the late 1980s 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, have been 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 (1950). 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 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.

Deracialising the City: 1990s

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.

i) *Campaign for a Democratic City*

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. The meeting noted 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 formally launched on the 29 September 1991 and was supported by about 75 civic groups, straddling race, class and geographic boundaries. The CDC resolved to strive for:
i) the eradication of apartheid local government structures in the Durban region;
ii) the realisation of a non-racial, democratic and equitable local government based on a common non-racial voters roll;
iii) the immediate improvement in the living conditions of the over three million 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, 27/9/91). 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, 5/10/91).

The CDC strongly opposed the racial allocation of public housing in the city. In a memorandum, the DCC was asked to formulate a new non-racial list, so that vacant dwellings could be allotted to those in need.[14] Councillor Mona Riddle, chairperson of the Community Services Committee, replied that the non-racial housing allocation had been accepted in principle by the DCC, but that the municipal restructuring process had delayed its implementation (Daily News, 27/6/91). 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, 11/7/91). This represented a penetration of the apartheid local state by the civics.

However, a major obstacle with regard to these housing lists appeared to be at the central state level. The DCC questioned the central state about maintaining three separate lists, and threatened to obtain a Supreme Court order to force the central state to draw up a non-racial housing waiting list. The central government replied that "housing was still an `own affair' and segregation will remain until a new constitution was in place" (Natal Mercury, 10/8/91).

The closer working relationship between the DCC and civics led the latter to believe that there was a change of style in the way the DCC operated, but not of heart. For example, Deputy Mayor Margaret Winter stated the DCC was more inclined to recognise civics as an important constituency in the city, whereas previously they were viewed as a nuisance. Councillor Peter Mansfield believed that with a more enlightened leadership, a gradual change of heart was taking place within the DCC. However, he conceded that many conservative councillors were unable to face the future. He maintained that the DCC would benefit a great deal from negotiating with the civics, especially in terms of democracy and accountability:
> We are operating from different perspectives. The civics are sometimes hyper-democratic, which could be a result of a lack of decision-making experience, but they have brought us a concern with accountability that has been lacking in local government. We will most likely end with a compromise between the two (Weekly Mail, 21-27/2/92).

Parallel to the campaign for a democratic city, the DCC was also taking initiatives to restructure local government.

ii) *Restructuring Local Government*

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,

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[14] There were about 100 vacant Council flats in white areas (Sunday Tribune, 7/7/91).

and very tenuous balances (Rogerson 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 DCC. Traditionally, the city was controlled by liberals who were opposed to the National Party. However, by October 1990, Mayor Venter was reviewing his association with the conservative alliance in the DCC which brought him to power. 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 DCC 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; DCC Minutes, 15/10/90).

In addition to political restructuring, the employment policy of the DCC had to be revised. The DCC 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 presently make up the bulk of the general staff and basic skilled staff, white women dominate 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 DCC was forced to committing 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 DCC 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 workforce 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 Employers Society (DIMES) "affirmative action[15] 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).

Elections for democratic local government elections in South Africa took place on 1 November 1995. 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.

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[15] Affirmative action is a way of making the workplace more representative and fair. In the South African context, Indians, Africans and Coloureds are considered as candidates for affirmative action in the workplace. It ensures that qualified people from these designated groups have equal opportunities in the workplace.

In the democratic era 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 (Maharaj and Ramballi, 1996; Rogerson, 1997).

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 5 to 7 times (Mercury, 16/12/92).

However, all these predictions of thousands of employment opportunities did not consider the cyclical nature, low paying and unstable jobs that were created by the tourism-convention centre industry. Local (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). New jobs were not created but were merely redistributed to white suburbanites and not the low income groups. Hence, there would be limited direct benefits for the disadvantaged communities in the Durban region from the Point redevelopment and convention centre projects. (Maharaj and Ramballi, 1998). 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".

iii) *Land Claims and Restitution*

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 represented one of the largest urban claims (3 000). 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.[16] company, the Cato Manor Development Association (CMDA) was formed to administer the project (Khan and Maharaj, 1998).

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 ten 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 (Ramballi, 1997). 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, 3/2/97). 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 (Ramballi and Maharaj, 1997). The majority of claimants settled for cash compensation.

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.

iv) _Political Contestations in Durban_

Durban is located in KwaZulu-Natal (KZN), one of the most densely populated regions of the country, with one in every four South Africans living in it (Maharaj, 1997b). The 1980s saw a massive influx of migrants into the Durban region, and it has often been referred to as the fastest growing city in the world. In 1995 the population of the Durban Metropolitan Region was estimated to be 2,3 million (City of Durban, 1995:22). According to the 2011 census the population of Durban was 3,442,361, and 66% are under 35 years. The majority African group comprise73.8%, Indians 16.7%, Whites 6.6%, and Coloureds 2.5% (eThekwini Municipality, 2014:20-21).

Durban reflected the cutting edge of many problems facing the country, of which the

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[16] Organisations registered in terms of the Companies Act which are not for commercial purposes or for gain.

most crucial challenges were the provision of housing and employment. In addition, the Durban region had been wrecked 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 as investment in the region was being inhibited and development projects in the townships were being disrupted (Coleman, 1995:49). In the 2014/2015 annual report approximately 2, 3 million crimes were reported to the South African Police Services (SAPS).

The challenges facing democratic non-racial local authorities in South Africa as identified by Bennington and Hartley (1994:7-8) had a special resonance for the city of Durban:
  i) how to democratise local government to ensure that it would be non-racial and legitimately representative of all people;
  ii) how to engender an adequately solid political alliance between the numerous competing (and sometimes conflicting interests) at local, regional and central levels;
  iii) how to develop new structures in local government which would manage and deliver services to communities disadvantaged by apartheid and also contribute to urban reconstruction and development;
  iv) how to restructure the workforce through training and retraining existing employees, and affirmative action recruitment, to ensure that there is a racial and gender balance.

The question of democratising local government and establishing equity may be viewed as a terrain with compounded impediments. For example, women of the Durban Metro Negotiating Forum expressed their frustration at the prevalence of sexism and the lack of gender sensitivity (Harper, 1995).

In terms of the LGTA the Greater Durban Metropolitan Negotiating Forum (GDMNF) was established in June 1994, and comprised sixty-six local authorities. One of the key issues that the Forum had to address was the determination of the boundaries of the metropolitan area. More specifically, the adoption of the boundaries was based on the following considerations:
i)   The restructuring and amalgamation of black and white local authorities.
ii)   The future financial viability of the metropolitan area.
iii)   The functionality of the metropolitan system in economic, spatial and social terms.
iv)   The redistribution of resources and upliftment of disadvantaged areas.[17]

Political contestation between the ANC and the IFP resulted in the Durban region being wrecked by endemic violence since the 1980s. Elections for democratic local government elections in South Africa took place on 1 November 1995. 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'. This was influenced by a major peace effort initiated by religious leaders and supported by

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[17] Understanding the Durban Metropolitan Area Demarcation Process (1993-1996), Support Document 3, August 1999, p.7.

all political parties, as well as a strong police and army presence. There were minor incidents of intimidation as well some organisational problems. As expected, the ANC was successful in the major urban areas, and the IFP in the rural areas.

In spite 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. While there was a new democratic council, there was concern about the lack of delivery and the great expectations of the people.

A major concern as acknowledged in the White Paper on Local Government (1998) was that women were under-represented as local government councillors. In order to remedy this, the White Paper on Local Government proposed that political parties introduce a gender quota of 50 percent on their party's proportional representation list. It encouraged political parties to ensure that in the next three municipal elections at least half of the candidates on the party list were woman (White Paper on Local Government, 1998; van Donk, 1998). The Municipal Structures Act (1998) also called for equal representation of women and other marginalised groups. However, it did not explicitly demand equal representation on ward and proportional lists. As a result, fewer women featured as ward candidates, and hence even fewer were voted into wards (Stucky, 1999).

The ANC had imposed a 50/50 quota of males and females on their Proportional Representation (PR) listing in the 1995 local government elections because the party leadership felt that women stood little chance of winning as ward councilors against male candidates. This highlighted the problem of entrenched chauvinism and resulted in a lack of visibility of women in wards (Stucky, 1999). However, first-past-the post constituency-based electoral system has proved disadvantageous to women candidates as they were often unable to break through the electorate's stereotyping of women in traditional roles which did not envisage them as political leaders (Fick, 1999).

A major problem was disagreement over the role of traditional leaders or chiefs. The IFP wanted tribal areas to be excluded from metropolitan boundaries). The matter was referred to the Electoral Court in November 1995 which ruled in favour of the IFP because there had not been adequate consultation and discussion with traditional leaders about whether the disputed areas could be included in urban councils.

v) *Urban Tribal Authority Areas and Political Violence*

The institution of traditional leadership has historically been usurped by both the colonial and apartheid regimes to assert their political hegemony resulting in approximately 85% of the land being alienated and a system of self-governance implemented to minister white minority rule. This system of governance characterized and shaped the indigenous South African landscape into homelands, bantustans and urban black townships. At the dawn of democracy these black spaces played itself out violently to assert itself in the new political dispensation. South Africa is known to have some 800 ruling chiefs supported by 1 000 headmen and when combined have jurisdiction over 18 million people or approximately 40% of the population who are largely rural (Daily News, 22/09/2000). The post-apartheid

government upon coming to power in 1994 provided a new sense of vitality for this institution in Section 12 of the Constitution (Act 108 of 1996). As consequence, these opposing forms of modern systems and traditional forms of governance has been an ongoing source of political conflict since democracy particularly in KwaZulu-Natal between traditional leaders and the state on the question of the exact roles and responsibilities of the latter in service delivery at a local government level (Khan, Lootvoet and Vawda, 2006).

Fuelling the complexity contained in the traditional systems of governance at an urban level was the extension of the metropolitan area of Durban to include 16 tribal areas just before the 2000 local government elections. Durban is the only metropolis in the country that encounters traditional leaders in an urban setting. Despite intense opposition from traditional leaders to the Demarcation Board on the inclusion of land that has historically been under their administrative tutelage, the surface area (2297 km2) of Durban Metropolitan Region (DMR) was extended by 68% compared to the previous Durban Metropolitan Area (DMA), (1366 km2). The expansion of the metropolis on traditional territory was a source of violent conflict on the exact role of traditional leaders as against that of democratically elected councilors at both institutional and political levels, since the major prerogative of service delivery rests with local government (Khan, Lootvoet and Vawda, 2006).

Competing interest in service delivery has been a source of constant political conflict between the state and traditional leaders, which gained increased momentum just before the second local government elections held on 5 December 2000. The most controversial issue that escalated into conflict was the proposed amendment to the Municipal Structures Act (1998) (Daily News, 28/11/2000), which aimed to restrict the role and functions of traditional leaders in local government to that of customary law and community matters. This amendment provoked strong opposition from traditional leaders who felt that their functions were being defined no different to that in the apartheid-era (The Mercury, 6/11/2000).

While the state tinkers on formulating appropriate statutes to regulate the role and function of traditional leaders, Durban in particular has taken decisive steps to accommodate traditional leaders onto its council, long before the Traditional Leaders and Governance Bill was approved by parliament. Currently, a traditional leadership forum has been established to consult on the development priorities in the tribal areas. Ironically, an ANC councilor acts as a go between the leaders, and the metropolitan council chairs the forum. Traditional leaders already enjoy a monthly allowance of R3 500 per month from the council to cover their administrative costs but as yet do not enjoy formal representation except through the chair of the forum. From this turn of events it appears that traditional leaders are being inducted into the boardroom politics of the council. For the moment, the issue of traditional leaders is no longer being tested out in the rough terrain of the urban hinterland but in the boardrooms of the metropolitan council. At least for now these boardroom novices are being schooled by ANC cadres for the politics that is yet to unfold in the corridors of the city hall (Khan, Lootvoet and Vawda, 2006).

