

The copyright of this thesis vests in the author. No quotation from it or information derived from it is to be published without full acknowledgement of the source. The thesis is to be used for private study or non-commercial research purposes only.

Published by the University of Cape Town (UCT) in terms of the non-exclusive license granted to UCT by the author.

The Lagunya Lacuna: Contestations of legitimacy and agency in housing allocation in a Black Local Authority, 1983 -1994

Patricia Zweig / SMLPAT001

A dissertation in fulfilment of the requirements for the award of the degree of MA in Environmental and Geographical Science

Graduate School of Humanities

University of Cape Town

2005

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works of other people has been attributed, and has been cited and referenced.

signature removed

Signature: _____ Date: 2/3/2006

ABSTRACT

During the Black Local Authority period, which spanned the 1980s and the early 1990s, efforts to gain access to precious resources such as housing in the poor African urban townships of South Africa led inevitably to competition between actors from both the state and local communities over the rights to allocate them. The struggle to gain agency in resource allocation reflected a broader quest for legitimacy and legality in the highly politicised township environments of that time. In this complex urban landscape, such competition produced a range of constantly evolving identities and relationships.

Urban Africans began to challenge the legitimacy of the apartheid state, targeting the Black Local Authority system nationwide during resistance campaigns. In the Lagunya townships, Langa, Guguletu and Nyanga, in the Western Cape, interactions between the Ikapa Town Council and the Lagunya communities, between the Council and other tiers of government, between the individual local officials and their communities and among local community groups themselves, often led to contradictory identities. Depending on the nature of the particular relationship, a role player could simultaneously be positioned as an “insider” with recognized rights and legitimacy and as an “outsider” with no rights and a lack of legitimacy. Many of these identities often overlapped each other and were interchangeable, so that the African local officials while representing the state were also township residents themselves, and local community groups while challenging the legitimacy of the state, were also cooperating with local government and competing for access to resources amongst each other.

In this thesis I draw on experiences in a particular neighbourhood within the Lagunya townships, New Crossroads, in order to examine the realities of local government housing administration at the local scale. The New Crossroads housing allocation process illustrates the insider/outsider polemic and the ways in which complex interrelationships developed between the local authorities and the community leadership structures, between the New Crossroads community and the residents of townships surrounding them, and among the residents of the New Crossroads community themselves. Such interactions speak to the ways in which both state and community actors adopted multiple and sometimes-dissimilar identities in order to

access resources such as housing and to navigate the highly politicised terrain of the townships during the BLA era.

This thesis provides an historical analysis of housing allocation strategies at the end of the apartheid era. In so doing it facilitates an understanding of the complexities of current of housing allocation issues in the Ikapa area and the perpetuation of insecurity of tenure, reflecting the same contestation for agency in the allocation process, creating a new range of competing identities and relationships.

University of Cape Town

ACKNOWLEDGEMENTS

For a life-changing opportunity which broadened all my horizons and allowed a truly comprehensive post-graduate experience, my heartfelt thanks goes to David and Elaine Potter, not just for their financial support, but also for their personal interest and encouragement, and their belief in my abilities, which caused me to believe in myself.

To my mentor and role model, my supervisor, Sophie Oldfield, for her direction and her insight, gratitude for nurturing my academic abilities and researching skills.

To my wonderful husband Neil, for your endurance, your love and understanding, and to my daughters Charlie and Emily, for their support, no amount of thanks is enough.

To the Mandlovu Development Institute for identifying this lacuna in the Cape local government historical record, for framing the research questions this provoked, and on a more personal level to the Director, Josette Cole, for her invaluable knowledge and understanding of the period.

To Koni Benson for her emotional support, academic interest and encouragement.

This was not an easy project, delving as it did into the emotionally charged memories of those who lived through these times in the townships. My thanks to them all for their willingness to revisit what was for many a time of anguish and personal turmoil.

Thank you to you all.

This thesis is dedicated to my Grandmother who had no education but believed so completely in mine.

CONTENTS

ABSTRACT.....	i
ACKNOWLEDGEMENTS	iii
CONTENTS	iv
TABLE OF FIGURES.....	vii
- CHAPTER 1 –.....	1
THE ‘LAGUNYA LACUNA’: CONTESTATIONS OF LEGITIMACY AND AGENCY IN HOUSING PROCESSES IN A BLACK LOCAL AUTHORITY ERA	1
INTRODUCTION	1
IKAPA: A CONTEXT OF CONTESTED RIGHTS AND COMPLEX HOUSING HISTORIES	4
Research objectives.....	5
Methodologies: Multiple research strategies for compiling complex township histories	6
Motivations for the research	9
THESIS FRAMEWORK	10
- CHAPTER 2 -	13
BLACK LOCAL AUTHORITIES: STATE EXPERIMENTS IN DEVOLUTION OF POWER IN THE QUEST FOR LEGITIMATE LOCAL GOVERNMENT..	13
INTRODUCTION	13
FORESHADOWING THE INTRODUCTION OF THE BLAs IN THE EARLY 1980s	14
THE ERA OF THE BLACK LOCAL AUTHORITIES: EXPERIMENTS IN DEVOLUTION.....	17
How a lack of critical resources undermined the BLAs	19
An ambiguous identity: The role of the National Management System in the townships	23
Panacea for all political ills: Regional Services Councils – an institutional response to the state’s crisis of control	26
THE CIVIC MOVEMENT AND LOCAL COMMUNITIES CONTEST THE AUTHORITY AND LEGITIMACY OF THE STATE	28
EXPLORING THE CONTROVERSIAL IDENTITIES OF BLA OFFICIALS AND COUNCILLORS	32
THE STRUGGLE FOR LEGITIMACY CONTINUES: INSTITUTIONAL CHANGES, ELECTIONS, AND COMMUNITY RESISTANCE	34
CONCLUDING REMARKS	38
- CHAPTER 3 –.....	40
THE ‘LAGUNYA LACUNA’: IKAPA BLACK LOCAL AUTHORITY STRUCTURES 1983 - 1991	40
INTRODUCTION	40
QUESTIONS OF STATE LEGITIMACY AT THE LOCAL LEVEL: POSITIONING THE IKAPA BLACK LOCAL AUTHORITY.....	41
Interrogating the realities of running a BLA: No mandate, no money, no muscle	46
Lagunya society begins to earnestly contest the legitimacy and the power of the state	49
A new Ikapa local authority: The Cape Town Town Committee and the continuing quest for legitimate local government by the state	51

The function of the Western Cape Regional Services Council: Representation and resources or extended state control?	52
Seeking agency in the African townships using force and favours: The role of the National Management System in the Ikapa area.....	54
The failure of the 1988 Ikapa local authority elections: a refutation of state legitimacy.....	56
The collapse of the Ikapa Town Council	59
CONCLUDING REMARKS	61
- CHAPTER 4 –.....	63
HOUSING POLICY & ADMINISTRATION IN AFRICAN URBAN AREAS: A BRIEF HISTORICAL EXPLORATION	63
INTRODUCTION	63
THE NATURE OF THE HOUSING CRISIS INHERITED BY THE BLAs: BACKGROUNDING THE HOUSING ISSUES	65
The ‘apartheid permit system.....	65
The state’s quest for legitimacy: changes in housing strategy and policy	69
First attempts at ‘Black’ home ownership: Letting some of the ‘outsiders’ in and engineering ‘class’ difference in township society	71
THE FAILURES OF HOUSING ADMINISTRATION UNDER THE BLACK LOCAL AUTHORITIES	73
CONCLUSION.....	80
- CHAPTER 5 –.....	82
A HISTORY OF CONTESTED AGENCY: HOUSING IN LAGUNYA UNDER THE IKAPA LOCAL AUTHORITY	82
INTRODUCTION	82
HOUSING ADMINISTRATION UNDER THE WESTERN CAPE ADMINISTRATION BOARD... ..	83
EXPLORING THE REALITIES OF HOUSING ADMINISTRATION UNDER THE IKAPA BLACK LOCAL AUTHORITY.....	85
Contesting state legitimacy at grassroots level	89
The introduction of leasehold legislation: State attempts at housing reform.....	93
LEGAL BUT NOT LEGITIMATE: INSTITUTIONAL AND LEGISLATIVE CHANGES	96
(IKAPA TOWN COUNCIL FINALLY GETS ITS NAME, BUT NOT A MANDATE)	96
CONCLUDING REMARKS	100
CHAPTER 6 -.....	102
CONTESTATION OF HOUSING ALLOCATION STRATEGIES:.....	102
Old Crossroads legacy, New Crossroads disjuncture	102
A CASE OF COMPLEX RELATIONSHIPS AND COMPETING IDENTITIES.....	102
FOR THE RECORD: OFFICIAL HOUSING ALLOCATION - POLICY AND IMPLEMENTATION	104
STRATEGIES OF THE IKAPA HOUSING ALLOCATION COMMITTEE: THE QUEST FOR LEGITIMACY AND ACCEPTANCE AMONG IKAPA RESIDENTS	110
THE NEW CROSSROADS EXPERIENCE: A COLLABORATIVE RELATIONSHIP WITH THE STATE.....	116
Informing New Crossroads history: housing administration in Old Crossroads .	116
THE ALLOCATION OF HOUSES IN NEW CROSSROADS: AN EXPLORATION INTO COMPETING IDENTITIES AND COLLABORATIVE RELATIONSHIPS	122
Early days in New Crossroads	122

Contestations of agency: Changes in the New Crossroads allocation process	127
Further contestations and new relationships: SANCO in New Crossroads	130
EXPLORING CULTURAL IDENTITIES: THE SIGNIFICANCE OF A HOUSE AMONG THE AMAXHOSA.....	133
CONCLUDING REMARKS	135
- CHAPTER 7 –.....	137
A LANDSCAPE OF COMPETING RELATIONSHIPS AND IDENTITIES.....	137
‘INSIDERS’ VERSUS ‘OUTSIDERS’: COMPETING IDENTITIES IN IKAPA:	137
Suffering an identity crisis: Positioning Ikapa officials.....	139
Divided townships: The politics of access to resources.....	144
‘Down with the State’: Contradictions of faith.....	144
Animosity between the ‘Borners’ and the ‘Amagoduka’	146
‘Traditional’ versus ‘modern’: A clash of identities in the urban context.....	148
Politicised and non-politicised society.....	150
Questions of legality/illegality and legitimacy/illegitimacy	151
LOCAL GOVERNMENT HOUSING ADMINISTRATION AND CHANGING STATE PARADIGMS	153
CONCLUDING REMARKS	155
REFERENCES.....	159
INTERVIEWS	170
IKAPA ARCHIVE FILES QUOTED.....	172
PRESS REPORTS AND SUNDRY CASE FILES.....	174
APPENDIX A – Time lines	176
Contents	176
APPENDIX B - Legislation pertaining to Ikapa history	180
APPENDIX C - Organisational diagrammes of the Ikapa Town Council	183

