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SQUATTING AS A PROCESS:
THE CASE OF CATO MANOR

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INTRODUCTION

Durban's inner-city squatters, surplus people, informal settlement dwellers, whatever one chooses to call them, elicit different responses from different people. Some see them as opportunists from rural areas bent on illegally accessing urban resources including jobs and in the process negatively affecting both the natural and the built environment. Others view them with sympathy but can not accept their existence in their midst: the "not in my backyard" syndrome persists even amongst the most sympathetic. There are yet those who understand the culmination of the plight of squatters and feel that something can be done, with them, where they are, to ameliorate their situation and indeed to intergrate them into the urban socio-economic fabric of Durban.

Informal settlement in significant scales has been taking place on the peripheral areas of the city as early as before the second world war. Most extensive of the informal settlement has been on areas north of the city boundaries. These have acted as catchment areas for African populations migrating to the city but prevented from settling within it by racial laws such as the Influx Control and later the Group Areas Acts.

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Notable amongst these areas has been Inanda. There are many reasons why Inanda became, and may well still be, the largest informal area in the Durban Functional Region. Amongst these reasons, the simplest two are firstly the existence of an African freehold landowning community, sympathetically earlier and enthusiastically later, allowing migrant tenants to settle on their land and secondly the subtenancy practice that resulted.

Inner-city squatting did occur simultaneously with peripheral squatting before the 1940s but was nipped at the bud by the removal of Cato Manor and other areas in the late fifties and early sixties.

During the seventies squatting also took place on the peripheries of established formal townships. This was mainly due to overcrowding within those townships and continued migration from rural areas. With low cost township development in limbo from the late seventies, these have deteriorated rapidly into unstable and often violent settlements on the fringes of formal townships.

Infill squatting on vacant land within formal townships is a relatively new phenomenon in Durban and mostly takes place on public open space land which had not been developed due to lack of funds and land earmarked for upmarket private development.

The recent mushrooming of inner city squatter settlements from the late eighties can thus be seen as as a stage in a process of informal settlement which has pervaded the Durban area functional

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region from as early as the second quarter of the century.

Squatter communities differ from one another in many respects. Combinations of factors seem to influence socio-political and economic dynamics within them at different times. These factors include settlement history, organisational capacity within ares, proximity to urban resources, relationship to de jure owners of the land under settlement and prospects for development.

This paper will try to examine these factors as they prevail in inner-city Cato Manor and as they affect the future of the settlement and make it unique in its own right. I will start by a brief history of Cato Manor and proceed to examine socio-political and economic dynamics during and after settlement then proceed to look at historical claims to the area and how these affect the relationship of the present residents with authorities and the prospects for development of Cato Manor.

BRIEF HISTORY OF CATO MANOR

Cato Manor is a vast tract of land about ten minutes walk from the city centre of Durban. The land had been acquired by George Cato in 1844. It was sold in smaller parcels to white smallholders in the second half of the nineteenth century. From the late 1800s the land was bought mainly by Indians who had

completed their indentured service and did not wish to return to India. Other small farms had been bought by combatants from the British Indian Regiment who had been brought to South Africa from India to fight alongside the British in the Anglo-Boer War. By the early 1930s most of it was Indian owned and used for market gardening. (Butler Adam, J. and Venter, W. 1984)

There was already a steady inflow of African people into the city for work by the beginning of the century. The influx control laws meant that this labour force could either be accomodated in barracks controlled by city officials through the police department or at their places of employment. The clash of interest between industrialists and traders on one hand and the city officials on the other hand, concerning the control and accomodation of the African workforce, had always been there even before the acquisition of most of Cato Manor by Indian landowners. The city officials were under pressure from white residents concerning the influx of Africans into the city whilst the demand for this labour by capital was increasing.

The buildup to the second world war, with its increase in industrial demand for labour, saw a major wave of African influx into the city. This resulted in an acute densification of Cato Manor as Indian landowners filled up their smallholdings with African tenants. This densification, which resulted in fears amongst whites and competition for scarce resources, was exacerbated by the tenants further letting to other African subtenants. (Maylam, P. 1982) It is estimated that by 1950 there

was a population of more that 120 000 people in Cato Manor. It is reputed to have been a bustling slum area of sleazy existence where the foundations of the current urban township culture were laid.