Although it may appear that traditional leaders have been co-opted into Durban's glittery boardroom politics in the spirit of good governance and service delivery

through a forum, it is questionable as to whether this participatory structure is representative of all traditional leaders. In an interview with the chair of the traditional leader's forum that is an ANC councilor, scant respect was accorded for the justification of such an institution existing in the new democracy. The sentiments of this 'city father' is well captured in the following quotation from an interview:

> …traditional leaders should not think that they enjoy special privilege due to their status…. Similarly, Indians, Whites and Coloureds should be given a similar privilege due to their religious and customary practices'. Their 'claim to special citizens in the country' was looked upon scornfully and those who stay out of the forum were branded the 'mischievous ones'. With such strong perceptions, the prospect for dissent on governance and service delivery issues is likely to embitter progress made towards co-operative governance (Khan, Lootvoet and Vawda, 2006: 111).

However, although on the surface it would appear that commendable progress was made towards co-operative governance between traditional leaders and the metropolitan council, the maturity of relationship was tested out once again as the nation geared itself for the third local government elections in March 2006. The KZN agenda for a constitution making process was plunged into controversy during April 2005, once again on the role of traditional leaders and the Zulu monarch in a future dispensation. Some 5000 traditional leaders and their followers protested on the streets of Durban denouncing the marginalisation of traditional authority in the proposed provincial constitution resulting in it being passed by a one third ANC majority, as the IFP walked out of the process (Khan, Lootvoet and Vawda, 2006).

Whilst one is inclined to believe that the relationship between traditional leaders and modern forms of governance has begun to mature, one begins to doubt such an assertion when traditional-weapon clad marchers show open resentment towards democratically elected councilors having more power compared to them. Statements such as "the indunas and kings are our tradition" (Mail and Guardian, 8/4/2005) is a strong indication of the volatility besieging the institution of traditional leadership which is unleashed at politically strategic junctures in order to preserve its traditional hegemony.

The issue of traditional authority land usage and management is far from complete. In the Durban Metropolitan Area, service delivery and development programs in the 16 tribal authority areas is highly contested resulting in conflict on service delivery issues. Ironically, on the anniversary of the fourth national government elections, the issue of traditional leadership and their land has become a contested political issue. Political posturing to win the support of the traditional authority constituency has resulted in promises to revisit land restitution claims as far back to the 1913 Land Act which alienated property from the former disenfranchised black populace. In KZN the Zulu King has recently announced that the ruling party has to expedite such dated land claims which once again will reinvigorate the hegemony of the tribal authority system. The consequence for the metropolitan area of Durban at a political level places it at risk once again for violent confrontation with ruling ANC local government in the forthcoming 2014 elections. There were also disputes and contestations over the new Durban Metro (renamed eThekwini Unicity) boundaries.

vi) Contesting Boundary Delimitations

In Durban the socio-spatial distortions of the apartheid era will have to be addressed through a more equitable distribution of resources, and the re-drawing of geographical boundaries. In terms of the LGTA the Greater Durban Metropolitan Negotiating Forum (GDMNF) was established in June 1994, and comprised sixty-six local authorities. One of the key issues that the Forum had to address was the determination of the boundaries of the metropolitan area. There were divergent views relating to the "inclusion or exclusion of tribal authority land located on the edge of the existing metro boundary … a result of the interwoven nature of the geographic sub-regions of the former province of Natal and the former homeland of KwaZulu" (Pillay, 1999:207). The exclusion of the majority of tribal areas suited the interests of the governing Inkatha Freedom Party in KZN.

It was clear from the Durban and other experiences that it was possible to manipulate transitional interim measures by "excluding settlements on the periphery of the metropolis which would lower the per capita tax base, and place a strain on service delivery capacity; demarcating local boundaries to create (or perpetuate) stark differences in per capita tax base between localities" (Wooldridge, 2002:132).

In terms of the Municipal Demarcation Act (1998) the independent Municipal Demarcation Board (MDB) was established to determine the criteria and procedures for the delimitation of municipal boundaries (Sutcliffe, 2002). According to the MDB's criteria the existing metropolitan boundaries in Durban were not cohesive or integrated, and were unsustainable economically:

> The demarcation of the present boundary has not helped to resolve all of the problems associated with service delivery and infrastructure in areas outside the urban core, especially in informally settled areas. Poverty, inadequate housing and infrastructure, land tenure, unemployment, crime, a lack of skills and environmental problems continue to manifest themselves in these areas, which remain functionally linked to the Metro core.[18]

There was also the suspicion that the MDB's draft proposals had political undertones. The inclusion of large rural areas adjacent to the metro could reduce the support base of the IFP in a region where the ANC controlled the Metro but not the province. Some of the traditional authorities were also concerned about losing their powers and jurisdictional influence. Tensions were further heightened between urban and rural regions because traditional leaders believed that their territorial jurisdiction and authority were being undermined as the administrative geography was radically redefined by the Municipal Demarcation Board.

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[18] Durban Metropolitan Area Boundary Submission to the Municipal Demarcation Board, 25 August 1999, p.15.
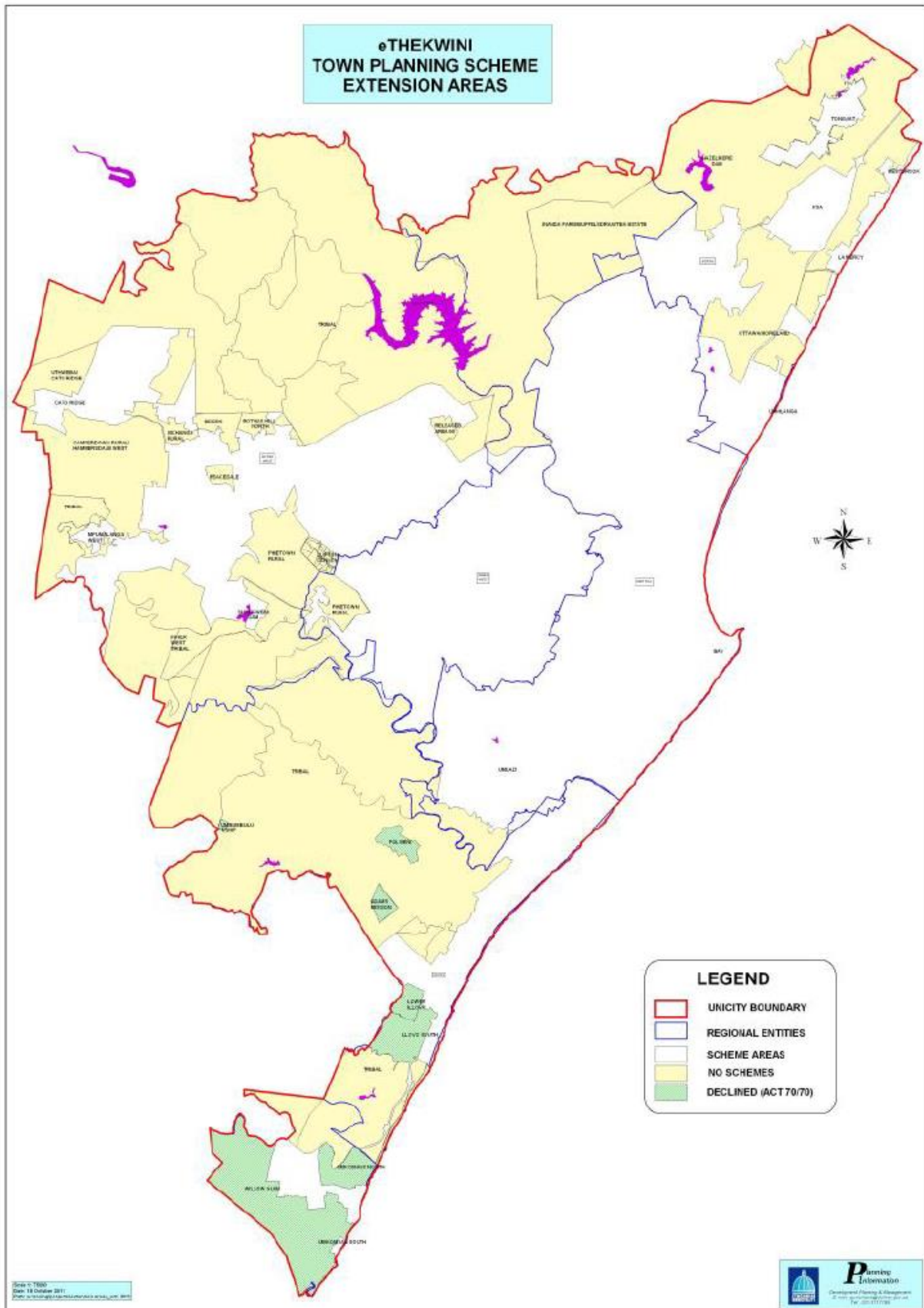
Figure 5 Durban Boundaries Changes (Source: eThekwini Municipality, 2016:87)

Many boundaries had been hastily drawn and were unviable and unsustainable, both administratively as well as in terms of service delivery. Also, in many traditional authority areas there was no democratic accountability. In order for reasonable service delivery these areas have to be integrated with local municipalities.

Durban was opposed to the spatial extension of their boundaries because of the costs of providing services and infrastructure in the deprived margins. Similarly, there was concern that incorporation of rural areas will result in increased municipal service charges being imposed on these communities.

The final determination by the MDB for the Durban Metro (renamed eThekwini Unicity) area (Figure 5) revealed that it had only deviated marginally from its original proposals. The geographic size of the Metro had increased by 931 sq km, with an increased population of 229 742, comprising 36 388 households. The draft budget of the Unicity for 2002 revealed that there were financial difficulties in providing basic facilities and service for the newly incorporated rural areas which did not generate a commensurate rates revenue (Mchunu, 2002a). There were also difficulties in providing adequate policing services for these communities (Mchunu, 2002b). Affluent metro authorities like that in Durban were opposed to the spatial extension of their boundaries because of the costs of providing services and infrastructure in the deprived margins.

Basically, those with resources (largely the largesse of apartheid) attempted to insulate themselves from the larger socio-spatial fabric, and demonstrated a reluctance to share and redistribute resources. Similarly, there was concern that incorporation of rural areas will result in increased municipal service charges being imposed on these communities. Tensions were further heightened between urban and rural regions because traditional leaders believed that their territorial jurisdiction and authority were being undermined as the administrative geography was radically redefined by the Municipal Demarcation Board.

While the municipal demarcation was largely successful in eliminating the political geography of apartheid at a macro-scale, the greater challenge for the Durban local authority is to reduce the socio-spatial and economic inequalities which appears to be very high and perhaps increasing.

vii) _Racial Desegregation and Class Polarisation_

An analysis of residential segregation and desegregation is important because race played a key structural role in the socio-spatial organisation of South African society. Although the Group Areas Act was abolished in 1991, the scars and imprints of the Act will be strongly evident on the South African urban landscape for a long time to come, and this is especially evident in Durban.

In the post-apartheid era, racial segregation has been perpetuated, if not been replaced, by class segregation, which in many ways, reinforces the spatial disparities and fragmentations of apartheid (Bremner, 2000b; Popke and Ballard, 2003; Lemanski, 2007). The transition from racial apartheid to class segregation has been linked to neoliberal policies in the democratic era democracy (Turok and Watson,

2001; Watson, 2002). In the post-apartheid era only the middle income blacks have upward residential mobility resulting in more desegregated suburbs and homogenous townships. Financial status plays a role in determining where people live in the city, which in many ways reinforces socio-spatial patterns reminiscent of those of the apartheid era.