TABLE OF FIGURES

FIGURE 1. LOCATION OF THE IKAPA TOWNSHIPS.....	4
FIGURE 2. CHRONOLOGY OF IKAPA AUTHORITY STRUCTURES.....	42
FIGURE 3. FLIER DISTRIBUTED IN GUGULETU ON MARCH 10 1988.....	58
FIGURE 4. CHANGING TIMES IN IKAPA. COMMUNITY PARTICIPATION IN THE 1990S.....	99
FIGURE 5. NYANGA HOUSING OFFICIALS BASSON AND NGQAQU HANDING OVER THE KEYS TO ONE OF THE FIRST RESIDENTS IN NEW CROSSROADS.....	124
FIGURE 6. MENE'E HOUSE IN NEW CROSSROADS TODAY.....	125
FIGURE 7. CEREMONY WELCOMING THE ANCESTORS. 17 NOVEMBER 2005.....	150
FIGURE 8. TIMELINES PRECEDING THE BLACK LOCAL AUTHORITIES.....	177
FIGURE 9. TIMELINES FROM 1982 AND THE ESTABLISHMENT OF THE BLACK LOCAL AUTHORITIES.....	178
FIGURE 10. TIME LINES FROM 1988 UNTIL 1995.....	179
FIGURE 11. ORGANISATION OF THE IKAPA TOWN COUNCIL 1988.....	184
FIGURE 12. HOUSING ADMINISTRATION OF IKAPA TOWN COUNCIL IN 1988.....	185

University of Cape Town

- CHAPTER 1 -

**THE 'LAGUNYA LACUNA': CONTESTATIONS OF LEGITIMACY AND
AGENCY IN HOUSING PROCESSES IN A BLACK LOCAL AUTHORITY
ERA**

Introduction

The current Housing Act promises all South African citizens access to 'permanent residential structures with secure tenure' (Republic of South Africa, 1997), and recognizes that insecurity of tenure has historically denied the majority of South Africans access to many other socio-economic opportunities. However, in spite of such policy statements, secure tenure remains one of the most pressing housing problems in townships even today (Royston, 2002). The persistence of African¹ urban housing dilemmas in contemporary South Africa can only be comprehensively understood against the ideological and institutional background of the former apartheid state.

Struggles for formal housing were a fundamental part of 'Black' South African history during the apartheid era. Housing was a central social issue that had repercussions in the lives of poor African urban dwellers. Fast (1995a) notes how housing administration under the apartheid regime was used as a means of social control. As part of the National Party's policy of separate development African people were removed from urban areas to specifically identified labour reserves or townships.

Urban Africans' means of coping with repressive social controls such as pass laws, lack of permanent residency rights in the cities, and inadequate and insufficient housing and infrastructure provision can only be understood in the broader context of the African Group Areas legislation of the time (Shubane, 1991; Poto; 1988; Wolfson, 1991).

¹ Use of terminology: Due to the historical nature of this study it has often been necessary to use old apartheid racial classifications in order to explain clearly how the discriminatory government and administration systems worked at all levels. Thus, while I have made use of the term 'Black' in reference to South African people of colour, be they Coloured, African or Indian, and 'White' when it was necessary to differentiate between African and White township officials I have preferred the use of the term 'African' when referring to the township dwellers who fell under the administration of the Black Local Authorities. Terms such as 'Bantu' also occur historically but were not as relevant to this study other than in brief mentions on the Bantu Affairs Administration Board, which governed African urban residents.

Without a democratic state system, poor communities nevertheless found ways to engage with the powerful state machine, even though they were denied representation at any level of government, had few rights and little space in which to negotiate solutions for themselves (Coorvadia, 1991; Seekings, 1991).

The rising discontent among urban Africans finally erupted in the late 1970s. Civic associations were established in the aftermath of the 1976 Soweto uprisings and grew rapidly in popularity among township populations. These civic groups rallied increasing support for protest action and defiance campaigns against the apartheid government. The focus of much apartheid period civil-society organization related to fighting for security of tenure, access to housing and urban legal rights. For example, Cameron (1991), Cornell (1983) and Goodlad (1996) among others, record how rent increases and evictions were central issues in township resistance during the 1980s.

In the face of escalating confrontation, the South African government introduced conciliatory forms of local government as a 'substitute for political rights at central government level' (Humphries, 1988b: p107). At different times, various local government structures were made responsible for housing in African urban areas and, according to Royston (2002), with each institutional change housing tenure became more confused.

In 1982, the Black Local Authorities (BLAs) were introduced to concede some measure of power to local African communities in governing their own urban areas (Shubane, 1991). However, in the climate of anti-government sentiment that then existed the BLAs were vigorously rejected by township residents who saw them merely as new government control mechanisms. Civic associations challenged the authority of the BLAs, refusing to recognize them as representative bodies. Due to civic resistance, almost half of these bodies had collapsed by 1990, with government-appointed representatives acting as local administrators in their absence (Shubane, 1991).

Although the era of the BLAs at a general level has been well documented, little account of the experiences of the local government officials themselves and of their interactions with their communities has been documented. In the Western Cape, only brief accounts of the BLA era exist in the literature at all. Kahanovitz (1988) and Bloch

(1982) concentrate on the earlier Community Council system, while Cameron's thesis on Western Cape institutional history (1991), which does cover the time period of the Ikapa Town Council, a significant BLA, concentrates on parallel political structures in the Western Cape.² These works provided a starting point for my research, which made extensive use of primary archival documents, press reports and interviews with some of the local government officials, community leaders and residents to analyse the Ikapa history.

Although much of the available literature documents the general state of local government and housing administration in South Africa in the 1980s and early 1990s, my focus is directed specifically at the Ikapa area. Filling the gap in Ikapa's local authority history that was identified by Cameron (1991), this thesis chronicles administration under the Ikapa Town Council, focusing specifically on housing administration. This encompasses not only an investigation into official policies and practice, but also an examination of some of the subtle, underlying elements that shaped housing administration, such as the relationships that developed among the officials and the communities of Ikapa and how these influenced the housing history of the township residents. The interactions between the Ikapa Town Council and the township communities, between the Council and other tiers of government, between the individual local officials and their communities and among local community groups themselves, often led to contradictory relationships based upon either collaboration or resistance. The consequences of these complex interactions and their implications become particularly clear in the case study.

I chose the case study of New Crossroads, one of the Ikapa township areas, to investigate in detail the realities of implementation of housing policy during this violent political period. During the archival investigation that formed the first part of my research (see methodology section later) I became aware of the pivotal role of housing allocation in generating many of the housing problems that existed in the Ikapa area. Efforts to gain access to precious resources such as housing in the African townships of apartheid South Africa led inevitably to competition over the rights to allocate them

² Cameron states that although it was his original intention to research the Ikapa Town Council, he was unable to enter the Ikapa area because of the political violence that had erupted there during the time of his research (Cameron, 1991).

between actors from both the state and local communities. The struggle to gain agency in resource allocation reflected the broader quest for legitimacy and legality in the highly politicised township environments of that time, creating a range of constantly evolving identities and relationships. It is these changing tensions between role players that I investigate in this thesis in the Ikapa context.

Ikapa: A context of contested rights and complex housing histories

During the historical period under review, Ikapa consisted of the three large townships, then situated on the periphery of the city of Cape Town, namely Langa, Guguletu and Nyanga, known to local residents by the acronym 'Lagunya'. The case study area of New Crossroads was then, and indeed remains today for administrative purposes, considered as part of Nyanga. The map below shows the spatial relationship of the townships to each other as well as to the central city area of Cape Town in order to illustrate the peripheral nature of the BLA area.

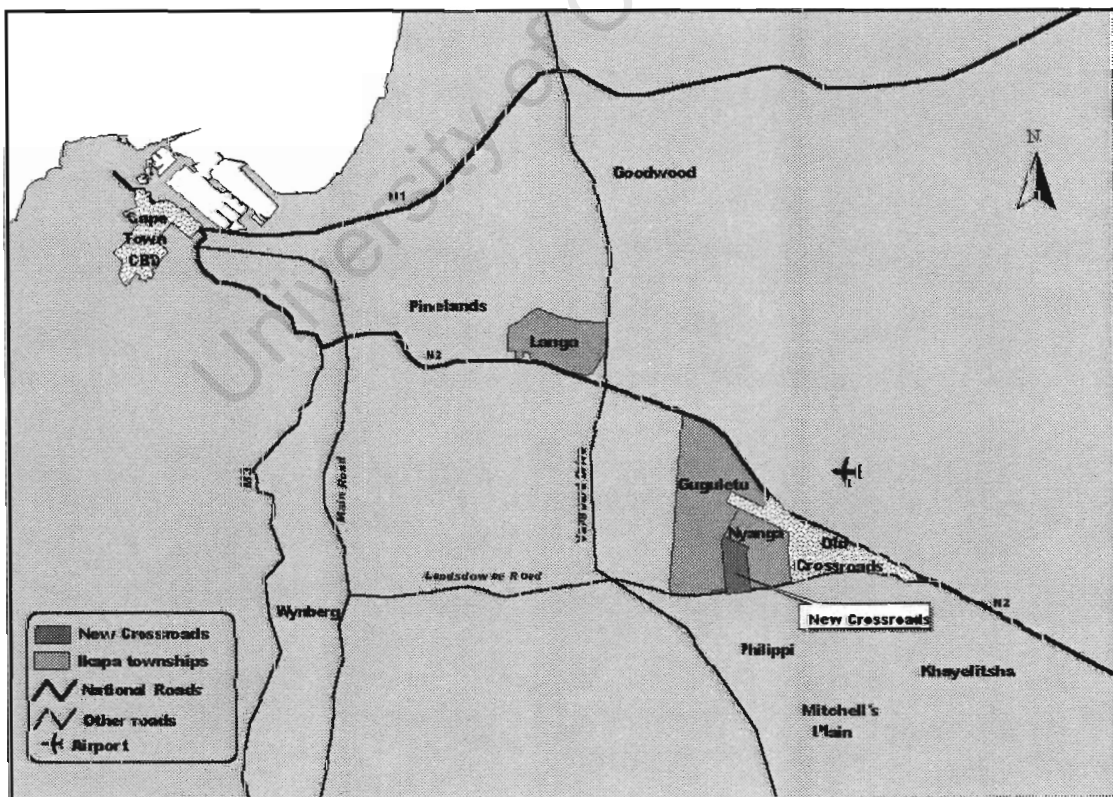


Figure 1. Location of the Ikapa townships

(Map compiled by author using digital data supplied by the City of Cape Town)

Research objectives

My research seeks to explain how we can understand the relationship between housing and poor African families' struggles in the South African cities of the 1980s. This requires an interrogation of the apartheid ideologies that shaped the state's housing policies for urban Africans and how they generated tenure insecurity for township dwellers. I investigate the ways in which, in spite of the powerful racist state, and armed with few rights, poor urban communities were nevertheless able to negotiate access to housing. I focus on engagement with the state at the level of local government over issues relating to access to houses, exploring the nature of the relationships that developed.

While Royston describes how a "chequerboard of tenures and governing legislation has resulted in many urban areas" (2002: p199), Mazur and Qangule (1995) in their survey of appropriate housing responses in Cape Town identify insecure tenure as the foremost housing problem in the city. My objective in this thesis is to interrogate the ways in which insecurity of tenure was manifested and perpetuated in the Ikapa context. This entails an analysis of the kinds of constraints that changing state ideologies and the resulting modifications in housing policy placed upon BLAs, the realities that the officials had to deal with working with residents on the ground, and the ways in which the officials themselves ameliorated stringent legislation during implementation of policy. I explore the administrative incapacity of the local authority in terms of its answerability to and reliance on higher tiers of authority such as Administration Boards or Provincial Departments that often delayed or thwarted their efforts, as well as financial and personnel inadequacies. I consider the variety of community responses to the actions of the Ikapa BLA, and why this complex history generated insecurity of tenure.