In 1949 there erupted serious Indo-African conflict which was followed by the beerhall riots in the late 1950s. These riots had begun as Afro-Indian but later widened into a challenge against white local authority. (Nuttal, T.1989) Whilst there are many explanations as to the cause of this conflict, there is strong suspicion that this was an engineered strategy to jeorpadise the racial harmony which existed between Indians and Africans. It is further believed that the racial unity in Cato Manor had been seen as threatening to the white citizens of Durban. The conflict later gave further ammunition to those who had been advocating for Cato Manor to be removed.

Pressure from white residents and the riots led to the application of the Native's Urban Areas and Group Areas Acts. Under these laws both tenants and landowners of Cato Manor were forcibly removed. This was met with fierce resistence resulting in loss of lives. The Indian landowners sook relief from the courts of the country while the tenants and their subtenants rioted and physically resisted. Both the legal and physical campaigns failed. By 1965 Cato Manor had been cleared with Africans having been moved screaming and kicking mainly to KwaMashu and Umlazi whilst the Indians had been moved to Chatsworth and Merebank. An estimated 80 000 were relocated with

40 000 settling in other areas without official assistance.

From the time of the early sixties' forced removals to early 1987 the area lay dormant with remnants of old buildings and rugged roads in overgrown terrain. There however remained a very small African and Indian population who continued to live clandestinely in derilict buildings and a few shacks. This population in the Wiggins area of Cato Manor was, three decades later, to form the nucleus of the present squatter population of Wiggins in Cato Manor. (Butler Adam, J. and Venter, W. 1984)

Although Cato Manor physically remained dormant for three decades it increasingly became an area of interest to those who remained around it, a nostalgic home in the minds of those who used to stay there, an area of currency to those who lost property there and conjuring images of childhood to those who grew up in Cato Manor. The area was simultaneously and increasingly becoming an embarrassment to those who had direct and indirect influence in the removals. It would seem that Cato Manor could not be developed for more than three decades since the removals because of the controversy surrounding its history.

1987 saw the beginning of squatting activity by African populations mainly from city peripheral areas. This became possible largely because of the scrapping of the Group Ares Act, the violent turbulance in African townships and the general demise of apartheid. It was estimated at the time of the USU survey (1992) that there were more than 600 shacks in Cato Manor.

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There could well be four times that number today.

THE PRESENT SOCIAL BASE IN CATO MANOR

In Cato Manor the squatter invasion has taken a course of its own quite distinct from that occurring on the peripheries of Durban. Present Cato Manor squatters originate from different areas and come from different social backgrounds. Furthermore most of the present inhabitants have had some direct or indirect experience of violence in their areas of previous settlement. Many of the current squatters in Cato Manor are thus refugees from the violence. The three significant waves of people into the area seem to co-incide with periods of intense instability on the periphery. Very few people currently squatting in Cato Crest have come directly from the rural areas. Most families have been on epic journeys in and out of the peripheral areas of the city in the past. The direction of these movements have largely been influenced by apartheid laws, township overcrowding, changes in the political climate, skewed distribution of resources, violence and other socio-economic conditions at given times.

STAGES OF SQUATTING IN CATO MANOR

Unlike squatter movements of the 1940s in Johannesburg which were political acts of protest lead by Mpanza and others, squatting

in Cato Manor took the form of staged selective invasion of pockets of land by unorganised groups and individuals with the sole purpose of finding somewhere to safely accomodate themselves against the harsh socio-economic conditions in black townships and squatter areas outside the city.

The arguments made here about the stages of squatting are specific to Cato Manor and can not necessarily be generalised to squatting in peripheral areas, within townships or on privately owned land although some may apply to other inner-city squatter camps. The stages seem to apply to all the different waves of invasions although they differ slightly in application to the more recent arrivals in Cato Manor. The three stages represent a cycle experienced in different parts of Cato Manor within and beyond Cato Crest at different times.

The area of Cato Crest across Bellair Road immediately to the right after crossing the footbridge was the first to be invaded in early 1987. The next community seems to have come to being in early 1990 and mostly settled to the left and on the hilltop. The more recent arrivals in the middle of 1993 mostly settled along the road to the school. There have always been individual families and smaller groups arriving and densifying already settled sections of the area without them becoming community entities on their own but rather getting absorbed into the already settled parts without getting allocated numbers through independent negotiations. An example of such a group was the "tent people" who remained in the tent during the second

moratorium until a new cycle began.