Schensul (2008) contended that in Durban, similar to many developing and middle-income cities globally, there are social and fiscal, forces which limit socio-spatial transformation. The isolation of blacks within the townships reinforces the disadvantages of the apartheid era as the democratic government has largely failed to address socio-economic challenges and legacies of the apartheid era:

> The whole of Durban evokes a powerful sense of being two or three cities at once, but certainly not one … life in Durban's communities is powerfully unevenly distributed, differentiated into multiple distinct city types, separated by a combination of race, class, and spatial divisions born under apartheid and changing or remaining static in complex ways after apartheid. Understanding the pace and type of change and stasis, and how the state's intervention has impacted Durban's disparate developmental trajectories are the central goals of this dissertation (Schensul, 2009:3).

A quality of life study conducted by the city administration between 1998 and 2005 revealed that about 50 percent of households in Durban were unable to pay for health care, education, shelter, water and electricity.[19] The study estimated that the basic essentials for a family of four would cost R1500. In 2005, about 45 percent earned less that than R1500 per month.[20] In this group 20 percent earned less than R1157 per month and were referred to as being 'ultra poor'.[21] Poverty was highly gendered – 58 percent of the women were poor compared to 29 percent of the men. Also, the probability of women falling into the 'ultra poor' category was three times that of men (Casale and Thurlow, 1999:7). Further evidence of economic vulnerability was that 81.8 percent of residents in Durban were unable to save any money after meeting their monthly household costs (SACN, 2004:93).

With huge social inequalities, even bigger than in 1996, followed by high levels of violence, paranoia has engulfed the rich resulting in the creation of protected, safe and private spaces. Commonly referred to as `gated communities' they aim to exclude the remaining population from their neighborhoods. In these communities the streets are cordoned off by private security companies. Public access to the residences are regulated. In addition, residences in these areas are heavily fenced with large security walls, electronic security systems and surveillance equipment. Some of these gated communities are to be found on former buffer zones, on the margins of the historically white residential suburbs. The idea is to have an artificial public space within a private property. The extent to which people can afford to live in such 'gated residential suburbs' has now become the guarantor of safety in suburban living. Hence the private sector is subtly an active player in the re-segregation process.

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[19] The Quality of Life of Durban's People, Trends:1998-2005, (eThekwini Municipality), p. 28.
[20] ibid., p. 27.
[21] eThekwini Municipality Integrated Development Plan Review, 2005/2006, p.18.

In the last few years, South Africa has experienced a substantial increase in its property market. At the end of the 1980's, Real Estate agencies were criticized for their tendency to perpetuate the Group Areas Act principles and patterns through, for example, steering (Maharaj, 1993) Like in many metropolises around the world, the market law supports or intensifies the process of class re-segregation, based on land and property values and thus on affordability. Real estate prices have broken records for the last few years and have reinforced a separation between households "who can afford" and those who cannot.

viii) *Health and Housing*

The majority of blacks are forced to live in informal settlements which lack basic amenities such as water and sanitation - living conditions which create a whole network of ill health. In Durban an estimated 257 000 households (one third of the total population in the city) live in shacks in 540 'recognised' informal settlements.[22] Such settlements are also more susceptible to natural disasters such as flood and fires (SACN, 2004).

Apart from the discriminatory legislation, structural violence, low wages, and unemployment that contribute to squatting, the inhabitants of the informal settlements have to contend with living in structures which offer only partial shelter against the elements, and have no, or inadequate, access to basic facilities such as water, sanitation, and refuse removal (Hindson and McCarthy, 1994). The majority of informal settlements in Durban did not have piped sewerage or indoor water, and the majority of the households dumped their refuse in piles outside their dwelling before burning it.

In Durban the demands of accelerated urbanisation, particularly with regard to health care, is compounded by the legacy of apartheid planning which has resulted in health service provision being fragmented along racial, administrative financial and spatial lines. While urbanisation offers the promise of improved opportunities and a better lifestyle, the urban poor generally find themselves living in conditions which are detrimental to their health.

Early in 1997, the Chairperson of the Durban Metro Health and Housing Committee, Councillor Bheki Mbatha drew attention to the health problems in the Durban:
> Without adequate containment of diseases and disease-causing conditions, the Metro areas growth in aspects such as job creation, economic development and tourism will be severely limited. It is therefore essential that primary health care services play a pivotal role in any development strategy and that local government continues to take responsibility for and expand these services in the Metro. The injustices of the past necessitates that primary health care providers focus their attention on issues of social injustice with particular emphasis on disadvantaged groups within the community (Cunnan and Maharaj, 2000: 699).

A devastating health issue is the scourge of HIV/AIDS. There was an HIV prevalence

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[22] eThekwini Economic Review, 2006/2007, p. 57.

rate of 29-32 percent in urban areas in South Africa (SACN, 2004). However, in Durban the infection rate was 39 percent in 2004/5, the highest in the country.[23] AIDS related deaths tend to perpetuate a vicious cycle of poverty, inequality and social exclusion, and women and children are most vulnerable. More so in Durban than in the rest of the country, local government must integrate the consequences (cost, impact on the structure of the skilled labour market, etc.) represented by the scourge of AIDS into the economic and social development policies. More resources will have to be allocated to addressing the consequences of HIV, including the "burden of sickness, hospitalisation, orphans, and social welfare".[24]

In Durban, and the rest of South Africa, health must be approached from a holistic perspective with an emphasis on sanitation, immunization, and nutrition which should be related to the provision of purified water, shelter, income generation, security and a good, clean environment. The government will have to take cognisance of the thousands of people who resort to living in informal settlements to be near the city centre with the hope of obtaining employment and a better quality of life. Ignoring the such settlements means ignoring the basic needs of millions of people. The next section reflects briefly on shifts in national urban policy and its impact in Durban.

Urban Reconstruction: Egalitarianism to Neoliberalism

The present South African city form had been inherited from the legacy of apartheid urban planning and was characterised by racially fragmented and discontinuous land uses and settlement patterns, haphazard, dysfunctional and inefficient spatial ordering, land use mismatches, low level population density and the concentration of the poor in relatively high density areas on the peripheries and the rich in the core intermediate urban areas (Hindson et al, 1992:6). Against the background of the past, the reconstruction of a non-racial society would depend on the "the social, political and psychological incorporation of all black South Africans into legitimate state structures and the sensitisation of the state to survival systems and social networks that dominate the lives of the poor citizens" (Parnell and Pieterse, 1998:4).

The first wave post-apartheid urban planning and development strategies were driven by the Reconstruction and Development Programme (RDP) which was adopted in 1994. The RDP had a strong basic needs and social justice orientation. The Urban Development Strategy (UDS) of the Government of National Unity, released in October 1995, was influenced by the RDP in terms of being "people driven, integrated and sustainable, and implemented mainly through the reallocation of existing resources" (Government Gazette, No. 16679, 1995:15). The UDS aimed to integrate segregated cities by concentrating on rebuilding the townships, creating employment opportunities, providing housing and urban amenities, reducing commuting distances, and introducing urban management policies which are environmentally sensitive (Government Gazette, No. 16679, 1995:10).

The intention was to ensure that the resources of the built environment were used efficiently in targeting the needs of the urban poor so that they would become

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[23] eThekwini Economic Review, 2006/2007, p.26.
[24] eThekwini Demographic Projections, Report for eThekwini Transport Authority, August 2004, p. 26.

economically productive and contribute to the growth of the city as a whole. The aim was to build habitable and safe environments. In regard to human and social development and three areas were identified:

a) <u>Social Development</u> - this would be achieved through community based development and the provision of health, educational, sport and recreational services and opportunities;

b) <u>Social Security</u> - would take the form of caring for the aged, children who had been neglected, broken families, provision of social care and services;

c) <u>Safety and Security</u> - would be achieved by addressing those socio-economic conditions which perpetuate crime and violence and undermine development (<u>Government Gazette</u>, No. 16679, 1995:11).

Notwithstanding these laudable goals, and demands from community and labour organisations to realise them, the government argued that the pressures of global economic restructuring forced a shift in the macro-economic framework with the adoption of the neoliberal Growth, Employment and Redistribution (GEAR) structural adjustment strategy in June 1996. GEAR emphasises that economic development will be led by the private sector; there will be privatisation of state owned enterprises; government expenditure (especially social services) will be reduced; exchange control regulations will be relaxed; and there will be a more flexible labour market (Department of Finance, 1996).

The transition to neoliberal GEAR orthodoxy encountered an aberration with the basic needs oriented RDP (Bond, 2000). GEAR's neo-liberal orientation was criticised as it would only address the needs of big business and foreign investors, and the gap between the rich and poor would widen. This dependence on "market-led solutions is a high risk strategy, since there exists no example internationally where neoliberal adjustment … has produced a socially progressive outcome, especially in a country like South Africa, which is marked by extreme disparity and poverty" (Cheru, 2001:505). In fact, the virtual abandonment of the RDP means that the poor will "occupy the lowest rung on South Africa's new non-racial urban hierarchy" (Saff, 1996:251). The neo-liberal orientation of the Growth, Employment and Redistribution (GEAR) policy runs the risk of a production of class cleavages and the reproduction of socio-spatial inequalities distinctive of the apartheid era.

At the urban level this means that local democracy is compromised as the fiscal prospects of local governments are dependent on business decisions of the private sector. There will be a consequent limitation of democratic governance as "local policy inevitably bends away from many publicly favoured policies and towards meeting the needs of mobile capital, as well as those of existing businesses" (Williamson, Imbroscio, and Alperovitz, 2003:5). As Elkin (1994:115) has emphasised, it was unlikely that such an alliance between the public and private sectors will "pursue egalitarian policies of any significant sort and will more than likely work to reinforce material differences among the population"

In 1998 the White Paper on Local Government introduced the notion of 'developmental local government' (DLG) which was committed to "working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives" (Republic of South Africa,

1998:17). From a planning perspective central government control over local development strategies has been reduced, with localities assuming greater control over such initiatives. One of the reasons for this was the central state's inability to contribute towards the social support and welfare services which were imperative to address the gross inequalities of apartheid, and it transferred more of this obligation onto local government and the private sector.

DLG exhorts local authorities to focus on achieving developmental outcomes, such as the provision of basic infrastructure and services; the creation of integrated cities and liveable environments; the encouragement of local economic development initiatives; and the empowerment of communities. Developmental local government has four basic characteristics:

i) executing municipal powers and functions in a way which optimises the potential for social development and economic growth;
ii) development should be managed in a manner which ensures that it is integrated (socially and spatially, as well co-ordinating public and private investments), and sustainable;
iii) promote democratic values institutionally and within the community; and
iv) empower that poor and marginalised and build social capital by providing community leadership and vision (Government Gazette, 13/3/98).

Privatisation of Public Transport

The transport landscape in South Africa was largely shaped by colonial and apartheid social and spatial engineering to serve primarily the economic wants and social well-being of the minority white ruling class. It was a system designed to prevent the mixing of the different race groups by physically confining communities to isolated geographic areas so that the economic interests of a predominantly white capitalist class were served. The majority of disenfranchised Black communities were denied an opportunity to social well-being through a repressive system of control on their movement from centres of economic production. In the new democracy these past practices make pressing demands on the state to transform the transport sector in keeping with national, provincial and local development priorities. In the transport sector the political, economic and social dynamics is of complex dimensions involving a wide range of stakeholders with competing and opposing interest. This diversity in interest has plagued the public transport sector in the form of violent conflict, breakdown in regulation, inefficient use of resources and a source of threat to social and environmental development in the new democracy

The Durban public transport system was subjected to significant changes in keeping with national policy, which aimed to reposition, transform and restructure public transport in South African cities and rural areas to meet changing commuter needs. Enormous responsibility was placed on metropolitan governments to plan, regulate and manage public transport since the adoption of the local government White Paper (1998). In addition, local authority resources were strained resulting from the re-demarcation of boundaries of South African cities. Previously marginalised black townships and peri-urban areas were integrated within a super municipal structure in order to ensure that services are within economies of scale. In the case of Durban, the boundaries of the core city were expanded to include 68% of the peri-urban

areas. This demarcation further constrained the capacity of the DTMB to provide services to the newly incorporated areas of the city, as these were not subsidised by the previous government. Lack of funding, competition with the mini-bus taxis, increased private motor ownership, rising fuel prices and increased demand from pupils for scholar travel at reduced fare rates placed the DTMB under enormous financial stress.