The research focuses on one particular aspect of housing administration, which I feel is critical in generating tenure insecurity, namely housing allocation processes. The case study area chosen for this empirical research is New Crossroads, which has a rich

history of earlier engagement with the state regarding housing issues during the residents' days in the Old Crossroads settlement. Although this earlier history has been well documented by Cole (1987) among others, I seek to trace the continuing saga of the New Crossroads residents and their housing histories in the 1980s and early 1990s.

My research investigates housing allocation in New Crossroads, within the context of changing policies, civil organizing and the political climate of this period in township history. It delves into the complex interrelationships and levels of engagement between the various role players, exploring the community-driven processes that have historically been adopted to ameliorate housing allocation problems despite the limitations set by the apartheid era local authority structures and legislation.

Methodologies: Multiple research strategies for compiling complex township histories

The intent of this Master's research was initially to record a history of the Ikapa Town Council, which was identified as a lacuna in the academic literature. My focus was to be on housing as this was my particular interest, and I chose the New Crossroads area as my case study, investigating a particular aspect of housing, which I would identify during the research process and develop further.

After an extensive literature survey of all secondary sources pertaining to local government in the Ikapa Black Local Authority era, I continued with a further survey of African township housing literature. Armed with this basic understanding of the background I negotiated an agreement with the City of Cape Town Access to Information Directorate in order to conduct extensive research in the Ikapa Town Council archives, which were in their possession. The archive includes hundreds of files containing a variety of materials such as the minutes of Council meetings, policy information received from both central and provincial levels of government, letters from various civic organisations, and legal advice from lawyers to give only a few examples. These materials documenting Ikapa's history and form were critical for establishing my argument.³

³ In terms of this agreement I was contractually bound to "treat personal information such as names and addresses of individuals as confidential" and not to reveal this information in my thesis³.

Over a period of several months facts were painstakingly withdrawn from minuted records of Council meetings and agendas as well as official documents, such as letters and policy papers that circulated between the Ikapa local authority and provincial and central government. This information was necessarily very dense covering as it did the routine functioning of the Council, making it necessary to select at a very preliminary stage only information which I felt was pertinent to the proposed direction of my research into housing administration.

In order to substantiate the Ikapa archival information I visited the archives of the local newspapers *The Cape Argus* and the *Cape Times*, scanning these badly kept and often undated extracts which were catalogued according to themes and consisted of 'yellowed' cuttings pasted into scrapbooks kept by the South African National Library in Cape Town. I also conducted an Internet search of old Cape township newspapers.

Not all this information was directly relevant to my research but it informed a general understanding of the socio-political environment of the time. Many press comments emanated from the Black Sash and the Development Action Group, which led me to delve into the archival records of both these organizations, not sure as yet what the focus of my housing research would be. I also visited a lawyer who had advised the Ikapa Town Council on their legal issues for many years. He gave me a great many insights, as did the retired Town Clerk of Fish Hoek who had been seconded by the Provincial government to investigate the charges of fraud and corruption at the Ikapa Town Council in the early 1990s.

At a later stage, I refined my research focus to processes of housing allocation, which had been an important function of the Ikapa Town Council. I then revisited the Ikapa archives to explore the Housing Allocation files where I discovered the minutes and agendas of their Housing Allocation Committee meetings, official policy documents and case files from which I drew trends in practice and process. Armed with these facts I then conducted further interviews with a range of role players. These included ex-Ikapa officials and councillors, some retired and others still local government employees, local community leaders, two from the large civics, one from a local community-based organization and a street committee leader, two legal professionals,

one who dealt with housing disputes among Ikapa residents, and one who advised the Council, an official from the Deeds Office, a community worker with a long association with the Ikapa area, and local residents from New Crossroads. I recorded their experiences relative to the housing process to discover where policy and practice had differed. This led to the compilation of a history of housing allocation in New Crossroads, which informed a better understanding of the complexities of the housing histories of the broader Ikapa area.

Oral histories confront the researcher with the reminiscences and memories of past events (Vansina, 1985). Long after they occurred, such accounts are likely to become embellished or stated as concrete facts when they are in fact personal interpretations or perceptions. As the Ikapa history drew on the memories of twenty-five years or more, many of my interviewees were elderly and told passionate and compelling stories. As people presently or previously in positions of authority, they spoke with confidence and conviction. Often their accounts were contradictory, reflecting the complex and contested times in which they lived and worked.

My field research experience concurs with the experiences recorded by Perramond (2001), who argued that although:

‘Events may seem straightforward and understandable to witnesses, yet the context and rationale for them and their consequences is sometimes unclear’. (Perramond, 2001: p151)

In this respect, it was only after conducting several interviews and then revisiting the archival records in search of specific issues that had received mention that I began to get a sense of the more nuanced reasons for the actions and events that I was recording and began to glean another level of understanding. It was also only at a later stage that I realized how important an understanding of the earlier Old Crossroads background was in contextualising the New Crossroads history. Again I quote from Perramond who said that:

“...rarely does anyone arrive at the true “beginning” of any event, process, or story. We geographers also find ourselves stumbling into the

very middle of places and spaces, where we may not understand the importance of spatial context and meaning". (Perramond, 2001: p 156)

I soon recognized that it was an effective strategy to allow interviewees to deviate from the topic at times, allowing them to wander backwards and forwards in time and space. So that, although I arrived at each interview prepared with leading questions, I was often drawn away from my intended research focus as my subjects digressed towards their own particular memories. After the first few interviews, I realized that in some ways these digressions often served to better inform the bigger picture, granting me insights into each individual, the realities of the Ikapa Townships of the 1980s and 1990s and the conflicts and confusion of administration as well as particularities of housing allocation in this period.

Motivations for the research

The history of the changing local government institutional structures and the ways in which they interacted with the Ikapa communities were identified as lacunae in the academic literature. This research begins by addressing this vacuum in Western Cape township history, recording the saga of local government during the 1980s and early 1990s in the Ikapa area, simultaneously narrating the rise of local civic resistance movements and community organizations that were a direct response to the new local authority mechanisms.

In an attempt to produce a rigorous research, I cross-examine the experiences of the local authority officials themselves in implementing state policies as well as those of local community leaders and residents. The thesis thus examines the realities of township administration for the officials, working under the strain of community rejection and rising levels of physical violence that jeopardized their own personal safety. It also records the experiences of the township communities and how their struggles to survive in the depressed urban landscape of the African townships during this period shaped their various strategies to access resources.

The analysis of housing struggles has been compiled by drawing trends from the thousands of seemingly trivial day-to-day records of the Ikapa Town Council.

Unfortunately, it is because of their ostensibly trivial and unimportant nature and due to a critical lack of archival space that many of these records are destined to be destroyed in the very near future, making further historical recording from this primary source impossible. This research has therefore been conducted at the eleventh hour before much critical information disappears forever.

It is important to note that the history that is being recorded on these pages occurred twenty-five years ago and many of the important role-players have already passed away. This has motivated the writing of a history that, although previously undocumented in the literature, still exists in the memories of those who were a part of it. Their memories, recorded for posterity, have informed a better understanding of housing administration in the BLA era, and the community and local government strategies that developed regarding housing allocation in the Lagunya townships.

Thesis framework

This thesis begins in chapter two, with a discussion of the era of the Black Local Authorities, explaining the ideological paradigm of the state that led to institutional changes at the local authority level. I briefly discuss the Community Council era that preceded the BLAs, to contrast the two systems of local authority and to explain how fundamental inadequacies of the earlier councils were essentially perpetuated in the BLAs. I trace the history of the BLA system, explaining why its demise was predictable in light of its inadequate resources, its links to the National Management System, and as the target of mass resistance campaigns to destroy the apartheid regime, identified as the 'Achilles heel' of the state (Atkinson, 1994: p45). The chapter follows the administrative and legislative changes that were engendered in answer to the civic resistance strategies in the African townships.

To understand the local rather than the general institutional challenges of the BLAs, chapter three examines the old Ikapa Municipal jurisdiction in Cape Town. This section describes the Western Cape experience of local authority changes, briefly recording the era of the Cape Town Community Council as an introduction. Indeed, unlike the rest of South Africa where BLAs were instituted as early as 1983, in the Ikapa area the Cape

Town Community Council remained in effect until as late as 1988 due to particular area-specific issues that will be explained.

Chapter three also explores the history of civic organizing in the Ikapa townships, from street committees to the larger civics, illustrating how these structures shaped the histories of the townships during the BLA period. I document the local elections, the rent boycotts and the use of 'people's power' to undermine the Council. This section interrogates the so-called 'de-centralisation' of powers to local authorities in light of other parallel developments that essentially served to consolidate central government control via alternative structures. I discuss the introduction of the Western Cape Regional Services Council in 1987 and how the National Management System was integrated into both the local authority and the new regional body to facilitate greater state control at the local level, contradicting the simultaneous devolution of power to lower tiers of government. Finally, the demise and collapse of the Ikapa Town Council is discussed recording central government efforts to keep the local authority alive in terms of sustaining their 'reform' programme at local government level.

In chapter four, I introduce the specific focus of the thesis, housing administration during the BLA era. I investigate the origins and extent of the housing crisis that existed in the townships. I examine historical changes in housing administration in the African townships during the 1980s and early 1990s, beginning with an account of earlier forms of housing administration in order to illustrate the contrasts and similarities with the BLA structures. Much of this section concentrates on the legislative changes that occurred and the rationale that underlay them.

Chapter five, which covers the administrative housing history of the Ikapa area specifically, examines the realities of apartheid housing administration at the local scale. It begins in the earlier period of the Bantu Affairs Administration Board, tracing the gradual changes that ensued during the time of the BLAs. I discuss the increases in rent and service charges and community responses to these, the introduction of the 'Great Housing Sale' in the Ikapa area, noting the legislative changes at the local level, exploring both the experiences of the local officials and the residents.

The scale of my research changes in chapter six to consider a smaller case study area, New Crossroads, in order to detail the practice of housing allocation. This section explores the changes that occurred in community authority structures and argues that the struggle to gain agency in the allocation process underlay some of the broader political events that ensued in the Ikapa area.

Finally, in chapter seven, I analyse how both government officials and communities strategised around the constraints of apartheid legislation. I explore the competing identities that evolved in response to the critical shortage of resources such as housing in the Lagunya environment of the BLA period, interrogating the ways in which relationships were configured in the quest for legitimacy and rights. I trace how an insider/outsider polemic was variously manifested, demonstrating how this shaped the complex interactions between role players from both the state and the local communities, and the contestations for legitimacy and agency in the townships.