The Wiggins area of Cato Manor has always had a residual population from the fifties removals which formed the nucleus of the present community. The waves of land invasions even in Wiggins have always started clandestinely and moved through the stages discussed herein.

Camouflaged or Hidden squatting

The hidden stage begins with the moving in of the first individual, family or group and extends till a threshold is reached and determined by authority intervention. This stage sees the location of shacks in concealed locations out of view of neighbouring communities or establishments. There prevails a sense of community generated by the constant threat of demolitions and uncertainty about the future. This results in a desire to multiply and become a strong united front. The level of acceptance for newcomers, especially those seen as strong and materially better off, is at an alltime high at this stage. Newcomers are seen as increasing the capacity of the squatter camp to resist removal and demolitions. This tolerance reaches a threshold dependent on authority intervention. This threshold may further coincide with unacceptable density and a desire by occupants to institute some kind of control.

The transition from this stage is marked by the public recognition given to squatters through the allocation of numbers

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to shacks following negotiation with authorities. The negotiated deal includes a moratorium on further squatting to be enforced by the squatters themselves. The allocation of numbers has different meanings for the authorities and for squatters. For the authorities it has meaning in terms of control and identification but for the squatters it signifies legitimacy and a degree of permanence. It represents a transition to the open stage and this is in itself a public statement of their victory.

The initial stage (that of camouflaged squatting) sees the side by side co-existence of virtual strangers, having fled the violence and other sociopolitical and economic problems on the periphery of the city. The common need is for safety and the struggle is to remain in the area. There is distrust and fear of 'the other' with people reluctant to talk about their experiences to strangers lest they be related to the perceived enemy. People are more willing to talk about the economic realities that have forced them to seek refuge in Cato manor. Leaders emerge out of vigorous resistance to demolitions. The quality of leadership required at this stage includes the ability to lead marches against demolitions and help others get settled. Education, literacy and organisational skills of leaders take secondary importance at this stage.

There seems to be a significant absence of party political mobilisation at this stage. This is probably because party affiliations have not yet been established and because this is a community tired and wary of political instability. It would

also seem that party political mobilisation at this stage is unwise as it has the potential to undermine the collective struggle to remain. Nevertheless changes from the hidden to the open stage take place in a context of a potentially volatile situation. Even the hidden stage has its own conditions conducive to conflict. This is largely because codes of behavior and degrees of sacrifice to the common goal are still in the process of being established. These codes include access paths, charges for services rendered and exchange of materials and implements.

At this camouflaged stage legitimacy for invasion is argued less on political than on social and economic grounds. Arguments range from the condemnation of violence in the peripheral areas to the cost of transport from these areas to employment and urban resources. The political arguments exist but are mostly reserved for the worst scenario, should it come. All have strong well-articulated arguments ready for confrontation with authorities, evoking sympathy with pressure groups and attempting to achieve empathy with neighbouring communities.

The camouflaged stage is characterised by a hive of activities geared to keep pace ahead of threatening demolitions and banishment. This presents ample economic opportunities for site-clearers, last-night-trained builders, latrine diggers, woodcutters, vendors of items from food to nails and other assortments of handymen and traders in building materials. Some of these opportunistic traders and artisans are brought in by potential squatters and linger on taking further jobs and

eventually getting established themselves. This economic opportunism is not limited to locals but permeates into the neighbouring communities and establishments. Neighbouring shops, for instance, suddenly start stocking relevant commodities like nails, paraffin, loose candles, primus stove heads and cheap tobacco. Transport becomes important with neighbouring individuals providing transport for building materials, dwelling units and furniture. Most of the building and consolidation activities are performed at night with the daytime free of the hammering sounds whilst people take rests and anxiously await authority reaction to the previous nights' visible accomplishments.

Demands and struggles at this stage are limited to a desire to remain in the area free of harassment. People scout around for sustaining resources like water points nearby.