The financial sustainability of the public bus company had become precarious; warranting an urgent search for alternative remedies considering the cities inheritance of other service backlogs. Finding an appropriate financial solution was indeed a complex one for the metropolitan government especially in light of its invidious role of being a public service provider and taking on a new role of being a regulator as required by the National Land Transport Transition Act (2002). In terms of the NLTTA the management and regulation of public transport was to be devolved/decentralised to the most competent local level. The basic rationale for decentralisation was based on the assumption that local governments were in the most strategic position to plan, manage and regulate public transport. It was against this context that the city had to break away from the dilemma of being both a "referee and a player" (service provider and regulator) to that of a regulating authority.

In 1999 the National Department of Transport, the then Durban Metropolitan Council (now eThekwini Municipality) and the KwaZulu-Natal Department of Transport took a bold initiative to investigate both the establishment of a Transport Authority (TA) within the eThekwini Municipality and at the same time restructure its public operation to a privately owned one. These processes had to unfold parallel to each other i.e. the restructuring of the public transport company and the establishment of the TA had to complement each other (eThekwini Transport Authority Project Report 2000:1).

However, the decision to privatise Durban Transport met with political opposition. The main contention centred on the issue of subsidies. It was the shortfall in the subsidy, which the Durban ratepayers had to fork out raised political opposition from the Democratic Party, Cosatu (KZN) and the South African Communist Party (KZN). "Calls for halt on bus deal", claims that the privatisation process was "daylight robbery of the taxpayer" were made (Daily News, 14/5/2003). Despite this political outcry, the council dismissed these claims stating that they had some *"teething problems"* over route designs that led to delays in the new owner taking full control of Durban Transport. However, further investigation with the provincial department and the metropolitan Traffic and Transport Department confirmed that there was a major problem with the route design. A private consultant was engaged to redesign the routes and this was expected to be ready by September 2004. Until that date there had been no sight of any route designs for the city.

Despite the unresolved problem of subsidies and routes, the privatisation agenda went on track. The absence of clear route designs elicited major concerns on the ability of the metropolitan government to regulate competition for routes from operators providing different modes of transport on an unsubsidised basis. In a dramatic turn of events competition for routes in the city after the privatisation of the public bus company, resulted in forced closure of certain taxi ranks due to violent

reaction from competing taxi associations (Mercury, 20/05/2003). The new privatised operator wasted little time in offering its service on the disputed routes (The Independent on Saturday, 11/10/2003).

Negotiations with labour on the privatisation agenda was characterised by ongoing conflicts and tradeoffs. Labour comprised the South African Municipal Workers Union (SAMWU) a majority union with a membership of 900. The Independent Municipal and Allied Trade Union (IMATU) were made up of predominantly whites, with a membership of 300. The two unions were in conflict over several labour issues over a period of time before the privatisation agenda was implemented. Claims of racism, nepotism and infighting within DTMB made scandalous news by SAMWU members. Ongoing badgering between union and management officials resulted in the CEO in the city administration Dr Mike Sutcliffe claiming that a number of accidents occurred monthly averaging between 18 to 32 and serious accidents had risen from 5 to 19 a month due to lack of driver competency. DTMB bosses also alleged reckless driving, speeding and rude behaviour on the part of SAMWU drivers (Mercury, 15 November 2002).

Hurried attempts were made to investigate these claims and an independent investigative team was set up to unravel the problem besieging the public bus company. In response, senior officials of DTMB brought an urgent interim court order stopping investigations into allegations of internal racism, nepotism and corruption as claimed by the eThekwini municipal council. However, the investigation resulted in its leadership being suspended pending disciplinary enquiry and an interim management committee was appointed (Mercury, 15 November 2002). Subsequently, the investigation deviated from the original terms of reference into the labour scandal and expanded itself into an inquiry regarding privatisation policies, unfair dismissal, demotions, and medical boarding. This was the first time that the mask on privatisation by the municipality was removed (The Mercury, 15 November 2002). To quote the General Secretary of the SAMWU (KZN) "call it privatisation, call it outsourcing, call it private-public partnerships, call it what you want" the council was playing hide and seek with the union whilst it intended to privatise DTMB (Sunday Tribune, 11 August 2002). The SACP and Cosatu strongly opposed the municipality's intention to privatise the public bus company. Questions were raised about the financial rationale behind the sale. It was contended that it made poor business sense to sell the transport operation for R70 million while the government had to subsidise the consortium by R186 million. Further it was argued that if the city had run the public transport company at a loss, how would it be possible for a private company to run the same operation at a profit? Interestingly, none of the community based organisations in and around Durban opposed the privatisation of DTMB.

The landmark agreement reached with labour cleared the way for the municipality to pursue the final stage of the privatisation process by selling the public bus company. On 16 May 2002 the council resolved at its Executive Committee to dispose its bus fleet to a private operator through a public tender process. On the 9 February 2003 council announced its intention to sell the public bus company. It called for an expression of interests from interested parties wishing to purchase the bus company.

Intrigue and speculation surrounded the award of the contract to Remant Alton

consortium. Alton Coach Africa cc, a member of the Remant Alton Consortium was investigated by the Scorpions for irregular subsidy claims and failing to fulfil its "social investment commitments" (BEE) (Sunday Tribune, 1 June 2003). Claims of political connections influencing the bus deal were also made. A former United Democratic Front vice president in KwaZulu-Natal and the minister of transport in the province are known to have been close stalwarts in the liberation struggle which influenced the awarding of the tender. A political connection to the mayor of Durban as well was made. It was alleged that the CEO of Remant Alton also had strong links to the ANC leadership due to his previous involvement in the UDF liberation days sponsoring his bus fleet to ferry protesters to and from political rallies. A press report confirmed that the CEO had a criminal record and was fined R6000 for bribing a Durban municipal official in 1997 (Sunday Tribune, 25 May 2003). The tender fiasco aroused much attention on the credibility of the tendering process resulting in the Scorpions[25] undertaking a detailed investigation. To date the findings of this elite investigative unit is still a mystery.

Despite claims (founded or unfounded) that a compatriotic relationship influenced the award of the contract to the private bus operator, taxi and other bus operators in the CBD welcomed the move. Various stakeholders in the public transport sector pledged that violence will be avoided at all cost and that they will strive to honour "governments dream to have taxis and buses work together" (Sunday Tribune, 18 May 2003). This pledge never lived to its promise as violence between rival taxi associations in the city escalated as a result of competition for routes. The responsibility for these escalating levels of violence was placed on the doorstep of the Provincial government as it delayed the processing of permits to legitimise taxi operators. Consequently, illegal operators took the opportunity to capitalise on this situation.

Interestingly, illegal taxi operators were not the only ones to capitalise on government's failure. The newly inaugurated private bus consortium made hurried attempts at capitalising on this opportunity by offering to come to the rescue of stranded passengers since it shared a common route with taxi operators. The company argued that, "if there was extra commuter demand, then it was this company's duty to run more buses" on the troublesome routes (The Independent on Saturday, 5 October 2002). This was the first sign of aggressive competition for routes emerging within the municipality especially in the absence of clear route designs.

However, in the absence of a TA[26] to regulate the transport sector, the municipality had to depend on the elite Public Transport Enforcement Unit called "*Operation Shanela*" (means to clean-up – to rid the industry of all its ills) as an interim measure. The presence of this regulating unit was felt in the province and the municipality alike characterised by zero tolerance to traffic violations within the industry. Strong reaction was received from taxi bosses who threatened that they "would really hit the

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[25] This is an independent national policing unit that investigates criminal cases such as corruption.
[26] The TA came into existence only on the 29th January 2004 when it was formalised by a founding agreement signed by the Minister of Transport. It must be noted that the DTMB was privatised before the establishment of the TA.

provincial government hard, unless it softened its hard line approach towards unroadworthy taxis and drivers without permits…" (Daily News, 26 January 2002). Since the setting up of *Operation Shanela* corruption in the public transport sector was exposed. The Minister of Transport (KZN) alluded to the fact that the ownership of taxis by the police personnel was the key cause of violence within the taxi industry. This compromised the objectivity with which the industry was regulated. Another actor in the industry emerged in the form of private security personnel comprising mainly former policemen who escort private buses on routes besieged with violence, hijacking and theft from passengers.

Gauging from the way in which the privatisation process has unfolded several challenges are worth noting in respect of its future efficiency, viability, cost effectiveness and sustainability of the private bus consortium. In terms of the contract the private transport company owns 60% of the shares, Taxi Co comprising five taxi associations in the city calling themselves Idlangamabala own 10%, and the remaining 30% is held by former DTMB staff known as Staff Co. The route distribution (as operated by the DTMB) is as follows: Remant Alton 60%, Staff Co 20%, and Taxi Co 20%.

Taxi Co operate on the former Mynah routes servicing the CBD, while Staff Co and Remant Alton on the remaining routes including the densely populated townships. Taxi Co appears to be the weaker partner in this consortium. Although they run the busiest routes in the CBD, in the final subsidy calculations they enjoy lesser kilometre benefits, compared to long distance transportation offered by Remant Alton. Staff Co have routes predominantly in white middle class suburbs with a heavy dependence on privately owned transport. Consequently, cracks in the relationship between consortium partners began manifesting itself soon after its formation. SAMWU shop stewards in Staff Co claim that they were allocated routes in the elite residential suburbs of La Lucia, Umhlanga and Durban North, whilst the holding company (Remant Alton) reserved routes for itself in the densely populated working class townships. They bitterly complained of the financial viability of these routes since middle class households seldom commute by public transport (Sunday Tribune, 18 May 2003).

The issue of routes continues to be a contentious one for all transport service providers in the city, even though the TA is now in place. At the time of privatisation, the bus routes were kept a guarded secret both by the municipality and the owners of the new consortium. Routes and passenger ridership have chronically been a source of violent conflict amongst taxi operators. In addition, routes serve as a basis upon which state subsidies are determined for approved bus operators. At a political level, this was contested by the SACP who maintained that a private company would not be in a position to financially sustain itself on route subsidies when the municipality had failed do so in the first instance. Cleverly, private sector ingenuity won the day by not cutting costs by tampering with the routes instead responding to the financial dilemma by slashing the bus timetable.   In total, the consortium made 1048 cuts in the bus timetable on routes with 50% and less ridership, which is claimed to make huge financial savings for the company.

On the downside, the cut in the bus timetable as a cost saving measure prompted adverse reaction from competing groups for routes. In the elite Westville suburb, competing taxi operators wasted little time on cashing in on the vacuum left behind by the private bus consortium. This competition was violently contested resulting in taxi ranks being closed by the metropolitan authorities until the problem was resolved. The Warwick Avenue bus terminal, the largest passenger terminal in the city, had to be shut down due to violent clashes between taxi operators who defied rank rules regulating the frequency of trips on specified routes to cash in on the changed bus time table.

The privatisation deal dealt a major blow resulting in the municipality cancelling the contract with Remant Alton and taking the role of the operator once again. The TA to date has failed to regulate the public transport sector in the city, with taxi operators violating routes with increased competition amongst the consortium resulting in ongoing violence. The TA has failed its regulatory function due to poor funding within the municipal and provincial governments budget resulting in the metropolitan transport system at the mercy of a "mafia" type of governance were Black taxi bosses regulate the sector through violent means.