This research illustrates that knowledge concerning local specifics, such as the range of changing relationships and identities that existed within the Ikapa neighbourhoods, is essential for a comprehensive understanding of local government history. The inherent existence of area-specific issues and situations has contributed significantly to the shaping of Ikapa's housing history. Many of the unsolved housing dilemmas in Ikapa today are better understood contextualised in their historical origins. Through this detailed historical account of local government housing history, pieced together from thousands of archival records, and brought to life through the oral accounts of some of the role players recorded during interviews, I hope to accurately analyse a missing piece of Western Cape township history, providing valuable historical context for future housing planners.

- CHAPTER 2 -

BLACK LOCAL AUTHORITIES: STATE EXPERIMENTS IN DEVOLUTION OF POWER IN THE QUEST FOR LEGITIMATE LOCAL GOVERNMENT

Introduction

“The 1980s were characterised by reforms [which] acknowledged the inevitability of black urbanisation”. (Goodlad, 1996: p.1634)

Any comprehensive understanding of the crisis of local government that emerged during the 1980s and 1990s in South Africa is only possible by situating it in the broader national crisis of those times (Grest, 1988) and in considering historical changes at the local level. Rapid urbanization together with economic recession was instrumental in the ‘sharpening’ of conflict between the government and urban Black communities on both a national and a local level (Grest & Hughes, 1984) as apartheid policies clashed head-on with the realities of a changing South Africa (Bernstein, 1991).

Coming to power in 1948, the Nationalist Party was challenged to decide which tier of state should govern the townships, aware that the success of urban apartheid was contingent upon effective implementation of apartheid policies at the local level (Nieftagodien, 2002). The degree of decentralization of power to second and third tier levels of the state was to change over time, but began with two decades of increasing centralisation of control over the townships (Bekker & Humphries, 1985). The political struggles against apartheid during the 1980s were partly a response to these changes in local government structuring (Shubane, 1991).

This chapter examines the period of the Black Local Authorities (BLAs), which were introduced by the state in 1982 in order to administer the African townships. This was a time of intense political upheaval, following soon after the riots of the late 1970s as Black civil society began increasingly to contest the legitimacy of the state. In response to these challenges the apartheid government sought to introduce concessionary local authority structures.

In order to contextualise the inception of the BLAs, this chapter begins with a brief political background to African township administration. I then discuss the BLAs, explaining their place in the state power hierarchy, outlining their functions and duties. I examine the inadequacies and dilemmas of the new local authority structures, as well as officials' experiences, particularly their struggles to legitimise their existence in light of their rejection by the township communities, who did not recognise them as legitimate local authority structures. I describe how other agents of the state effectively undermined the BLAs. Through necessity this chapter is chronologically structured, painting a background to contextualise the thesis research.

This chapter is not an exhaustive study of the BLAs. Rather it broadly explores the BLA system against the background of the central government's shifting stance on African urban rights and the responses this elicited from township communities. It investigates the battle for legitimacy and agency in the African urban townships during the BLA period between the state, represented by different tiers of government as well as individuals, and township community groups. I explain how the state's experiments with varying degrees of devolution of power to lower tiers of government were in fact always counter-balanced by other institutional changes that effectively re-asserted their control in other less explicit ways, often presented as political reforms.

The introduction of the BLAs was the catalyst motivating the growth of organised resistance to the state. I discuss therefore how African civil society contested the legitimacy of the BLAs, tracing the state's responses to these challenges. In the process, I examine how divisions between urban Africans were engineered by the state, by granting increasing rights to 'legal' urban dwellers, identifying them as the 'insiders', while increasingly denying such rights to the 'illegals', or 'outsiders'. I trace the various manifestations of these themes of legitimacy and positionality throughout this thesis.

Foreshadowing the introduction of the BLAs in the early 1980s

In their efforts to recentralise state control over the African townships, the state introduced the Black Affairs Administration Act in 1971. This divested the White Local Authorities of their responsibility for administering African urban areas (Republic of

South Africa, 1971), establishing instead twenty-two Administration Boards responsible directly to the central government. The Administration Boards marked the peak of apartheid African urban administration (Grest, 1988), the pinnacle of the state's centralisation strategies around influx and labour control (Bloch, 1982). The outbreak of violence that occurred nationwide in South African townships in 1976 was a critical turning point, marking the growth of a strong Black consciousness movement, and leading the Nationalist government to accept the necessity for political change and to rethink their strategy regarding African urbanisation to diffuse the tense political situation.

The 1977 the Community Councils Act was the first direct government legislative response to the riots of 1976. Established as representative local authorities with limited powers, the Community Councils acknowledged the government's changing stance on African urbanisation, and marked a tentative movement towards legitimising African political representation outside the homelands (Bernstein, 1991; Heymans & White, 1991). The state presented the new Councils as a serious attempt to establish local government structures similar to those for Whites.

The Councils were, however, also designed to function as 'safety valves' to diffuse the rising political tensions in the African townships and to avert a repetition of the violence that had ensued in 1976 (Cameron, 1991: p.288). The state believed that educated, middle-class Africans would be appeased, and perhaps co-opted as agents for the state, while township residents in general would be satisfied with the granting of limited political concessions (Bloch, 1982; Shubane, 1991). It was intended that the Councils would be given increasing responsibility and authority over time, eventually becoming full-fledged local authorities.

The Community Councils, however, remained under the control of the Bantu Affairs Administration Boards, unpopular within the townships due to their aggressive implementation of Influx Controls and the Pass Laws (Bekker & Humphries, 1985). By retaining the Administration Boards within the new dispensation, the new Councils were tainted from the outset by association with the repressive machinery of the regime (*Financial Mail*, 19/12/83). Grest describes the Community Councils as mere

administrative extensions of the Boards (1988), staffed largely by White civil servants with 'Verwoerdian' ideologies (Totemeyer, 1984).⁴

The Minister of Cooperation and Development had control over the Councils in a highly vertically integrated bureaucracy (Hughes & Grest, 1983). However, Board officials became pivotal in this power hierarchy and could effectively hold up any transfer of power because the Minister had to consult with them before any additional functions could be delegated to the Councils by the central state. This effectively left the Community Councillors powerless 'puppets' of the regime (Cornell, 1983), and at the mercy of Administration Board officials who did not always see eye to eye with the state's reform measures.

Although most Administration Boards had inherited healthy financial accounts they were soon experiencing serious financial difficulties, becoming reliant on the Department of Cooperation and Development for additional budget allocations (Hughes & Grest, 1983). In turn, the Councils, having to be financially self-sufficient,⁵ were forced to increase rent and service charges in the townships in order to raise revenue, creating rising animosity among township residents (Bloch, 1982).

The township communities rejected the Community Councils from their inception, and their scepticism of the government's African local authority system was further aggravated by the fraudulent actions of individual councillors who early acquired a reputation for corruption and self-enrichment (Fast, 1995a; Grest, 1988; Kahanowitz, 1988). By 1982, the Community Council system had virtually collapsed and few elections were held either to re-elect or to set up new councils. An effective form of local government for urban Africans had become essential in order to quell the increasing discontent in the townships.

The rejection of the Community Councils by the township communities undermined their status as legitimate local authorities despite the 'legal' and official process that

⁴ After Hendrick Verwoerd, former South African Prime Minister, considered the grand architect of apartheid, a word he coined himself.

⁵ The main sources of finance for the Boards and their Councils was derived from rents, profits on beer and alcohol sales, which constituted over 50% of their revenue, and employer's levies on Black staff. (Kahanowitz, 1988)

had been followed in order to introduce them. Legitimacy and legality can be differently perceived depending upon how one is positioned in respect to an authority structure. This theme is explored in the historical discussion of the BLAs that follows.

The era of the Black Local Authorities: experiments in devolution

“The state has responded to the local crisis by modifying existing structures for participation and creating new ones, without conceding ground to opposition groupings”.(Grest & Hughes, 1984: 60)

In answer to the continuing political crisis at the local government level the state introduced the Black Local Authorities Act in 1982. The new BLA system was designed essentially to be an ‘evolutionary process’ whereby full autonomy could be achieved by African local authorities over time (Evans, 1988: p. 52). The Act converted the previously discredited Community Council system, to one similar in structure to the White local government system such that Councillors were to be elected for each ward by the township residents themselves during local authority elections (Kahanowitz, 1988).

As the Community Councils before them, the new local authorities were placed under the control of the Administration Boards, while at central government level the BLAs became the responsibility of the Ministry of Planning and Provincial Affairs. The new local authority structures were empowered to make their own by-laws in order to allow for the effective implementation of state policies and smooth administration. They were tasked with the imposition of levies and taxes, the preparation and implementation of town-planning schemes, the allocation and management of housing, as well as the collection of rent and service charges in the townships (Ikapa file 2/2/2; Kahanowitz, 1988).

However, although BLAs seemed to offer a more substantial form of local administration to township dwellers, they were also designed as control mechanisms in the face of rising African political power, restricting African local government within a ‘segregated framework’ (Gardner, 1997: p.65). Thus, African local authority structures effectively remained situated ‘outside’ the local government system as external appendages controlled by other tiers of the state. Riekert, who had headed up the Riekert Commission, which was responsible for major inputs into the Black Local

Authorities Act, was quoted as saying that in his view, the real purpose of the BLAs was to "...diffuse pent-up frustrations and grievances against administration from Pretoria" (*Rand Daily Mail* 29/8/85). The BLAs were a vital element in the government's new local government reform programme, and formed the basis for the proposed evolution of representative local government for urban Africans (Heymans & White, 1991; Kahanowitz, 1988).

Theoretically, the Black Local Authorities Act presented urban Africans with the opportunity to elect their own local representatives and granted them some political voice. However, by the early 1980s, the new authority structures did not offer a sufficient solution to Black political aspirations (Heymans & White, 1991), still only acknowledging 'legal' African urban dwellers, those who qualified under Section 10(1) of the Black (Urban) Areas Act of 1945 to reside in the city. This discounted the thousands of 'illegal' residents who still had no rights to the city,⁶ perpetuating their illegitimate status and effectively setting them apart from established township dwellers.

These artificial divisions of African urban society, engineered by the state in terms of their Influx Control strategies, created notions of 'otherness' among township residents themselves. These social divisions were often manifested spatially in terms of 'insiders' and 'outsiders': while 'legal residents' were allocated houses in state-built housing in the townships, the 'illegals' congregated in the burgeoning informal settlement areas on the periphery of major urban areas, and the temporary, though, 'legal' hostel-dwellers were separately contained within hostel compounds in the established townships. Chapter six will explore how the separation of 'insiders' from 'outsiders', i.e. Africans with 'legal' rights to stay in the cities from the 'illegals' who were denied such rights, created a complex range of identities and interactions that was to shape the course of the housing histories of the Lagunya townships.

⁶ Hindson and Lacey (1983) comment that from 1982 pass law regulations, which had become somewhat relaxed over several years prior to the introduction of the BLAs, were once again severely enforced by the Administration Board officials. The BLAs, who were answerable to the Boards and were therefore identified as their agents, received the blame for these repressory actions and their credibility as township representatives was further undermined.

The new local authorities were given significant formal municipal powers, many of which had previously held by the Administration Boards, making them responsible for some of the most unpopular aspects of government policy, such as collecting rent, increasing rentals, evicting defaulters and allocating houses (Muller & Van Rooyen, 1994). This successfully deflected the blame for some of the most contentious government policies away from the central state, placing the responsibility for these tasks in the hands of local government officials, redirecting the wrath of township residents.