Open Squatting

The open stage, after authority intervention and recognition through the allocation of numbers, is characterised by the emergence of new social relations and the strengthening of some old ones. People come out into the open and see themselves as insiders and realise the need to exclude newcomers/outsiders as they are seen as threatening their newfound status and as having the potential to undermine the moratorium on further invasion agreed to with authorities. The irony is the unconscious

imposition of influx control measures by insiders who recently, when they considered themselves outsiders, based their argument for invasion on past similar measures by the government. New shacks are not only identifiable by the absence of numbers on doors but also by their location apart from the numbered area or their very temporary physical nature. Old numbered shacks increase in value as they acquire the added value of being numbered i.e officially recognised.

The newcomers develop into a community of their own bound together by their common "outsider" status imposed on them by the moratorium. More interesting is the fact that should these outsiders successfully win inclusion into the recognised group, by being allocated numbers themselves, they too realise the need to impose restrictions on other newcomers.

The transition to the open stage of squatting sees the fall of other leaders, the strengthening of some and the emergence of yet other new ones. Notable at this stage is the change in leadership qualities towards the well-informed and more articulate. It is a stage characterised by the establishment and strengthening of relations with outside agencies and requires dedicated leadership devoting time to meetings and paperwork. It is furthermore a stage when class and other divisions begin to emerge due to the diminished threat of demolitions and linkages with larger regional and national organisations. The open stage sees the political flavouring of the legitimacy argument. Use is made of the history of the area and indeed that of past state social

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engineering strategies.

The moratorium on further squatting preceding the open stage has detrimental effects for some of the traders and artisans in the area. This is because this stage is accompanied by a decrease in local informal employment and there is evidence of more people trickling out of the area to look for work in surrounding areas and the city. Some simply go back to their areas of origin or move on to other relatively new squatter areas where their trades can still be plied profitably.

Also contributing to the decrease in demand for local employment is the relatively slow process of consolidation and extention of shacks in the open stage. The extension of shacks is not allowed but does happen. Notable at this stage is the do-it-yourself-at your own time attitude enhanced by the relative availability of time for even those who are employed.

The other characteristic of this stage is the change in demands from the demand to stay to demands for physical infrastructural services. The sigh of relief brought by the allocation of numbers and the improved degree of permanency, is followed by an unconscious collective introspection resulting in a desire to improve social welfare through demands for running water, health and school facilities. This situation fertilizes the ground for the emergence of new power bases and strengthening of some old ones.

Organisation and Consolidation

The third stage can be identified as the time when elected leaders negotiate the permanent future of the population. This is the stage at which Cato Manor currently is. This stage is characterised by leadership struggles with people aligning themselves with those they see as advocating the best possible deals. The deals comprise combinations of housing delivery systems, areas of permanent residence, levels of infrastructure and costs. There are evident divisions about which demands are reasonable and which not. For instance it would seem that many of the poor would be satisfied with site-and-service delivery as opposed to ready-built low-cost houses which are demanded by many of the poorest and unemployed.

A further point of debate is whether to move to another vacant site like Umkhumbane or be developed in-situ. It would seem that many have no problem with being moved to a site-and-service area and be given a chance to build houses they can afford. They seem to accept the challenge to compete. Others, however, would settle for nothing less than completed houses on site. These divisions based on minor differences in income, wealth and destitution do have the potential for the emergence of rival groups who may engage in serious conflict and violence even before development. Until negotiations reach a stage where development resources can actually be delivered, solidarity based on exclusion of outsiders is likely to predominate.

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The organisational stage can be seen as the one when people start examining options for the future and possibilities of permanency and development. The area becomes a target of party political mobilisation with the emergence of overtly aligned power structures.

The progression to the organisational stage sees arguments made and positions taken along different developmental ideologies. Visions of the future of the area differ but are all for the development of a violence-free and self-sustaining community in Cato Manor.

FACTORS AGAINST CONFLICT

The absence of sectional violence in Cato Manor seems to be partly due to the lack of a material base for the emergence of patronage relationships like warlordism. Warlordism in peripheral squatter areas is based on the ability of the leader or dominant group to distribute resources, most notably land and security, but Cato Manor fails to provide these bases. This is because Cato Manor is government land in a highly visible inner-city area and there are no threatening communities nearby.

The relative peace in Cato Manor seems to have been sustained by, at least before 1992, the presence of the Cato Manor Residents Association, which predates the squatter influx. The CMRA, as it is called, being an organisation originally formed to safeguard

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the interest of the Indian removees, secured a second lease of life when squatting began and Indians were settled in Bonella. For some time after 1987 the CMRA has been the organisation around which some issues of conflict were resolved.