Privatistion and Social Exclusion

Within an urban setting the implementation of GEAR "means privatisation and the promotion of the principle of cost recovery which will reflect in inadequate subsidies targeted at the poor" (Parnell and Pieterse, 1998:13). Regardless of how strong the case for privatisation may be, the capacity of private enterprise to provide services will be constrained by the capability of most people to pay (Gilbert, 1992). The urban poor have suffered most from the restructuring and adjustment strategies and bear the brunt of reduced subsidies, increased cost of food and services, reduced wages, increasing unemployment, and reduced social expenditure (Amis, 1995).

It is imperative that strong state intervention is both desirable and necessary in order to address the socio-spatial inequalities of the apartheid era. However, the state's response has been to increasingly support the privatisation of basic services in keeping with the dictates of the neo-liberal agenda. In cities "the primary effect of reducing local government to a contractor of services and making fiscal principles of cost recovery the key measures of good governance are political: citizens are reduced to customers, and democratic principles of accountability (including participation) are replaced with market signals" (Heller, 2003:169).

However, "privatisation and the promotion of the principle of cost recovery will reflect in inadequate subsidies targeted at the poor" (Parnell and Pieterse, 1999:75). An implicit assumption in the privatisation debate is that the "market is more efficient than government at providing basic services" (Bakker and Hemson, 2000:6). However, there are limits to what poor communities can achieve without active government intervention (Stock, 1995).

Private companies are more profitable than those in the public sector because of their higher cost recovery rates. However, this is often done at the expense of the poorest households not receiving any services. The multi-national companies have a dismal record in terms of services to the poor. The emphasis on cost recovery means a

lifeline service to the poor. However, the provision of such a low level of service geographically locks-in the spatial inequalities apparent under apartheid (Bakker and Hemson, 2000).

The privatisation of services has far-reaching geographical implications. Under apartheid the access to services had a distinct spatiality. Townships were inadequately serviced, if at all, while the racially privileged enjoyed access to services comparable to those in the first world (Turok, 1994a, b). The provision of services under apartheid was also symbolic of the exclusionary nature of the system: black people were seen as 'outsiders' in the urban system a denial of their humanity and their citizenship. The privatisation of basic services militates against the aim to build an inclusive society. The provision of a minimum level of service to disadvantaged areas re-emphasises apartheid boundaries in the geography of service distribution (Bakker and Hemson, 2000).

In Durban commodification of water resulted in the metropolitan government disconnecting some 3000 families per month at an annual cost of R9m flowing into the financial reserves of private contractors for the 2002-2003 financial year. Nonetheless, private sector ingenuity won the day through the introduction of pre-paid meters (water and electricity), were consumers disconnect themselves. Loftus (2004:195) revealed that 800 to 1000 "disconnections" were taking place across the municipality daily, amounting to roughly 4-5,000 per week, affecting as many as 25,000 people. Some of these households have their flow restored, but the problem of under-consumption of water due to water restrictors is clearly widespread in Durban. A key contention is that ¨the policy of cost recovery and the commodification of basic municipal services … has pitted local bureaucrats and politicians against communities¨ (McDonald, and Pape, 2002:42).

The following quotations capture some of the anger and anguish of residents (Loftus, 2004:194):

> They can't put me in jail…can't put me in jail. They told me to pay 70 something. They will think we've been playing with the water. My pension is R600 and the bill is R400. How can I pay this?

> I'm the only person who deals with it and I'm a pensioner. Yes, we were disconnected once for a long time and borrowed water from neighbours. I have been to the Metro in KwaMashu to discuss bills. We're just washing ourselves and flushing the toilet. Before it wasn't really an issue how much you used. Now I'm trying to think of the 1,000s. I don't know what I'll do about the high bills.

Private companies are more profitable than those in the public sector because of their higher cost recovery rates. However, this is often done at the expense of the poorest households not receiving any services:

> Improved cost recovery in a privatised service may penalise the poorest households. It may also not result in improved services but in higher profits for the owners. Private companies will always be reluctant to extend their services to poorer areas especially if this requires a large investment (Hardoy and Satterthwaite, 1989:160).

Under the financial recovery system, the prospect of poor people benefiting from a cost effective service was bleak. Subsidies from the general coffers of the state or for that matter from richer utility districts to poor ones are often unlikely. It is more likely that people living in an underdeveloped area would pay significantly more for services than those in wealthy developed neighborhoods. It costs more to bring services to an undeveloped area. Given the vast level of social and economic disparities and the racially fragmented spaces inherited from South Africa's past, it is the poorer areas that will be worst afflicted by this neoliberal system of cost recovery.

As market penetration increases, the state retreats, the social welfare net is reduced, and the urban poor are increasingly marginalised. Women are increasingly vulnerable and subjected to social exclusion, and this will be illustrated in the first case study.

Case Study I: Vulnerabilities of Women

> Women hawkers at the Durban station take turns sleeping at the end of the rows in which they bed down for the night so that the same woman is not raped every time (Daily News,14:12:93).

In spite of the post-apartheid government's commitment to gender equality, women continue to be marginalised and many only survive in the informal economy (Maharaj and Mabona, 1996).

A large percentage of informal street traders in cities like Johannesburg and Durban are rural migrants who are victims of poverty, and hence lack many basic necessities especially, housing. The legacy of influx control legislation and gender discriminatory housing policies, together with the shortage of affordable accommodation nearer the city centres, made it impossible for women in the informal economy to secure safe living environments (Lund, 1998). The political legacy of apartheid and the patriarchal nature of South African society makes women, especially those engaged in the informal sector, particularly vulnerable to abuse (Vogelman and Eagle, 1991; Simpson, 1992).

A study in Durban revealed that rural poverty and impoverishment, and the perceived better economic opportunities in urban areas has led to women migrating to the city so that they could meet their family responsibilities. Most women traders in the study were engaged in the informal sector as a survival strategy. The income of traders was crucial for the survival of the rural household as there was a high dependency of children, older folk and other economically inactive members of the extended family. An important point to emerge from this study was that the women were prepared to endure the hardships of squatting or even living in open places because of their dependence on informal trading. The lack of access to accommodation and a better source of income meant that the women's survival was only achieved with considerable difficulty (Pillay and Maharaj, 1998).

The Durban study revealed that migrant women were not only subject to systematic forms of oppression but were especially vulnerable because of their social status. A shortage of affordable accommodation and high travelling expenses were the main

problems women experienced in securing suitable and safe living arrangements. Although for most women accommodation was a high priority in ensuring their safety and security, they chose to save whatever little they earned for their children rather than spend it on lodgings. Housing authorities should therefore consider the conditions of women living on the street and the special constraints placed on them because many were supporting families, had little or no formal employment skills, and earned low incomes (Pillay and Maharaj, 1998).

Women traders were very aware of their feelings of fear, powerlessness and vulnerability. Hence, they developed a number of individual and collective strategies to cope with the threats and dangers they faced. They appeared to have some understanding of the political and economic dynamics influencing their situation. Although some women felt that the municipality should provide accommodation and protective trading areas, many of the women did not have much faith that it would intervene in their favour. The weakness in the criminal justice system and the general disintegration of law and order should also be seen as a factor that contributed to women's vulnerability and was likely to increase their chances of becoming victims again.

Women in the informal sector, because of their class, gender and racial identities, have become prime targets for violent abuse. Many theorists hold that violence against women is a consequence of the power relations inherent in a patriarchal society, and that class and ethnic differences also overlay this gender related experience (Vogelman and Eagle 1991; Simpson, 1992). Although urban development strategies contain "considerable opportunities to influence the direction and prioritization of development in more gender aware ways, gender concerns tended to be subsumed and ultimately neglected" by the Durban Metro Council (Todes, 1995:328-329). The vulnerability of women and the violence they experience is seen as a private and individual matter and not seen within the broader socio-economic and political context.

The right of women to work safely in public places and the role of government policy in protecting that right should become a part of research agendas and policy discourse. Whilst much attention is being devoted to businesses and specific groups like farmers as victims of crime, felonies against women traders were unlikely to attract the same attention or resources as they do not have much economic clout or power (Posel and Isaacs, 1993).

Another example of urban social exclusion is the treatment of undocumented migrants, and this is the focus of the second case study

Case Study II: *Kwerekwere* – Violence and Xenophobia

Undocumented immigration has become a potentially explosive issue in South African cities. The reasons for this are steeped in a variety of social, political and economic situations not only in countries of origin but in destination areas as well. The patterns, nature and socio-cultural and economic implications are extremely complicated and no simple answers or solutions can be forwarded.

Xenophobia is rife in the townships, where the migrants are referred to as *kwerekwere* (disparaging word for African immigrant). It has been argued that xenophobia "thrives where economic deprivation and hardships are acute" (Sunday Times, 28/8/94). There was also the view that the migrants were seen as tempting 'scapegoats' for the 'country's ills':

> With a black government in power and apartheid gone, many black South Africans have realised that they can no longer blame the system. Most are turning on the most visible scapegoat - immigrants. The new government would do well on its promise of a better life for all before discontented South Africans turn on foreigners and blame them for the country's ills (Sunday Times, 28/8/94).

The city of Durban is trying to market itself towards the high-end of the tourism market with a special emphasis on attracting mega sporting events. The Soccer World Cup, played during June and July 2010, was viewed by the city authorities as a catalyst for turning Durban into 'Africa's premier sporting and tourism destination' (Bass 2009: 250). In order to realize this aim, the post democratic government is committed to fundamentally changing the core of the city that stretches from the central business district to the beaches, into servicing a sport and tourist precinct (Maharaj, Pillay and Sucheran, 2006).

A key contention is that the attempt to create a city with a large sports precinct at its centre is predicated on creating exclusive areas where the local poor are pushed out and given decreasing levels of access to resources. Reading Bass, one gets the impression that those who hold institutional power are simply making the City anew, that this process is uncontested and that everybody benefits from these changes. Yet, in a confined strip of thirty by thirty city blocks there are intense contestations about who is an insider and who is not, who gets to stay and who disappears into the night.

This section analyses two case studies of this "pushing" and "shoving". The first took place in the Albert Park area, where tensions built through December 2008 and culminated in a deadly attack against African immigrants in January 2009. Albert Park has historically comprised of high-density flats which until the mid-1980s was zoned for white occupation as per the Group Areas Act (1950). Since then the area has gone through a process of desegregation, and residents include white pensioners, upwardly mobile blacks, students, and more recently a point of entry for immigrants from Africa (Maharaj and Mpungose, 1994). The second is an ongoing battle between traders and the City authorities at the Warwick Junction who desire to destroy the existing market, and build a shopping mall in its place.

In the Albert Park area, there were two mobilizations against immigrants during December 2008 and January 2009. In one attack, local South Africans in late December entered an apartment block Jamba House, known to house "foreigner", in St. George's Street. They proceeded to throw all the foreigners out. Jamba House had been the scene of a number of police raids through 2008. In one raid in late 2008 the residents allege that police simply confiscated all their possessions. The organization Lawyers for Human Rights (LHR) had taken up a number of cases after residents produced receipts for the goods (Desai, 2010).

Eugene Madondo, a Zimbabwean, was aware of the situation but thought that it was simply the excesses of the festive season and that things would settle down in the new year. But he felt uneasy. Each evening, as dusk fell, he took refuge in his room at the boarding house, Venture Africa. Until the inevitable happened.