Lawrence, a retired government official, spoke of the frustrations of officials in this period in implementing unrealistic policies at local government level:

“You were sat in terms of the Bantu Urban Areas Act [and]...the Black Local Authorities Act. That is the way you ran a Black Local Authority, written by the ball-makers in Pretoria who haven't got the foggiest idea what happens in the inner workings of a Black township, no idea at all. Now how do you impose that on people?” (Lawrence, pers. comm. 20 May 2005)

Thus, local government officials were aware that the new political dispensation for urban Africans did not sufficiently address the realities of the townships and the nature of the administrative problems being experienced by the officials themselves.

How a lack of critical resources undermined the BLAs

The effective functioning of the BLAs nationwide was compromised by a lack of resources. A critical lack of financial resources undermined the administration of the townships by the BLAs just as it had the previous Community Councils. Central government required that all local authorities be financially self-sufficient, but although theoretically BLAs had similar functions to White Local Authorities, African urban areas lacked essential financial resources such as commercial and industrial bases (Driver, 1992b; Mandy, 1991; Shubane, 1991; Survey of Race Relations, 1983).

The state's Group Areas legislation had successfully positioned urban Africans outside established financial and economic boundaries, historically denying African urban areas commercial and industrial rights of their own (Poto, 1988). The Black Sash commented on the control inherent in this arrangement:

“Real power in any country or government lies in the control of the national-wealth and financial resources. It is this control which decides the national priorities. In South Africa this power remains firmly entrenched in the hands of the ruling white minority elite”. (Black Sash. BC 668 E. Special Projects. Local Government 1988: p.1. 15/5/88)

According to Riekert, African towns had been planned and administered as ‘sleeping towns’ and ‘uneconomical outgrowths of the White towns’ where the necessary infrastructure for economic viability was absent (1983: p.158). He believed that while Administration Boards were ‘busy going under’ larger White municipalities were financially much healthier (Grest & Hughes, 1984: p. 49)⁷. While many White Local Authorities were often able to run at a profit due to their healthy tax bases, some even investing surplus revenue to fund future schemes, a different situation prevailed in the African townships, where most communities were poor (Mandy, 1991). Denied facilities within their own areas, African communities shopped and traded in the White areas, underpinning the revenue generated there rather than in their own areas (Mandy, 1991).

The official opposition at the time, the Progressive Federal Party, warned the government that BLAs had a limited future because no serious provision had been made for their financial sustainability and no additional resources had been investigated (Cameron, 1991). Similar criticism from many other quarters prompted government to commission the Browne Committee to investigate other possible sources of finance for the BLAs (Humphries, 1988).⁸

⁷ The Administration Board's loss of revenue was partly due to the privatisation of township beer halls and bottle stores in the early 1980s. Sales accruing from the brewing of sorghum beer and the sale of liquor had represented their largest source of revenue (Driver, 1992b).

⁸ Humphries explains that the initiative for the Regional Services Councils that followed in 1985 stemmed from the report produced by this committee (Humphries, 1988a).

Thus, the BLAs, inheriting a small revenue base (Gardner, 1997), were left with the collection of rates and service charges from residents as their prime source of income, fiscally separated from the wealthy white tax bases (Poto, 1988; Swilling, Cobbett & Hunter, 1991). Poto believes that this was the largest single obstacle to the success of the new structures and indirectly triggered the resistance movement that later brought about their downfall (1988). It was in order to raise revenue to drive development and infrastructure upgrading, that the BLAs were forced to increase rent and service charges, aggravating their already tenuous relationship with the poor township communities.

There was also a critical shortage of African staff qualified in local government administration. Rammala (1987) comments that many of the new African officials did not have the necessary experience in municipal governance to function effectively. This frequently necessitated the employment of White officials, further linking the new structures firmly within the regime rather than setting them apart as semi-autonomous local authorities. Although the Boards had been tasked to employ African officials as understudies to the seconded White officials, this seldom happened, enabling the permanent employment of the seconded officials in the BLAs. In this way, not only were the jobs of the White officials kept secure, but they also effectively remained in positions of control within African administration (File 7/3/1/11 Ikapa Archive). Töttemeyer states that indeed one of the problems that undermined government reforms was the presence of civil servants who remained faithful to 'Verwoerdian' ideologies and effectively delayed the implementation of changes at the local level (1984: p.16).

However, Lawrence, who was tasked with the physical development of Khayelitsha, a large township area developed from 1983 in Cape Town, recalled his training initiative proudly:

“I think that the core of a lot of the people that I worked with and trained, today occupy positions, because they were the only ones that received proper municipal training. From day one they were being trained”. (Lawrence, pers. comm. 20 May 2005)

Although there were such exceptions,⁹ the frequent seconding of White government officials necessitated by the administrative incapacity of the BLAs tainted the image of the local authority officials among the township communities still further due to their working relationship with officials of the 'regime'.

In an effort to disassociate the BLAs from the Administration Boards, the Black Communities Development Act (No. 4 of 1984) upgraded the Administration Boards to Development Boards. The state wanted to appear to be relinquishing some degree of centralised control over African administration by granting the BLAs greater autonomy. Thus, the Development Boards were designed to function not as local authority structures as the Administration Boards had done, as this now became more essentially the responsibility of the BLAs, but rather were presented as state development agencies (Republic of South Africa, 1984). Their duties were redefined, placing emphasis on 'viability, development, welfare and autonomy of urban African communities' (Grest, 1988: p.105), confining their activities to establishing housing schemes and personnel training for local authorities.¹⁰

Initially falling under the jurisdiction of the Department of Co-operation and Development, in July 1985 Development Boards became the responsibility of the new Department for Constitutional Development and Planning (DCDP), in accordance with the Local Government Affairs Amendment Act No. 110 of 1985 (Cameron, 1991). This new department was conceived as a means to 'centralize' state control over the 'reform' process. At the same time, the Promotion of Local Government Affairs Act, No. 45 of 1985, gave increased powers to the Provincial Administrators who remained answerable to the Minister of DCDP, at that time the influential and powerful reformist Heunis (Cameron, 1991; Hughes & Grest, 1983). The new DCDP was effectively given control over almost every aspect of African urban life (Swilling, 1988a).

⁹ Although close to retirement today, Grey Ngqaqu is still employed as a housing official in Khayelitsha, and was one of the officials trained by Lawrence in the early 1980s. I interviewed him about housing allocation procedures, material discussed in chapter six of this thesis.

¹⁰ Acknowledging that the shortage of skills contributed to BLA inefficiency and in an effort to ameliorate the lack of administrative skills and trained personnel the Local Government Training Act was promulgated in 1985 to provide for the establishment of a National Training Board.

In effect there was a shifting around of control with the state restructuring its power base without conceding any real control to lower tiers of government such as the BLAs (Cameron, 1991; Survey of Race Relations, 1985). While seemingly conceding increasing powers to the local level of government the state was simultaneously recentralising its control in other ways. Dr. Van Zyl Slabbert, leader of the Progressive Federal Party, challenged that instead of devolving power ‘what actually happens is that the powers of the lower level are monitored and determined by central government’ (Hansard (A) 14 Col 4910. 1985).

However, divisions were emerging within the central state itself at this point. Phillips *et al* explain that a struggle was ensuing between the political reformist block, led by Heunis, and the military security establishment (1988: p.20). Swilling explains that these divisions within the state mechanism created a kind of power pendulum:

“Elements within the state attempted to extend the reform programme beyond its original parameters and douse the flames of resistance with ‘more concessions’. When these measures failed to achieve their objective, a struggle resulted in the ascendance of the security establishment determined to implement a penetrating reform strategy”. (1988a: p.2)

The influence of Heunis’ reform programme waned with the inception of the States of Emergency during the mid-1980s, when the hard-lined ‘securocrats’¹¹ gained influence and began to make extensive use of the state’s National Management System. The next section analyses the functioning of this powerful state apparatus and how it established agency from the highest level of the state networking down to township communities and the grassroots level.

An ambiguous identity: The role of the National Management System in the townships

The National Management System was established in 1979 by the central government as a means of restoring law and order in the troubled townships. Forming a tight

¹¹ The ‘securocrats’ were a conservative block within the central government with a strong military and security-conscious bent and a preference for strong-arm tactics (Cameron. 1991).

network, it had extensive control at all levels of government and became a crucial element of the government's control mechanism during the urban revolt of the mid-1980's, and later 'as a longer-term mechanism for implementing new policies and controls to restabilise urban areas' (Boraine, 1989: p.110).

The State Security Council formed the apex of the National Management System hierarchy, chaired by the State President with the Chiefs of the Defence, Police, Intelligence and several cabinet ministers. Sarakinsky believes that the State Security Council had become the most important decision-making body in the state by the late 1980s and that even members of parliament were aware that decisions had often already been taken at 'another level' before being brought to the caucus for ratification (1989 p.74). The Black Sash claimed that the National Management System held the real reins of power in the country with little true decision-making going on at lower levels (Black Sash, BC668.E.Special Projects. Local Government. 5/5/88), while Swilling believes that it had effectively become 'a state within a state to control the state' whereby the President was able to consolidate his power and influence (1988a: p.7).

The National Management System re-established many of the collapsed BLAs, coordinating security forces in the townships (Boraine, 1989). The BLAs became incorporated into the security system through the mini-Joint Management Centres (Shubane, 1991), identifying them closely with the state's oppression of township populations. The police, security police, riot police, special police (the dreaded *kitskonstabels* deployed in some townships after 31 January 1987) (Survey of Race Relations, 1987), municipal and traffic police, the South African Defence Force local command as well as military intelligence, and the National Intelligence Service were all represented on the security committee at the local Joint Operations Centres (Boraine, 1989). They forged relationships with local community organizations and vigilante groups within the townships (Development Action Group, case files).¹² In the townships the functions of the Joint Operation Centres were various, but included the

¹² The references to Development Action Group's case files were inadvertently not recorded. My visit to this NGO occurred at the beginning of the research process when I examined dozens of random case files in order to establish general information about the BLA era. Among the records were many handwritten and often undated notes by anonymous fieldworkers referring to issues concerning the local authorities.

setting up of roadblocks, conducting patrols and house-to-house searches, as well as monitoring community organisations (Boraine, 1989: p. 115).¹³

The National Management System was also responsible for implementing the state's 'winning hearts and minds' (WHAM) strategy. This was a concerted attempt to identify political 'hotspots, and concentrate infrastructural improvements there. This, it was hoped, would help to improve the image of the local authorities and gain them some measure of support from the township residents. The Joint Management Centres undertook various tasks for BLAs lacking the expertise themselves, covering anything from building sports fields, fund-raising, speech writing, to crash courses in public administration and finance (Boraine, 1989). Swilling described the Joint Management Centres as:

“The delicate ‘balance between using just the right amount of repression without triggering a counter-reaction and identifying the most explosive grievances that need to be addressed...Their coordinated control of intelligence, coercion and developmental resources equip them very effectively for the task of restructuring and remoulding civil society’”. (1988a: p.30)

Thus, in spite of their stated intentions of establishing viable local authorities, the state remained determined not to relinquish control in the townships, tightening their security network in the face of growing confrontation from township communities. By becoming integrated into the Joint Operations Centres, the BLAs were able to access precious resources.