The other factor may be the social composition of Cato Manor as a community with experience of violence which makes it hard for potential warlords to muster support and power.

The formation of the Cato Manor Development Forum and its Association has also had the effect of diverting the potential for conflict to constructive debate about development issues.

THE CURRENT SITUATION

Before the formation of the Cato Manor Development Association one of the arguments was whether to accept subsidised site and service plots in Umkhumbane or to demand housing in Cato Crest or Umkhumbane. Some argued that it has always been the state's responsibility to provide housing. To them the provision of serviced sites was seen as the state reneging from its responsibility. They argued that for many of the poor site-and-service will condemn them to shacks for life as they will never be able to build houses for themselves. They also argued that such a situation would open the way for unfair competition. What they did not argue, but could be argued in an inner city area, is that low level development generally and site-and-service delivery specifically opens up the possibility

for wealthier outsiders to buy out the poor and push them back to the city periphery or other squatter areas. Other moderates including mostly employed would settle for sites on which they can exercise their own options. They argued against being indebted to financial houses over long periods of time and would prefer to be able to acquire their sites through subsidies or to purchase at cheap prices. This line of argument seems relatively attractive to the informed and more realistic.

The formation of the CMDA has led to changes in perceptions and arguments. Hopes are high of housing delivery in the very near future. The recent invasion of houses in Bonella does not seem to have involved the squatter communities in Cato Manor. It did bother and anger many but has not changed their resolve to be housed orderly through the CMDA programme.

CURRENT CLAIMS TO CATO MANOR

As already stated, Cato Manor, by virtue of its past and present means different things to different people. From recent research commissioned by the Cato Manor Development Association it has been possible to identify some communities and groups, both existing and nascent, who have material interest in the development of Cato Manor. Most of these groups and communities have, through their leaders who were interviewed, stated their claims to Cato Manor and the need for them to presently be involved in the development process and be allocated sites and houses as they become developed. An examination of these claims

is necessary to enable an understanding of the complexities surrounding the development of Cato Manor.

i The former landowners

The escalation of squatting in Cato Manor from 1987 led to a resurgence of the debate about development of the area, the taking of positions by interested parties and individuals which culminated in the formation of the Cato Manor Development Association in 1991. One of the interested parties which took a position comprised the former landowners of Cato Manor who are, mainly, if not entirely, Indians. They initiated a fresh campaign to legally fight for adequate compensation for land expropriated during the removals. These claims include business rights also lost as a result of the removals. They are presently fighting a legal battle within the context of the many land claims currently being made by different individuals and communities in South Africa today. These former Cato Manor landowners seem to be concerned that if the development of Cato Manor goes ahead before their concerns are addressed it will undermine their case. Their claims seem to be more directed at the State than to the responsible development agency although they have the potential to at least delay the development process. It is hoped that with the national land claims court in place their concerns will be addressed through that institution.

ii The Applicants Group

An alleged rumour in 1991 led to thousands of people, mainly Africans from townships and informal areas in the DFR, converging on the House of Delegates offices in the city to apply for houses. The HOD allowed them to fill in application forms and issued them with pink cards as acknowledgement of application. None of these people have been allocated houses to date. This large group has recently organised themselves and appointed a legal representative to pursue their applications.

Their argument seems to be that since they hold the pink cards they have formally applied for houses and should therefore receive priority when houses are allocated. Their view of the pink card is that of a promisary document. For them the three years is a long time. Their representatives claim to speak for 58 000 people.

iii Chesterville

This pre-world war two community in greater Cato Manor, was left intact and officially recognised afer the Cato Manor removals. It is situated about five kilometers from the city centre west of the N2 freeway. The township is overcrowded with shacks behind and between houses as a result of an overspill from the township proper and the fact that the last house to be built was completed in 1946. The Chesterville Residents Association which represents both the shack dwellers and those in formal houses is well organised with a history of struggle within the Joint Rent Action

Committee (JORAC) in the early eighties.