> Then came this attack on 4th January 2009. It was on a Sunday at half past 10 pm. I saw a group of people carrying the weapons like bush-knives and knobkerries. They were carrying hammers, too. They were blowing the vuvuzela. They were chanting the slogans in Zulu languages, and some of them were singing. I saw them coming in the direction of the flat where I stay, Venture Africa.[27]

To get to Venture Africa the *crowd* had to march past the police station. CCTV footage caught the marchers on the streets. People 'heard the mob, saw the mob' repeated a woman at the offices of the Lawyers for Human Rights (LHR), a Refugee and Migrant Rights Project that has its office in Diakonia Avenue, which is very close to Venture Africa, when she recounted events leading up to the attack. The LHR was established in 1996 and its Refugee and Migrant Rights Project is a specialist program that seeks to 'advocate, strengthen and enforce the rights of asylum seekers, refugees and other marginalised categories of migrants in South Africa.[28]

The owner of Venture Africa was contacted and phoned the police to intervene. They told him it was the legitimate work of the Community Policing Forum (CPF). Madondo described how the mob forced its way up to the sixth floor. He locked his room and was 'so scared' when he heard 'the noise of the people screaming' and the 'doors being broken with the hammers.' He opened his door to escape but saw his neighbour being thrown from the sixth floor to the street. Before he could lock the door of his room, the mob, with the men in front and women following, entered his room yelling, *"Shaya! Shaya!"* When they discovered that he was from Zimbabwe, they shouted, *"Shaya kwerekwere! Shaya!"* (Desai, 2010).

Madondo was hit on the head with a knobkerrie. As 'the blood started to flow, I felt weak and screamed for help.' He fell and heard one of the attackers say in Zulu, 'Let's throw this dog outside the window.' Five men lifted him and tried to push him though the window. He tried to grab hold of the window frame, all the while yelling for help, but they broke the window frames and pushed him down from the fifth floor. Fortunately for Madondo, he fell on top of the two men who had been thrown out of the window before him and lay dead on the street (Desai, 2010). The mob noticed that Madondo was not dead, and threw empty beer bottles and other object at him. Madondo continues:

> I didn't even notice these guys were dead. I told them, "Come on guys. There's a storeroom nearby that we can crawl to" …. I lost my conscious. Next time when I came to, it was to see what was going on the next day at 11am in Addington Hospital… I stayed at Addington hospital for five weeks. During that time, detectives and investigators were coming there to take the statement from

[27] Interview: Eugene Madondo, Durban, June 2009.
[28] See Lawyers for Human Rights, 'Refugee and Migrant Rights Project,' http://www.lhr.org.za/programme/refugee-and-migrant-rights-project. Accessed various times between October 2009 and April 2010.

me. Then, I was transferred to Clairwood Hospital, where I was being treated by the spinal doctor. And, the inspector told me that they managed to arrest some eight of the perpetrators. In the hospital I was shocked to read from the newspaper that I was dead – me, and other two guys.[29]

The two dead friends that Madondo landed on were Omar Said from Somalia and Victor Zowa. Victor's brother Raymond had been displaced by the May 2008 attacks in Alexandra. He had gone back to Zimbabwe, to his hometown of Chipenge (where specifically – just over the border), but facing starvation, he returned to South Africa. He made a quick exit out of Johannesburg and sought refuge in Durban. He brought his little baby, his wife and brother Victor with him. His wife saw Victor being pushed out of the window. Victor's death brought enormous guilt. Raymond, in a state of deep depression, tried to commit suicide. Saved by some friends he and what was left of his family went back to Zimbabwe (Desai, 2010).

Others were pushed too. A group of forty-seven refugees from the DRC that sought shelter at Albert Park in the aftermath of the May 2008 attacks was constantly harassed by police. They begged the City to turn the place into an official camp. Local NGOs—some of them in the pay of the United Nations Commissioner for Refugees (UNCR)[.30]—tried to convince the group to disperse. Every day they faced harassment from police. A particularly insidious language was developing from the City authorities. For City manager Mike Sutcliffe, the issue was simple: "The families have a choice of either going back to their countries or to places in the community they were living in before the July problems. The municipality cannot suddenly prioritise their housing needs when we already have 200 000 [local] people with housing needs in the city itself" (Sowetan, 6/11/2008).

The refugees, in fact, had not demanded formal housing; all they wanted was to have a sanctuary in Albert Park. It was an insinuation that could only isolate the refugees further and act as a cover for the City's inability to make good on its promises of housing the poor. Sutcliffe's rationale for a speedy removal had another basis also: "I have instructed the metro police to remove people from the park because the surrounding community has complained about crime" (Mercury, 3/11/2008). The fact that none of the refugees was linked to any crime did not seem to matter.

The City duly arrived in early November 2008 in the form of Durban Solid Waste and a strong contingent of metro police. Tents were pulled down and documents thrown into garbage bags. This time the rationale was that the park needed to be cleaned up. One of the 47, Aziza Wilondja, a mother of six who had hung onto the park for four months spoke of how their clothes and identity documents were "confiscated": "The police took our things and put them in the garbage vehicle. They brought down our tents and threatened to beat us" (Mercury, 3 November 2008). Once joined in a

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[29] Interview: Eugene Madondo, Durban, June 2009

[30] The Office of the UNHCR was established in 1950 by the UN General Assembly. It is mandated to co-ordinate international efforts to 'safeguard the rights and well-being of refugees.' It has offices in South Africa and works to provide technical advice, training and support to the Department of Home Affairs to increase its asylum processing capacity, provide direct assistance to the most vulnerable, and assist those who wish to resettle voluntarily (see http://www.unhcr.org/pages/49e485aa6.html).

bid to hang onto bare rudiments of life, this assault forced the 47 to leave Albert Park and embark on separate, individual journeys.

Vusi Khoza, one of the alleged central instigators of the January attack, is also on the prowl in the Albert Park area. He remains ANC ward councilor and chairs the Metro Police Civilian Oversight Committee. He claims credit for the Metro Police moving its headquarters to what was once the whites-only Albert Park bowling club.

Meanwhile Madondo made his way back to the supposed scene of death. His room had been ransacked and many of his fellow tenants had vanished in fear of another attack. Madondo sought help from the LHR and the Refugee Social Services (RSS). Madondo was asked to participate in the police identification process. He went to the police station but, like other victims of xenophobic attacks, was scared because most of their attackers were out on bail and they 'fear that they will be killed by the perpetrators of the attacks' (Desai, 2010).

The Investigation Parade took place on 19 May. He identified some of the perpetrators, including Vusi Khoza, whom Madondo described as

> so evil. He is lacking a sense of living together. Before the attack he used to come to Venture Africa pointing the fingers on the foreigners who live in the flats… He is trying by all means to destroy the evidence by killing the state witnesses (Desai, 2010:427).

When Madondo pointed Vusi out, the police asked him to step forward:

> When he did that even though he could not see me, he shook his finger to let me know to feel threatened. I don't hate him. All, I don't like is how he treats other people, especially the foreigners. All I need is for him to be trialed for what he did and he must get a sentence. He thinks he is above the law' (Desai, 2010:427).

The trial was set for 4 June. Madondo intended attending the trial because he saw it as a

> lesson to our South African brothers that the attack on the foreigners is not all that good, because we are here to make a living and to support our families at home. The situation at home is causing us to leave our home countries. So, if you take refuge in another country and you find out that the situation in that country is even worse than back home, and local people are out to kill you, then where actually do we go? (Desai, 2010:427).

Word was out that Madondo was in Port Shepstone. In fact, after the attack he carried on living in the Albert Park area. It was an act of defiance. Madondo, in part, survived by telling what Asad (2003: 28) has called "socially useful lies' and hanging onto the services of different organizations. This got him into trouble as he was accused 'of taking money from various organisations, but I was just not having enough money from each one. So, I took whatever I got for that month. It turned into a big story. Then, they all didn't want to help me anymore. I had to make ends meet, by whatever means" (Desai, 2010:427). Madondo survives in part by sacrificing his family life. His wife, Fungai, and young son, Ashley, have long gone back to Zimbabwe. As the date for the court case approached, Madondo went into protective custody. He is forced to rely on the protection of the very police who have harassed him through his stay in the city.

Pressure will increase on African immigrants in the area. On 26 June 2009 the eThekwini Municipality sent out a notice advertising an African Unity Six, a Side Soccer tournament to be held under the banner 'Fighting Xenophobia and promoting African Unity through Soccer'. The letter was sent out in the name of Vusi Khoza, the very person fingered for leading the attacks on immigrants in the Albert Park area.

In the small space of the inner city tensions accumulate, concentrate and erupt. The Community Policing Forum (CPF) has equated crime with the presence of African immigrants. Using this institutional base, they have raided flats were immigrants live on the basis of daily board and have thrown them out. Once on the streets the police move in to harass and force the immigrants to keep on the move until finally they leave the area altogether. The police too, according to the LHR, have taken to raiding flats and simply confiscating the goods of immigrants, regardless of whether they have receipts of purchase or not (Desai, 2010).

The situation in the Albert Park area is particularly acute because the CPF and the ward councilor have a close relationship and their power reaches into City Hall. Classically, in the Albert Park area one group of 'local' poor were positioned as policing agents against poor African immigrants.

The organizations supporting the immigrants at Diakonia Centre have their hands full. Both the LHR and the RSS are contracted by the UNCHR. On any given day the queues are long and resources short. Their work is about papers, legalities and treating each case in an individual way. They are not in the business of collectives and mass mobilizations. These organizations, for example, were opposed to the concentration of immigrants at Albert Park (interview LHR). They could not fathom the strategy of the immigrants, whose stubborn presence exposed the lack of support from the City authorities. Their tents staked out a place in the heart of the inner city and their continuing resistance in the face of their tents being pulled down and harassment by the police drew attention to the ongoing xenophobia in the City. Their bin packets used for shelter further exposed the lack of state support. These various acts of defiance highlighted their plight, which have been hidden had they followed the advice of the NGOs (Desai, 2010).

For the City manager, it was a 'problem' that had to be made to disappear, warning that while the support of NGOs and the public was to be commended 'we also have to take care that we do not perpetuate the situation longer than necessary. A growing refugee problem is something we must try and avoid at all costs'.[31]

For the UNCHR-supported NGOs this was just a 'tactic' that the immigrants played because they wanted to demand a camp in order to eventually facilitate their rendition to a "first world country". In their view, the rudimentary shelter was not an act of desperation and fortitude but a place of opportunism and conspiracy.

If, on the one hand, refugee support has become technical and individualized, the recognition of refugees in the city, on the other hand, has become more professional. Amisi and Matate (2009), for example, point to the fact that in its early years the commemoration of World Refugee day in Durban was organised by the refugee community themselves. However, in the last two World Refugee Days the

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[31] (http://www.durban.gov.za/durban/government/media/cmn/cmnitem.2008-07-25.8057331980/view, accessed 27 June 2009)

community was replaced in this work by service providers supported by the government. This changed the complexion of the commemoration 'into one for the poor and the refugees often without food or drink, and usually in a tent; and another one for the agencies in comfortable venues such as City Hall, with expensive food and drinks.' As Amisi and Matate (2009) laconically reflect, the service providers developed a commemoration 'to celebrate themselves'.

The killings in January 2009 were the acme of high intensity xenophobia in Albert Park. To some extent the potential court case has reduced tensions. The case has made headlines and those who are keen to attack foreigners realise that there could be a price to pay if there are overt attacks. But there is a low intensity threat everyday on the streets.

The City is supporting plans to revamp blocks of flats into sectional title units that will sell from between R250 000 and R400 000. African immigrants without access to papers and credit will not be able to take advantage of these developments. The relocation of the Metro Police Headquarters will make Albert Park increasingly inaccessible to immigrants and refugees. This poses a problem as it is one of the last of the commons where African immigrants are able to meet and receive a meal or other assistance from individual "do-gooders" or faith organizations.