The lack of resources available to BLAs undermined their viability and credibility as legitimate local authorities. The state attempted to address this through the introduction of the Regional Services Councils.

¹³ After 1987 the National Management System also became integrated into the new Regional Services Councils through the establishment of Regional Advisory Committees (Grest, 1988).

Panacea for all political ills: Regional Services Councils – an institutional response to the state's crisis of control

‘[The purpose of RSCs is] to rationalise area-wide local government, to provide effective political representation for all communities in a region; and to generate funds, primarily for the development of Black, Indian and Coloured areas’. (Heunis, Minister of Constitutional Development & Planning, 1985)

First conceived by the Browne Committee during the 1970s, the controversial Regional Services Councils Act (No. 109 of 1985) only began establishing Regional Services Councils (RSCs) in 1987 (Humphries, 1988b). Introduced as a regional tier of government in order to facilitate a sharing of resources, the RSCs allowed for the redistribution of wealth to the predominantly bankrupted township councils (Humphries, 1988b). Phillips *et al* (1988) suggest that by attending to material grievances through the new regional authorities the state hoped to make the BLAs more credible.

The RSCs were to provide for a more effective rendering of services across local authority boundary lines and facilitate improved provision of bulk service delivery (Solomon, 1988). The government had recognised the need to abandon its previous fiscal separation policies and used the new RSCs as vehicles for channelling funds to alleviate the financial difficulties accrued by the BLAs (Humphries, 1991). Bridging loans from Provincial Administrations helped to cover BLA deficits, which at this stage had risen nationwide to some R271m (Cameron, 1991). Revenue to run the new RSCs was collected as taxes from local businesses on their total turnover and wage bills (Bekker *et al*, 1986; Humphries, 1991). While some RSCs did allocate large amounts of revenue to townships for infrastructure development, much of it remained unspent due to the inefficiency and incapacity of the local Town Councils themselves (Ikapa file 7/3/1/8).

The introduction of the RSCs was the state's first attempt at some form of metropolitan political framework, representing local authorities of all races, while simultaneously continuing to centralise power away from local level authorities (Humphries, 1991). Humphries believes that although their conception began with technical and financial considerations, RSCs developed distinct political objectives in counteracting the ANC's

campaign to render the townships ungovernable (ibid).¹⁴ A Black Sash report reiterates this:

“These Regional Services Councils are a key element in the government’s strategy of control. This control is enforced on the one hand by extreme repression and on the other hand by ‘reform’ measures – ‘winning the hearts and minds of the people’ – co-optation”. (Black Sash. BC668. E. Special projects. Local Government. 6/5/88)

The introduction of the RSCs was widely criticised. While White local authorities believed they meant capitulation and loss of White privilege because of their financial implications (Humphries & Shubane, 1989; Humphries, 1991), African communities regarded them as an extension of the discredited and hated BLAs. Since BLAs were positioned at the heart of township conflict as local agents of the state, bringing with them a past riddled with bankruptcy and corruption, it was argued that their inclusion into the RSCs would prejudice the success of these new regional structures from the outset (Lombard & Pisane, 1985).

However, in spite of their inclusion in the RSCs, BLAs were still firmly positioned as peripheral state agents, the ‘outsiders’ in the regional government system. Representation of local authorities on RSCs was calculated according to the amount of services consumed within each jurisdictional area, resulting in over-representation of the wealthier White areas and BLA areas that lacked resources being grossly under-represented. Therefore, some saw the RSC system as another way to extend white domination, moulding black administrative institutions according to the White government’s own design under the guise of reform, with a token show of ineffectual and relatively powerless African representation (Grest, 1988).

The introduction of the RSCs can also be interpreted as a deliberate attempt to shift the balance power in order to maintain state influence at the regional level, to ensure against opposition from White local power bases. Wary of increasing right wing

¹⁴ The RSCs represented the National Management System at the Regional level through the Regional Development Advisory Committees (Grest, 1988).

influence the government was careful to centralize power away from local level structures, such as the increasingly popular Conservative Party, determined not to allow them to ambush their reform initiatives (Pretorius & Humphries, 1991).¹⁵ Thus, the RSC system was a contradiction in terms – a seeming devolution of power to regional level authorities, with simultaneously strengthened central government control (Grest, 1988).¹⁶

While the state was vacillating between devolution of its control of the African townships to local tiers of government and recentralisation of its influence through other structures in order to ameliorate its loss of control, township communities were organising themselves to contest the right of the state to shape every facet of their lives. The next section explores how civil society, despite its lack of political rights, nevertheless managed to find ways in which to challenge the BLAs.

The civic movement and local communities contest the authority and legitimacy of the state

“Resistance has often been analysed for its ability to mobilize collective action, to perturb or alter arrangements of power, and to initiate changes in social structures”. (Ewick & Silbey, 2003: p.329)

The early 1980s was a turning point in South African political history. The introduction of the BLAs spurred the emergence nationwide of a strong civic movement to counter the government’s local authority structures with alternative, legitimate representative bodies (Coorvadia, 1991). The rejection of the BLAs was driven by calls from the banned African National Congress (ANC) to destroy the ‘puppet organs of government’ (Tambo, 1986: p.10). Never before had South Africa seen the mobilization of urban African people in such numbers, from all sectors of society, across all generations (Swilling, 1988b), as civics and youth groups emerged wherever people gathered (Rasool, 1984). Civic movements nation-wide became the voice of the ‘silent’ majority, and began to co-ordinate resistance to the BLAs, contributing significantly to their eventual demise (Shubane, 1993). Bloch (1082) recalls that:

¹⁵ In the 1987 general election the right wing Conservative Party replaced the more liberal Progressive Federal Party as the official opposition, illustrating that many among the White electorates were distrustful, perhaps fearful, of the reformist policies of the state (Humphries & Shubane, 1989).

¹⁶ The National Management System was also well integrated into the new regional system of government through the Regional Development Advisory Committees (Grest, 1988).

This involved door-to-door organizing, mobilizing people around day-to-day problems, a very slow process of breaking down the fragmentation and fear caused by the Group Areas Act, to begin to give people the confidence to act in collective ways". (Bloch, 1989: p.26)

Mass action was to a large extent based on street and area committees, which were highly effective structures of people's power (Du Toit, 1995). The United Democratic Front, established in 1983, was able to co-ordinate civic resistance to the state at a national scale, identifying the BLAs as the primary targets in a mass-action campaign to oppose government reform programmes and particularly what had become known as the 'Koornhof Bills'¹⁷ (Seekings, 1992; Swilling, 1987).

The civics encouraged a sense of solidarity among township dwellers, who began to see themselves as citizens with legitimate claims to the urban areas and equitable access to resources. The civic call for a boycott of elections for the BLAs were attempts by the larger civics to exploit the inadequacy of these structures in order to demand political reforms (Swilling in Frankel *et al*, 1988).

A boycott of the payment of rates and service charges began in 1985 (Heymans & White, 1991). Driven by civic organizations, it spread quickly and sparked riots nationwide. The loss of revenue that accrued forced the central government to fund the BLAs in order to keep them running. Township residents grew increasingly vociferous, demanding lower rents and the resignations of Town Councillors. Local councillors and officials became the regular targets of violent resistance actions, and many were attacked and even killed (Wenzel, 1991; Poto, 1988; Seekings, 1986).

However, the government believed that the boycotts were only the work of political agitators trying to fuel opposition to local government administration, underestimating

¹⁷ Three pieces of legislation originally introduced by Minister Koornhof in 1979: the Black Local Authorities Bill, the Black Communities Development Bill and the Orderly Movement and Settlement of Black Persons Bill. Although the bills had stimulated serious debate from all sides of the political spectrum, and had been sent back to the drawing board several times, the first two bills were nevertheless introduced relatively unchanged several years later, while the last was eventually rejected.

the levels of frustration of township residents (Chaskalson *et al.*, 1987; Shubane & Madiba, 1992).

Trade unions and political organisations coordinated their actions to make areas ungovernable, forcing BLA Councillors to resign and leading to a total collapse of state authority (Swilling, 1987). Swilling asserts that community newspapers, such as ‘*Grassroots*’ in Cape Town, also played an essential role in ‘cultivating a growing consciousness of a shared national political identity’ (1987: p.12). Many such township newspapers were banned under the States of Emergency.

Heymans and White suggest that, although township residents initially opposed their local BLA over rent increases, this eventually evolved into a criticism of the whole system of Black local government (1991). Speaking in Parliament in March 1985, a member of the opposition stated that there was a real danger of the third tier government completely disintegrating, adding that if a lack of financing power and authority had caused local authorities to suffer from a legitimacy crisis the largest contributing factor had been the belief by Africans that local government participation was a substitute for political rights in central government (Hansard (A) 13 Col. 4774 1985). Indeed, Rammala contends that township residents misconceived the function of BLAs and the role of local officials. He stresses the ‘crisis of expectations’ that existed in African communities:

“As a result these representatives are expected to address all the community’s problems in their negotiations with the government and other authorities...[over] issues which go far beyond the normal scope of local authorities. Often constituents even judge the success or failure of councillors on their ability to bring about redress for such issues”.

(Rammala, 1987: p.5)

Rammala further explains that because of the exclusion of ‘blacks’ from all levels of government for many years, the introduction of local government was a highly politicised issue, representing as it did the only link between township communities and the powerful apartheid state.

The boycotts successfully revealed the 'Achilles heel' of the apartheid government, namely the Provincial Administrations and the BLAs (Atkinson, 1984; Muller & Van Rooyen, 1994). It was therefore at this level that civil society began to contest the legitimacy of the state and to demand substantial political reforms.

Mounting tensions within the African townships led the government to rethink its ideological stance on African urban rights. In a public statement in January 1985 the State President announced that the government had accepted the permanence of large numbers of African people in the urban areas (Survey of Race Relations, 1985). Later in the same year the government confirmed this paradigm shift by abolishing Influx Control, which had underpinned their urbanisation strategy since the early 1950s.¹⁸

By mid-1985, due to concentrated mass action many local authorities had collapsed (Du Toit, 1995). However, the state remained determined to continue with its reform programme and to maintain the BLAs, the foundation upon which they planned to build a new system of local government. It responded to increasing popular resistance by establishing a permanent military presence in the townships under the States of Emergency, declared at various times between 1985 and 1989. Some of the BLAs were resuscitated by the Provincial Authorities under the administration of appointed White government officials, in lieu of elected councillors. Township residents often more readily accepted these officials, who were clearly identifiable as state agents, than African councillors who were regarded as traitors (Hendricks, 1988; Heymans & White, 1991).

The position of the local government officials and councillors in the township environments was thus a rather precarious one. In a sense they were the 'piggies-in-the-middle', sandwiched between various levels of the state and the politicised township communities. The next section explores the crisis of identity of BLA officials, delicately positioned within the state and at the interface between the state and township residents.

¹⁸ With this change the Development Boards lost much of their *raison d'être* and were eventually disbanded in June 1986 under the Abolition of Development Bodies Act (No. 75 of 1986). Many of their employees however, became absorbed into the restructured Provincial Administrations (Grest, 1988; Hendler, 1991). This confirms Töttemeyer's (1984) contentions regarding the effective perpetuation of apartheid ideology at the local level that was mentioned earlier.