Chesterville also lays moral claims to Cato Manor. They claim they have always been present in Cato Manor. They argue that their township should have long been extended over Cato Manor had authorities cared. The overcrowding and the resultant shack problem is laid at the door of the authorities. Their claims cannot be superseded by any from other areas. The poor in the township cannot afford privately developed housing elsewhere and should therefore be accorded priority in the envisaged low cost development in Cato Manor.

iv Present Squatters in Cato Manor

The present Cato Manor squatter communities comprise Cato Crest and Wiggins situated east and west of Bellair Road respectively and Kwa Massyn located in Umkhumbane. Their claim to housing in Cato Manor is influenced largely by the insider-outsider syndrome. They view any development in the area as being for them as the present inhabitants. Though they recognise their illegal occupation of the area, they argue that their invasion of the area was the catalyst for the present initiative. Had they not done so, they would argue, there would not have been any development initiated there. They would further argue that even if there had been development of the area before they came it would not have been the currently envisaged low cost affordable type. They have been in the area for more than five years, struggling against authorities, without basic services and

without houses. Many of them, they claim, had after all been born or resident in Cato Manor before the removals and have now come back home.

v The pre-removals residents of Cato Manor

As already mentioned, of the estimated 120 000 people removed from Cato Manor 80 000 were allocated houses elsewhere. The rest who are unaccounted for found themselves accomodation mostly in squatter areas and many are still without houses to date. The pre-removals residents of Cato Manor are a nascent group which may soon organise and lay claims. Although they have not yet appeared on the scene they do have claims based on the removals and their location far from jobs and services. This group may include both those who were allocated houses and those who were not.

vi The homeless poor on the periphery

If Cato Manor was developed then many people would argue that it should be for the poor who presently incur huge transport costs to and from the city and work. With low-cost housing development on the periphery in limbo, an argument can be made that the general homeless poor should be given an opportunity of affordable housing in Cato Manor. The question of how and in what order will have to be carefully examined in the allocations policy.

From the onset of the invasions in 1987 squatters have always viewed the authorities i.e the DCC, NPA, HOD and HOA with suspicion bordering on animosity. They were seen as agents representing the interests of other groups and not the squatters. The authorities responsible for Cato Manor in 1987 could not be seen not to be linked to those who effected the removals of the late fifties and early sixties.

This perception was fuelled by the numerous attempts to remove squatters from the different parts of Cato Manor at different times and the initial reluctance of authorities to supply services to the squatter areas. Even after the supply of water to Cato Manor there were many disconections resulting in suffering and divisions within the communities.

The constant breakdowns in agreements on further squatting between the communities and the authorities can be understood in this context of suspicion. The agreements have always been that the community would stop further settlement in return for the delivery of services and continued negotiation on housing delivery. It would seem that the unsustainability of the agreements stem from the fact that whilst the community was expected to effect their side of the deal immediately and visibly effectively the authorities earlier, and the CMDA later, could not be immediately and effectively monitored to be fullfilling their side of the deal. The quid pro quo is a longer process to

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which the squatter leaders have limited access or control.

The suspicions of the squatters were evidenced by the refusal by the Wiggins community to be resettled in serviced sites in Umkhumbane in 1992 in spite of being promised houses at a later stage. The KwaMassyn (Ensimbini) community who agreed to be resettled in return for houses have as yet not been allocated houses by the House of Delegates.

The coming into being of the Cato Manor Development Forum and later the Cato Manor Development Association has not allayed these suspicions sufficiently. The Association is still seen as an extension of authority rather than as an independent initiative concerned with the development of the area. The CMDA carries with it a baggage of the past activities of the authority structures.

CONCLUSION

The cycle of invasion-negotiation-breakdown-invasion will continue with more groups accomodated and given numbers if the housing programme is not seen to be implemented very soon. The control mechanisms currently in palce in Cato Manor are not adequate to deal with future invasions. The monitoring system in place could collapse under pressure of a small group of determined invaders.

The uncertainty created by the absence to date of an agreed

allocations list serves to further weaken the resolve of the squatter community in Cato Manor to stop further invasions.

On the positive side the setting up of the regional housing board may enhance and speed up the development of Cato Manor with the result that a regional catastrophy could be averted.

Certainly the balance of regional political power after the election will also be crucial in determining the future of Cato Manor and indeed the many other development initiatives in the region. The development agenda is likely to be influenced by changes in the balance of political forces after the election.

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