The Warwick Market Saga

In the inner city of Durban locals push out foreigners. Yet there is an outer ring around the city of both new and old social forces that is pushing out the locals. "World class developments for a world class city" is the motto of the City Manager. On the south side of Durban, uShaka Marine World has displaced the Ark, a refuge for old people and subsistence fishermen. North of the city are the multi-billion rand casino and soccer stadium complexes that have privatized beaches and other public spaces and plan to monopolize the trade in the modern opiates of the people: sports, films and gambling. The sea blocks any attacks from the east but on the western outer ring the Warwick Avenue market, which has been the home of African and Indian small fresh produce traders, bovine head cleaners and a host of other informal sellers is under siege (for a history of the area, see Maharaj 1999).

The Warwick Avenue Triangle (WAT), an inner city community, and one of the oldest mixed residential areas in Durban, defied the apartheid state's strategies to destroy it. It would appear that in the post-apartheid era, the Durban Metro is attempting to succeed where apartheid failed. The public outcry against the Durban Metro's plans to replace the historic market with a mall, displace poor traders from the Warwick Avenue area and deny them their livelihoods reveal significant continuities between the apartheid and democratic eras (Maharaj, 1999; 2010).

Caroline Skinner, a researcher at the University of KwaZulu-Natal, presented a neat anatomy of the market. It has 673 trading sites, with over fifty market gardeners selling their produce there daily. They are thus an important part of the city-wide fresh produce distribution chain because they supply other informal trades. Around 8 000 street and market traders operate out of the Warwick market. Many peripheral vocations are connected to this, such as barrow operators and suppliers of tables,

paraffin and shopping bags. When it was decided to release this land, the Council did not call for expressions of interest or have a public tendering process. Further, none of the traders presently operating from the market were included in the share ownership of the BEE consortium driving the development (Mercury, 27 May 2009).

Participation in the process to discuss the future of the traders was clearly predicated on an acceptance that the traders would have to move and the market, a historic heritage site, would be destroyed (Mercury, 2 June 2009). City manager Mike Sutcliffe has been quick to use a number of arguments to justify the decision to push out traders. For one, why would anyone want to go to such an area, Sutcliffe (2009) asks:

> For most of the day the area is dirty, there are far too few ablutions and commuters are very vulnerable, with this being the most dangerous set of intersections in South Africa. There are no banks, post offices and sufficient public services in the area to serve the number of people who deserve access.

Sutcliffe failed to acknowledge that it was under his watch that this state of affairs has been allowed to prevail and get progressively worse. Rather, he implies that it is the fault of the traders in the area. While he bemoans the lack of finance to develop this critical part of the city, money does not appear to have been an issue for the development of what one writer to the local newspaper called "white elephants" scattered through the city - an over budget stadium, uShaka, and the Point Development (Mercury, 02 June 2009).

uShaka, one of Sutcliffe's major monuments, continues to demand copious amounts of money from the City. Just as the City's sub-committee was trying to sell off uShaka to private interests, the embarrassing extent of its costs were revealed. It was reported in the Natal Mercury in June 2009 that the ANC caucus was discussing the possible privatisation of uShaka which had been built at a cost of R750 million in 2004. Visvin Reddy, ANC exco member and chairman of the council's infrastructure committee, said that members were concerned about the burden on ratepayers and the impact on service delivery. The municipality's equity in the theme park stood at half a billion rands (Mercury, 02 June 2009). Sutcliffe's riposte was that he was "disturbed" at the negative portrayal of the park by the media which was 'one of the best-known tourism facilities in South Africa' (Mercury, 10 June 2009). Sutcliffe failed to add that from its inception uShaka was too expensive for the average South African, given that entrance fees alone cost R360 a day for an average family of four in 2004 (Maharaj, Pillay and Sucheran, 2006: 277). By 2010 this fee had surpassed the R400 mark.

Sutcliffe's other key argument is that the Junction in Warwick Avenue is a major commuter hub and that the City needs the space to service its needs. Having attempted to isolate the Indian traders as the barrier to progress and purveyors of nefarious practices, Sutcliffe had still another race card to play: Black Economic Empowerment (BEE). He pointed out that the municipality did not receive enough funding from national government to build a taxi facility on the site of the Early Morning Market. The developers tasked to regenerate the Berea Road Station came up with a proposal that, in Sutcliffe's (2009) view, "was a win-win solution, not

costing the municipality any more than what is on budget". Best of all, the development had a 'strong empowerment content'.

A quarter of the developers were of African origin and Sutcliffe proudly boasted that he had set as a condition that within five years this should increase to over half. He regarded it as 'unacceptable that even 15 years after a democratic government is established that people formerly classified as African South Africans are not in the mainstream of retail developments and this Warwick development will help to redress that' (Sutcliffe, 2009). This point is also emphasized by Phillip Sithole, head of the city's Business Support and Markets Unit, who said: "Here's a local investor with a black economic empowerment element saying other people should make money and why not? Because we have to protect the market"? (Mercury,1 June 2009).

It's becoming a familiar script in South Africa. The poor "others" not in line for empowerment opportunities are dispossessed as the black elite get empowered.' As Michael MacDonald so acutely points out, BEE functions not only

> to legitimate South Africa's political economy, but it also provides business, the ANC, and leading tendencies within the ANC with ancillary benefits. For ANC, BEE first and foremost acquits race of responsibility for ongoing economic inequality. Since some Africans are becoming rich, economic inequality is deemed not to be a racial problem, an immense advantage to the established bourgeoisie (MacDonald, 2004:646).

So one sees at Warwick the African poor being asked to sublimate "their particular interests as poor people to the general interests of the African people, as it is coming to be embodied in the African bourgeoisie" (MacDonald, 2004: 648).

One of the ironies of Sutcliffe's attempts to stigmatise Indian traders is that the city authorities' actions in clamping down at the Warwick market on "illegal" traders is that African traders have mainly suffered. On the other hand, Indian and African traders have built a fighting unity and non-racial solidarity. This has only heightened attempts by the city to break this unity by counterpoising legal against illegal, African against Indian.

If the African foreigners are the outsiders of the inner city, at the market, there is another language for the outsider, the poor. They are to make way for what the new ruling class sees as an important symbol of post-apartheid South Africa: the shopping mall.

The shopping mall is a ubiquitous symbol of South Africa's economic development and rampant materialism. At the citadel of wealth and excess, Sandton Shopping Mall, Mandela stands tall; President Zuma opened the Pan African Mall in Alexandra, so darkly and ironically named after the xenophobic attacks in Alexandra, just across the highway. Zuma followed in Mandela's wake and visited the Maponya Mall which, he said, told "a new story. Here you can walk into world-class shops and buy what you want. You don't have to go to town, or Northgate, Southgate, Eastgate or Westgate. This is a story of our freedom" (Mail & Guardian, May 29 to June 4 2009).

While the traders at Warwick have sustained a powerful resistance, the combined forces of old white capital, new Black Empowerment types, and City Hall will probably prevail as public funds are used to subsidise private profits. Somewhat belatedly, but importantly, the Congress of South African Trade Union (COSATU), the largest union federation in the country, which was formed in the 1980s and now constitutes one part of the ruling tripartite alliance with the ANC and South African Communist Party, entered the fray. The provincial secretary of COSATU, Zet Luzipo, articulated their support for those being pushed out by this kind of development. Luzipo said that the development was

> quite clearly not the interests of poor workers but for the benefit of a few people. We have been arguing against the privatisation of the resources of state property. We are not going to fold our arms and expect manna from heaven, we are going to fight for this place. The poor must fight for what belongs to them. This is an act of an economic parasite where you suck the blood of those who have got nothing to give to the bank balances of the rich (Daily News, 01 June 2009).

Yet between the alliances and fissures there are many social forces involved in the struggle over space at Warwick Junction. Sutcliffe is deployed by the ANC. He acts with the mandate of the ANC. COSATU is in alliance with the ANC. They will huff and puff but in a year from now they will be mobilising to help the ANC retain control of City Hall. The Warwick Triangle as we know it will disappear, but the Alliance Triangle with the ANC at the apex will endure with COSATU posturing only to deceive.

Newton derived a law of science to the effect that every action generates an equal and opposite reaction. This law is both universal and inescapable. Social science is a little different. Its laws can be bent. The trick in politics is to have any inconvenient reactions to your actions displaced onto others to bear. The sociological literature on scapegoating makes this very point (Bonacich, 1973; Harris, 2004). The City fathers of Durban have a historic talent in this regard.

For example, in 1949, in the early days of the white minority National Party government, Indian traders were set upon by Africans who had been pushed out of the city by the segregationist policies of the apartheid government. A reading of the local press in the late 1940s (such as Natal Mercury and Daily News), shows Indians depicted as 'selfish', 'sly' and 'alien', and Africans as exploited yet also brutal. There were reports both of a police force reluctant to intervene as the riots spread and direct instigation by city authorities (Desai and Vahed, 2010) Whatever the causes, the effect of the 1949 riots called for a firmer hand from government and a radical change in the city's geography to better regulate trade, the inflow of a 'better sort' of native and, in the discourse of the day, the development of a "European City".

Who would know better how a bit of crime and grime can serve as a pretext for strong-arm capitalist development than a former Marxist geographer, Mike Sutcliffe, in the service of the interlocking worlds of high finance and elite nationalist politics? While the languages of citizenship, crime-fighting, development and slum-clearance can take quite a sinister turn in the hands of ANC Councillor for Albert Park (Ward 32), Vusi Khosa, there is a more interesting topic to research. How does a person

like City Manager Mike Sutcliffe benefit from someone like Vusi Khosa, or for that matter, how do all of us "citizens" benefit from the stigmatisation and attack on "illegal aliens"? In other words, how does developmentalism, crime-prevention and so on serve to displace and deflect the predictable reaction to the inequalities in our society onto others?

As terrible and individually evil as it was, xenophobia in Durban was the push of a class increasingly excluded from the city by a tightening ring of development. From the point of view of developing a world-class city, it served a function. While xenophobic violence may look horrible on television for a while, in designing the city anew, what could be better than having the poor turn on each other. It allows the ruling classes to articulate the message that 'our priority is our own people who are patiently waiting on a long housing list' (Desai, 2010:433). Instead of the exorbitant costs of elite developments being at the root of many of the city's problems, suddenly the problem for the poor are foreigners who are trying to muscle in on housing and jobs.

The life of the African immigrant and refugee becomes a life that is constantly on the move. If they stop to seek refuge, they often times become "quarantined" in small enclaves where "big men" come to hold sway. At other times they become the source of social "experiments". One group of the displaced in Durban were taken to a farm a 100 kms out of the city. In a place called Cransbrook, a church group sought to turn them into a self-sustaining community cut off from the rest of society. Nobody asked if they had farming skills. The scheme collapsed.[32]

And on the edge of the city old languages get dressed up for new times. Ethnic dominance and hygiene fall under the general label of "development" (for an excellent history of how the City authorities used hygiene and sanitation to justify segregation, see Swanson, 1983). Hearing the term development to justify dispossession and eviction one is here reminded of Serge Latouche's reflection of 'poisonous words which infiltrate like a drug, perverting desire and blurring judgement. Development is one of those *toxic* words...Development has been and still is an *uprooting* (Latouche, 1993:160).

In both parts of the city, Albert Park and Warwick Junction, the agency of ordinary people comes up against the designs of City authorities to push them out. Eugene Madondo fights a lonely individual battle through the courts. His struggle though has inspired other African immigrants to cling onto to the city centre. The traders come up against a powerful array of forces that is able both to use the language of race to divide and brute force to intimidate and cower. Thousands of street vendors are overnight declared illegal simply because the City arbitrarily limits the number of licenses. They fight back through mass struggle and the courts. All too often the struggles are separate. But still connections are made. The wheel barrow operators in July 2009 linked up with bus-drivers in a major march onto City Hall. At the same time, they were able to win an interdict to continue operating at the market after the authorities tried to prevent them from entering.