Exploring the controversial identities of BLA officials and councillors

Seen as collaborators with the apartheid government (Hughes & Grest, 1983; Humphries & Shubane, 1989; Rammala, 1987), many questioned the motives of African officials and councillors' for taking up office on the BLAs. Local residents distrusted councillors who they regarded as puppets of the regime, subject to the 'paternalism' of the Development Boards (Ikapa File 7/3/1/11 UCASA. 1984). Van Eck (1990) speaks of the underhand actions of councillors:

“Because of mass rejection by the community, large numbers of councillors have used and abused widespread coercion, intimidation, violence and nepotism in an attempt to retain some grassroots support”. (1990 p.5)

However, Rammala, who was the Town Clerk of the Atteridgeville BLA, while not denying the underhand tactics of many African local government officials, contributes another point of view:

“Participants in black local government find it difficult to rebut allegations of collaboration and collusion with unpopular aspects of central government policy as a result of the relationship in which local government stands to central government. The difficulties are compounded...by the excessive expectations which the black community itself often places on its local government representatives”. (Rammala, 1987: p.5)

As pressure from township groups intensified, councillors were attacked or even murdered (Umkhanyiseli.No.42.1987; Hender, 1991; Wentzel, 1991). The fearful method of death by 'necklacing'¹⁹ began during this violent period (Gardner, 1997; Shubane, 1991). Many councillors resigned and joined the UDF call for the total rejection of BLAs as non-representative structures, some joining the civics (Heymans & White, 1991). According to Grest & Hughes:

¹⁹ A public method of execution developed by the youth during the township uprisings of the 1980s whereby a tyre soaked in petrol is placed around the victim's neck and is then set alight.

“Councillors began to feel sandwiched between the growing popularity of the civics and the hard line attitude of the boards...With decision-making by-passing them from both ends, their attempts to assert credibility became more desperate and the level of violence associated with township violence rose. Bomb attacks on councillors, death threats (even deaths), court cases alleging fraud, murder, theft, and assault punctuated the business of many councils”. (1984: p.54)

However, in spite of the inherent dangers, there were still those who were prepared to continue to work within the BLA framework (Humphries & Shubane, 1989). A retired Town Councillor conceded in an interview that, although he had been attacked on several occasions, he did not resign due to his strong conviction that the local authority system would eventually lead to major political reforms, and that he could improve the lives of township people more effectively by being positioned ‘inside’ the state.

De Jongh recorded similar sentiments among councillors that he interviewed, who justified their refusal to resign in terms of bettering the lives of their people and their belief in the government’s reform programme (2000). Moreover, research by Heymans & White established that many councillors were genuinely dedicated to uplifting their communities, feeling that they were better placed to be able to negotiate housing deals and facilities for their communities from within the system (1991). This is reflected in the results of my own research discussed in chapter six.

Rammala suggests that the intimidation of African officials prevented many capable participants from joining the system:

“Even worse the social ostracism and censure which follows the label of ‘sell-out’ or ‘collaborator’ have robbed the local authorities of the essential local talent which might have guaranteed a better standard of administration and lent greater credibility to these institutions”. (Rammala, 1987: p.7)

Thus, the tainted image of African officials prevented other more capable and worthy candidates from coming forward to represent their communities.

The violent campaign against African collaborators continued from 1984 until 1989, during which time many BLAs were disbanded, only to be resurrected during the States of Emergency (Heymans & White, 1991). However, this had the effect of intensifying African political aspirations (Rammala, 1987).

The struggle for legitimacy continues: Institutional changes, elections, and community resistance

By the late 1980s, the BLAs were variously positioned in transitional stages between their original Community Council status and fully-fledged Town Councils, so that five different forms of BLA existed concurrently, each with varying degrees of authority: Greater City Councils, City Councils, Town Councils, Town Committees and Local Authority Committees.²⁰ In order to address this institutional complexity, the Black Local Authorities Amendment Act (Act No.58, 1986) awarded all Community Councils the status of Town Councils. However, despite the fact that the new Act made local authority structures more autonomous, it failed to enhance their credibility in the townships where support for alternative civic structures continued to grow.

Due to the failure of their local government reforms and in an attempt to re-centralise control over the same local authorities it had recently granted greater autonomy to, the state dissolved the Provincial Councils in terms of the Provincial Government Act (No.69 of 1986), replacing them with multi-racial Executive Councils under the leadership of the Provincial administrators. These were appointed by the State President and Provincial Administrators, and were directly accountable to Parliament. Administrators received extensive executive powers giving them increased control over BLA areas. This created a crisis of identity for the BLA officials whose authority was disregarded both by the township communities and the Provincial authorities.

Simultaneous to these political developments the ANC had begun moving from its preparatory phase of resistance into open popular confrontation with the government

²⁰ The confusion caused by the changing status of local authority structures was evident in the Ikapa archive, where correspondence with the BLA was variously addressed to either the Cape Town Community Council, the Cape Town Town Committee, the Cape Town Town Council or the Ikapa Town Council. The incorrect appellation was often used and was initially confusing in the research process.

(Pottinger, *Cape Times* 27/4/86) spurred by their belief that the new RSC system was yet another guise through which the government could entrench apartheid. Tambo, (1986) insisted at an ANC rally in Lusaka that:

“...the system which these councils are meant to address, namely the provision of services to all the group areas in each urban centre does not answer the primary question of the right of residents to exercise political control over their towns and cities as a whole. We are not fighting and are not dying in order to have a better system of waste disposal!” (Tambo’s message to the National Executive Council of the ANC. Lusaka. 8th January 1986: p10)

Clearly, local government reforms to provide resources for township development were not sufficient response to the grievances and political aspirations of urban Africans by this time. There was no genuine process of devolution of power to local levels of authority, merely a reshuffling of the *status quo* in order for the state to control and guide their own reform process.

In October 1988, despite continuing rent boycotts and violent resistance to the BLAs, local government elections were held in Black local authority areas, coinciding with stricter security measures (Humphries & Shubane, 1989). The government’s information campaign made use of the words ‘lawfully resident’ to describe those qualified to vote in township areas. The Black Sash questioned the perpetuation of this ‘legal’ term:

“Lawyers do not understand what is meant by ‘lawfully resident’. Since the pass laws and influx control went there is no such thing as unlawful residence in a black township by a black person who is a South African citizen”. (Black Sash, BC668 E. Special Projects. 6/5/88)

The continued use of Section 10 terminology acknowledged the realities of the election fiasco in which only a small percentage of urban black dwellers were qualified to vote,

while few of those who did exercised this right.²¹ It further entrenched the unnatural divisions already created among township dwellers by polarizing residents as ‘legal insiders’ or ‘illegal outsiders’. The unrealistic polling percentages claimed by the state also ignored the fact that less than half the wards actually held elections (Humphries & Shubane, 1989).

Determined to strike at the foundations of township resistance to the elections, the state banned many organisations, among them the UDF and the Council of South African Trade Unions, also denying township dwellers the right to hold political meetings. A new wave of detentions added many popular local leaders to those already incarcerated. The actions of the state effectively undermined the township leadership that was coordinating resistance to the elections. A retired councillor had this to say about the failed Ikapa area elections in which he was reinstated ‘unopposed’:

“You can’t say we didn’t have elections just because people didn’t vote. They didn’t vote because no one stood opposed to the eight candidates that presented themselves. Hardly [enough] cause for an election!”(Lobi, pers. comm. 6 April 2005)

The state claimed that the reinstatement of unopposed candidates was an indication of their popularity among township communities (Humphries & Shubane, 1989). However, fear of community reprisals contributed to the lack of potential opposing candidates (Rammala, 1987), while the application of heavy-handed tactics by some of the councillors themselves to intimidate rivals also ensured that their candidacy went unopposed. The Black Sash recorded some of the coercive tactics applied by the state to ‘encourage’ township dwellers to vote:

“We are starting to get some curious reports about steps the State is taking to try to ‘persuade’ people to vote in the elections for black local authorities. I have now heard of two different places – widely

²¹ Section 10 of the Native (Urban Areas) Act, No. 21 of 1923 prescribed a grading system according to which Africans could only ‘legally’ reside in the townships in terms of their rating. It is this particularly divisive policy that I will argue helped to create the social stratification that later underlay the identities and relationships that developed in the townships.

separated where municipal police have gone house to house in the depths of the night and made people sign things. People have the impression that they were being forced to register as voters". (BC668. E. Special Projects. Local Government. 10/8/88)

These were desperate attempts to increase voting percentages in order to claim the BLAs as 'legitimately' elected structures.

By 1990 more than 100 out of a total of 258 BLAs had collapsed, due both to resignation of significant numbers of councillors and staff as well as financial incapacity, and had been taken over by government appointed administrators (Du Toit, 1995). The responsibility for BLA administration often became that of policemen and military staff, drafted into service in the townships but unschooled in public administration. Their presence aggravated the already tense situation in the townships and contributed to the ongoing rejection of the BLAs (Du Toit, 1995).

In the second half of 1991, Provincial Administrations suspended the bridging finance they had been providing in order to keep many BLAs afloat. Instead, they responded to non-payment for services with cuts in essential services such as water supply, sewerage and electricity. Once again the BLAs were powerless to stop such decisions by higher tiers of government and became the scapegoats for the actions of other state agents (Atkinson, 1994).

The nationwide response of township communities to local government 'reforms' led to significant changes in state ideology as it acknowledged the inevitability of change. From 1990 the speed of reform increased with the establishment of the Local Government Negotiating Forum, a voluntary, non-statutory body established to research local government reform (Ismail *et al*, 1999). Evidence from the Ikapa archive reveals how the state was debating the merits of devolution of power at this point:

"The current fragmentation of authority presents such grave problems, that the system of providing for the demands of urbanisation is in the process of collapsing. Within the system of public authorities there are far too many actors and agents, each with their own agendas and

independent powers, for urbanisation to be handled at even a maximum level of efficiency...the system is unwieldy, uncoordinated and ill-equipped to cope with the demands of urbanisation...the only possible way in which this problem can be dealt with...is at the level of regional government". (Ikapa file 7/3/1/8. Report on Strategy for Urbanisation dated 17/6/91)

On the 12 July 1991 the Interim Measures for Local Government Act, No. 128 of 1991, was promulgated to give local authorities the opportunity to begin to work together and to obviate the duplication of services. By this time the government, serious about comprehensive political reform, had initiated political negotiations with the ANC. It is at this point in the early 1990s, as the state began to focus its efforts on creating viable local government capable of promoting legitimate political reform and equitable access to resources that this discussion of the BLA period ends.

Concluding remarks

'Devolution of political power to autonomous local government capable of realising the values of liberty, participation and efficiency is a critically important principle, especially in a deeply divided society'.
(Bekker, 1988: p. 32)

The introduction of the BLAs signalled a rethink by the government of their urbanisation strategy. The state came to terms with the inevitability of increasing African urbanisation and the failure of their influx control policies to reverse what was essentially a national and global trend. The apartheid state believed that the solution was to create a process of controlled and 'orderly urbanisation' (Royston, 2002: p176).