At a court appearance on 18th August 2009 the case against four of the accused for the murder of Victor Kowa and Omar Said and the attempted murder of Madondo

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[32] Interview LHR June 2009

were withdrawn.

Four others would stand trial. Among the four is Vusi Khoza, who attended court wearing the colours of the national soccer team, Bafana Bafana. At the back of the shirt was printed, accused number 6, Not Guilty. Nelson Mandela famously wore the number 6 jersey when he joined the South African rugby team on their winning of the 1995 Rugby World Cup signalling both an acceptance of the Springbok emblem and that it was no more the preserve of the white minority. It is difficult to discern what message Khoza was sending, except to say that he was standing in court as an elected representative of the same organisation as Mandela, the African National Congress.

Bass (2009:253-4) quotes a local provincial politician reflecting on the power of Durban as an African city because of the

> Cosmopolitan appearance of the population, the multitudes of cultures (and) tolerance of diverse cultures…availability of a diverse kind of goods, particularly when we talk about the arts and crafts, that are very specific in terms of identity-that these are what you will find in an African setting. And it's increasingly getting very cosmopolitan in terms of African states, that you will find actually showing their influence around. So it makes you very much…able to say once you are here, you are in a friendly environment…But linked to that of course is a question of efficiency…you must find it a safe place.

Bass quotes the politician without any sense of irony or critical reflection. What is happening is that African migrants are being pushed out of the city. The numbers of street traders and market gardeners are to be dramatically cut down and the rest bundled into a shopping mall. To develop a world class sporting precinct is to have no poor people resident close by. This is to provide the sense of security and a "first world environment". Efficiency means to provide a transport network in which the poor can come into the city everyday to labour in the precinct and return to the outskirts, like in the apartheid era.

If one stands on the commanding heights of the Berea Ridge and look down towards the Indian Ocean, one can see the dramatic re-shaping of the city of Durban. The Suncoast Casino edges out onto the sea. To access that part of the coastline you must pay. UShaka leans into the harbour of South Beach. Millions of rands of public money were pumped into this development and it continues to demand more. Once again to access its wonders, one must pay hundreds of rands. Then there is the spectacular Moses Mabhida stadium and the International Convention Centre. There is no need to comment on the price of admission there. Soon the new Mall will envelop the urban crowd and "regiment" it too.

Poverty Alleviation?

It would appear that in Durban local government is grappling between the political vision it has set its self as contained in the IDP to alleviate poverty and at the same time to attract investments and promote economic growth in the city. More

concretely, their dilemma is to find a way out to act both for a wider socio spatial equity and create the necessary condition that will best sustain the city's economy. Of recent, attempts at maintaining a balance between these two visions has resulted in a tough compromise in favour of business interest at the expense of those considered poor and marginalised in the CBD.

One case study can best describe this difficult political choice confronting the municipality. To enable one of the most important developments in South Africa (The Point Development) in the Point area, close to Durban's CBD, the eviction of the Ark Church Ministries, which offered shelter to the homeless, and disadvantaged in the city at the beginning of 2004 evoked wide political debate.

As poverty alleviation is one key area of the local government's responsibility, the municipality argued that all residents would be re-accommodated. Of the 700 to 900 residents, about 100 handicapped, ill and frail residents were accommodated at the Cato Manor Clinic, while another 300 were relocated to the Welbedacht housing development, some 20 km from the CBD which is 45 minutes to an hour's drive by public transports. Many residents refused to move from the Point area which was a very convenient location and the fight between the Ark shelters on the one hand and the eThekwini Municipality and the Point Development Company was taken to the high court on May 2004 to stay the relocation. In a final bid, the eviction was confirmed in favour of the eThekwini Municipality who "posted a strong security presence at the entrance and around the perimeter of the building to enforce the court order" (Gangaram, 2004).

In Welbedacht, "they have been allocated their own homes. While the relocated residents expressed concern about how they were going to travel from the area in search of employment, they were very thankful to have their own homes" (Gangaram, 2004). Since then, both the handicapped relocated to Cato Manor and those in Welbedacht encountered many problems as the surrounding communities refused to accept them with reports of physical attacks being perpetrated: "a group of Cato Manor residents, some armed with hammers, sticks and pipes, forced 107 Ark residents to flee their new, albeit temporary, shelter in Bellair Road, Cato Manor" (Bisetty, 2004a). In response to this physical violence the local government had to enforce a very tight security for the displaced even to the extent of erecting fences around the shelters to protect them from any future attacks.

A reflection on the events leading to relocation of inhabitants living in the Ark Ministry suggests that there had been no consultation and dialogue with local communities who complained about the nuisance that these newcomers to their residential area will create. On the other hand, the former Ark residents are now living in a hostile environment, far from job opportunities and have to bear high transport costs to and from their newly found abode. However, the story does not end as simplistically as the local government did not find a solution for all of them, resulting in the engagement of a costly special consultant to find a way forward to this complex problem of forced resettlement. In a twist of faith for the Ark dwellers, the solution found had been to provide them a bus to go to Cape Town. Two busloads of new entrants arrived in the Mother City in June 2004 with a number of them having ended up on the streets of Cape Town, swelling the city's homeless population (Bisetty,

2004b). This case highlights the political choices that the democratic local government had to make between a go-ahead economic policy and its social solicitude.

Durban South Displacement?
A common theme in South African apartheid urban history is the destruction of established black communities and forced relocation from areas like Sophiatown, Cato Manor, and District Six. Clairwood in the south of Durban also makes this legendary list, where about 6000 (of the initial 55 000) residents have defied attempts by the local state in the colonial, apartheid and democratic eras to uproot and relocate an established, thriving community, which was built by indentured labourers and their descendants, in favour of industrial development.

In the post-apartheid era, there were suggestions that Clairwood was being industrialised by stealth through a process of deliberate decline and dereliction. About 73 percent of residential sites were being illegally used for commercial and industrial purposes in defiance of zoning regulations.

With the sale of the old airport to Transnet, Back of Port and Dug-out Port plans, and the sale of the Clairwood Race Course to Capital Property Fund, the residents of Merebank, Wentworth and Clairwood once again face the very real threat of eviction and displacement at worse, or living under more hazardous environmental conditions. There should be no illusions about this, notwithstanding protestations to the contrary by the major role players: Durban Metro, provincial government, and Transnet.

While the municipality has initiated a public consultation process, affected communities should not be fooled – the project is a done deal. The state's argument is that the various Durban South projects are in the public interest because new investment opportunities which would create jobs.

It is important to note that the threat to the homes and livelihoods of south Durban residents is not new and has been on the agenda of the Durban City Council for the past 50 years. In October 1964, the City Engineer, C.G. Hands contended that in order to promote "industrial expansion in the City … it can be expected that the following net acreages of land will become available in the future: Clairwood Flats 310 acres … (p. 40), … Merebank-Wentworth Housing Scheme area (when houses have been amortised) 740 acres (p.41)" (Hands, 1964).

It would appear that since 1994 Durban South Residents have been subjected to neo-apartheid policies. Residents in Merebank and Wentworth have experienced major pollution and environmental disasters which have made international headlines, and the local, provincial and central governments have yet to intervene to bring the culprits to book.

About 285 000 people live in the South Durban Region and there are a number of highly active social organisations involved in the protection of the communities' wellbeing in the area. These organisations include the South Durban Environmental Alliance, the Umbilo Action Group, the Clairwood Ratepayers Association, among

others. These groups have been well-involved in attempts to combat the development of the dugout port and the back of port logistics precinct, which impacts directly on them and their fellow residents. However, these attempts have largely been in vain given the problematic public participation process for this development. Draft plans have been produced without any public participation, as well as serious social and environmental impact assessments. Public meetings, although often well attended, have left communities even more mystified with the presentation of 300 page, highly technical documents (for many in their second language) and no real opportunity to influence the closed-door decisions for this development.

Conclusion

This paper has illustrated that there are remarkable continuities between the apartheid and post-apartheid eras, especially in terms of top-down dictatorial decision-making and lack of participation, and the use of force and the potential for violence in Durban.

The development crisis in the Durban region was illustrated by the rapid population growth, a slow economic growth rate, housing backlogs, an increasing number of informal settlements, increasing poverty, high unemployment rates, an inadequate supply of basic services to the majority of the population, and land claims from the proliferation of informal settlements in Durban demands that the pace of land reform and housing delivery processes increase significantly. There were also problems relating to illegal immigrants and xenophobia. As a result of their illegal status migrants in Durban were subject to crime, violence, high levels of exploitation and they led a tenuous existence.

In Durban the International Convention Centre, Point Redevelopment Project and the Moses Mabhida stadium were part of the Metro'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. However, all these predictions of thousands of employment opportunities did not consider the cyclical nature, low paying and unstable jobs that were created by the tourism-convention centre industry. New jobs were not created but were merely redistributed to white suburbanites and not the low income groups.

Those with resources (largely the largesse of apartheid) attempted to insulate themselves from the larger socio-spatial fabric, and demonstrated a reluctance to share and redistribute resources. Affluent metro authorities like that in Durban were reluctant to incorporate the rural poor into their boundaries because of the cost of subsidising services and infrastructure in these zones. Similarly, there was concern that incorporation of rural areas will result in increased municipal service charges being imposed on these communities (Giraut and Maharaj, 2003).

There were concerns about falling property values and decline in standards in terms of maintenance and services in the CBD. This became apparent since the late 1980s when blacks began to move into predominantly white inner city areas like Albert Park.

However, to attribute this decline to the presence of blacks was unfair and racist. It was the 'slumlords' who were largely responsible for the lowering of standards because of their reluctance to invest in the maintenance and upkeep of premises largely occupied by blacks.

As the demand for cheap accommodation in the city escalated, rents also increased. In order to meet rising rentals poorer tenants began to 'sub-let' their flats, contributing to overcrowding and increasing pressure on services. There were also unscrupulous landlords who charged excessively high rentals and maximised their incomes by overcrowding their flats, but did not pay levies for service charges, leading to a decline in services and maintenance.

Changing economic and social conditions resulted in an escalation in survival activities like prostitution and informal trading. Basically, "capital disinvestment has created a space for those excluded from formal economic activity to gain a foothold in the urban system" (Bremner, 2000a:11). These ventures were accompanied by many management problems, including a deluge of people to the city, as well as increasing numbers of street children (a consequence of the impact of AIDS).

In Durban major private sector enterprises were relocating from the CBD to the suburbs, especially north of the city. Concerns about crime, grime, congestion, the escalation in street traders and the failure to effectively implement by-laws were key factors influencing the decision to decentralise. These factors inevitably lead to a decline in property values and redlining by financial institutions which initiated a vicious downward spiral.

The Albert Park and Warwick Triangle areas would be prime examples. It would appear that such areas have been neglected by landlords, local authorities and financial institutions in terms of provision of services and amenities. Overcrowding and inadequate maintenance were catalysts for urban decline. A concerted effort is required from the private and public sectors to halt the physical decay in such areas and to facilitate general upgrading.

Since the advent of democracy in Durban, there was concern about the lack of delivery and the great expectations of the people. Within the city there were extreme conditions, with first world housing clusters (in former white group areas) adjacent to informal settlements. 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.

The impacts of the apartheid system of racial division and prejudice have continued to influence the manner in which different ethnic groups interact with the urban built environment and with each other in Durban and other South African cities. There is a steady process of residential desegregation and re-segregation, while integration is presented as one the post-apartheid priorities.

Although there was a high level of organisation and mobilisation in the late 1980s and early 1990s, many civic organisations in Durban were weak because their leaders were now part of one of the government tiers.   There was a call for a more vigorous mobilisation at grassroots level   that will force the authorities to listen to the views of the electorate. However, twenty-two years after democracy, service delivery protests are escalating in the context of increasing poverty and corruption, and the failure of the state to honour its obligations.

Acknowledgements

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