Although seemingly attempting to address the racial imbalances of political power by ostensibly devolving political power to local authority structures at the township level, the apartheid regime undermined these new local government structures from the outset by failing to empower them to realise the three critical values that Bekker highlights above. The BLA system was never financially viable as it lacked a sufficient resource base upon which to levy taxes due to the imbalances in economic infrastructure engendered through separate development policies. Although the introduction of the RSCs was meant to address the financial shortcomings of the BLA system, it was also a

political manoeuvre by the state to re-entrench their control over local authorities, positioned both to the left and right of the government, and was used as a means of integrating the state's National Management System at the regional level.

The introduction of the BLAs failed to realise the aspirations of urban Africans for legitimate and representative government and with it control over the resources so crucial to their lives. The growth of the Black Consciousness Movement and the rise of civic movements nationwide mobilised township communities at grassroots level to contest the legitimacy of the state, co-ordinating their resistance towards local authorities at the municipal level of government, where the state was most vulnerable. The Black Local Authorities essentially formed the state's frontline in the ensuing battle of urban Africans for political rights.

Although at a general level township residents identified local authority structures with the apartheid regime, I argue it is critical to examine the strategic responses of township residents and organisations and local government officials at the local level, to explore the social divisions and the interactions that evolved between township 'insiders' and 'outsiders' as they sought legitimacy in the urban landscape of the townships.

The next chapter traces the BLA period within the narrower context of the Ikapa area of the Western Cape, investigating area-specific responses to changes in local government structures and legislation. I examine how local actors from the state and the neighbourhood communities interacted, forming strategic relationships and interchangeable identities in order to circumvent the constraints of state policies in the Lagunya townships of the 1980s and early 1990s. This analysis facilitates a more nuanced understanding of the realities of the BLA period.

- CHAPTER 3 -

**THE ‘LAGUNYA LACUNA’: IKAPA BLACK LOCAL AUTHORITY
STRUCTURES 1983 - 1991**

“...the local state reflects the contradictions and strife within the state as a whole, albeit from particular local perspectives. The nature of relations between the central and local tiers of the state are shaped by the complexities of their continuous interaction within particular contexts and over time”.
(Nieftagodien, 2002 p. 3)

Introduction

While Nieftagodien has recognised the fundamental importance of local government in society (2002), Mabin and Parnell suggest that the local state’s role in ‘mediating conflicting ideological and material imperatives’ has been understated (1995 p.46). Acknowledging the critical role of local government in South Africa, this chapter traces the history of changing local administration in one particular African urban area exploring local responses to changing state strategies during the 1980s.

Central government efforts to find acceptable local authority structures to govern rapidly expanding African urban communities had area-specific responses. The Cape Province had a history of liberal local government structures, such as the Cape City Council, which had always attempted to resist or to thwart repressive apartheid legislation (Cameron, 1991; Heymans, 1988).

During the time period under discussion, the Ikapa area, which is the focus of this chapter, was comprised of the three large African townships of Langa, Guguletu and Nyanga, also known collectively by local residents as ‘Lagunya’. After 1980 it came to include New Crossroads, and temporarily also the Khayelitsha area, which subsequently became the independent municipal area of Lingeletu West.

Analysis of the Ikapa local government’s history has largely been overlooked in the literature, with the exception of the comprehensive history of Nyanga from 1946 to 1970 focusing on housing administration by Fast (1995a) and a paper on the Cape Town Community Council by Kahanowitz (1988), both valuable secondary sources for this research. To respond to this lacuna in academic knowledge this chapter traces the Ikapa history of changing local administrative structures, describing specific local

government and community exchanges and interactions during the BLA period. I examine how area-specific responses shaped various identities and changing relationships in the complex political landscape of the Lagunya townships during the 1980s and early 1990s. Although the institutional dynamics driven by central government, discussed in chapter two, are an important element, this history can only be properly understood by examining it at the scale in which it took place, drawing out the ways in which particular local outcomes were shaped by these various and changing relationships and identities.

In this chapter, therefore, I discuss the introduction of the BLA system in the Ikapa area, explaining how it was constituted and what were its functions. I describe the trials and tribulations experienced by the council in these early years of its administration and the failure of both the first and second local authority elections to establish the legitimacy of the Ikapa BLA. The next section traces the history of civic resistance in the Lagunya townships and the ramifications of this for the local authority, describing how the rent boycotts initiated a violent period of reaction to the local council. I explain the introduction of the Western Cape Regional Services Council, what this effectively changed or failed to change in terms of capacitating the Ikapa local authority, and how this affected the local authority's relationship with the Lagunya communities and other levels of the state. I show how the identity of the Ikapa local authority was further compromised by its integration into the local branch of the National Management System. I conclude the chapter by describing the chain of events that led to the ultimate demise of the Ikapa Town Council in the early 1990s as it gradually lost the battle for legitimacy and its agency was diminished under pressure from both the state and the local communities. This chapter forms the context for the history of housing administration that follows in subsequent chapters.

Questions of state legitimacy at the local level: Positioning the Ikapa Black Local Authority

The Black Local Authorities Act, No.102 of 1982, came into effect in 1983. It made provision for the introduction of two categories of Black Local Authorities (BLAs), Village and Town Councils, which were given substantially more power than the Community Councils that they replaced, but were still not the equal of the White Local

Authorities. In the Cape area four BLAs were established: Ikapa, Crossroads, Mfuleni, and later Lingelethu West.

However, unlike elsewhere in the country, none of these BLAs were raised to a municipal level because upgrading of the original Cape Community Councils to Town Councils would have meant acknowledging the permanence of African people in the Western Cape and therefore their rights to live and work in the area (Kahanovitz, 1988: p.48). This would have conflicted with the Coloured Labour Preference Policy (CLPP), which denied the rights of Africans to employment and permanent residence in the Cape (Humphries, 1989; Kahanovitz, 1988), that was only rescinded several years later (Fast, 1995b). The Ikapa local authority therefore continued to be referred to as the Cape Town Community Council.²² This created an identity crisis for the Council as it seemed to the local communities as though nothing had changed, in spite of the fact that the administrative powers of the Council had been somewhat increased.

Figure two shows the chronology of changes in local authority structures in the Ikapa area and the changing institutions that were responsible for them.²³

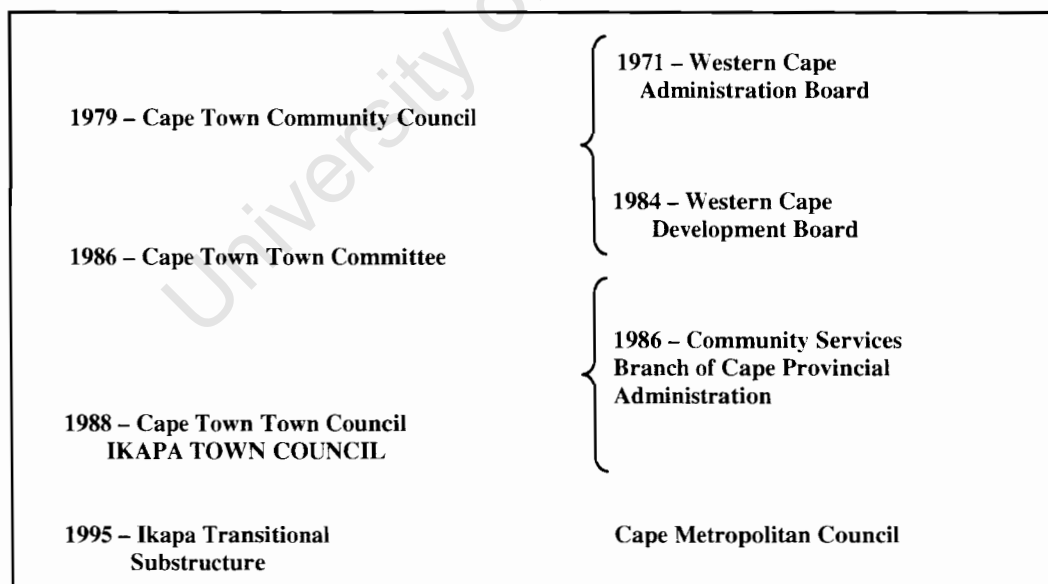


Figure 2. Chronology of Ikapa authority structures

²² The failure to raise the Cape BLAs to the municipal level of government meant that the 1983 local elections for these new local authority structures in the Western Cape were held under the 1977 Community Councils Act and not under the Black Local Authorities Act, and the name Cape Town Community Council was retained until later when the Council was upgraded. (Ikapa File 7/3/1/47)

²³ The Ikapa archive shows that these institutional changes confused those corresponding with the Ikapa local authority as the incorrect name was often used. This initially confused the research as well until the chronology above was established.

The local press commented on the seeming perpetuation of the Community Council system in the Cape:

“The fact that in most cases the same persons stood for elections as those who served under the previous system of Community Councils contributed to this credibility crisis by giving the impression that little had changed in the system”. (*Cape Times* 13/9/85)

Indeed, several of the Community Councillors and officials had a long track record working for the state under the earlier Urban Bantu Council. The offices of the Cape Town Community Council were initially situated in Goodwood, a ‘white’ suburb some distance from the Lagunya townships, physically emphasising the distance of the councillors and the officials from the township residents (Todes, Watson & Wilkinson, 1986). The building also housed the offices of the Western Cape Administration Board, renowned in the Lagunya area for its harsh enforcement of the Pass Laws and Influx Control regulations (Cole, 1987). This contributed to the local authority officials being firmly identified as ‘puppets’ of the regime, ‘rubber stamping’ Administration Board decisions (Kahanovitz, 1988: p. 43).²⁴

The Ikapa jurisdictional area was divided into administrative wards represented by ‘elected’ councillors (Elias, 1983). To demonstrate community support for the new BLAs, claiming them as legitimate local authority structures, the state wanted a good voting poll in the first elections in November 1983. Kahanovitz (1988) explains how the state resorted to a form of gerrymandering in the Ikapa area, expanding the municipal area with four extra wards prior to the elections. According to Kahanovitz the state claimed that reason for the additional wards was to accommodate internal population growth and to separate the hostel dwellers from other township dwellers in recognition of their essential division of interests (1988: p.47).

However, the new wards encompassed the areas in which the hostel-dwellers and informal settlement dwellers lived (Kahanovitz, 1988). These groups had historically

²⁴ The Council was later relocated to the Fezeka offices, an old school building in Guguletu.

been denied the section ten qualifications necessary to assure them legal rights to reside in the city, and the access to formal houses and employment associated with these rights. Thus, previously considered 'outsiders' by the state, the extension of voting rights to these groups constituted an upgrade in their status and the potential for increased access to critical resources such as residential legitimacy and housing. Also considered 'outsiders' by the established township communities, this offered them some measure of acceptance and recognition, albeit from the state, within the hostile Lagunya environment. In an interview Michael Fadana, a founding member of the Western Cape Civic Association (WCCA), explained that these residents were really being wooed by the state with voting rights in order to increase statistical voting percentages (Fadana, pers. comm. 8 April 2005).

However, low voting polls during these first elections presented the new Cape BLAs with a credibility crisis. The Survey of Race Relations (1983) quoted the poll for Cape Town Community Council as 11,6% of the 46 000 registered voters. A poor show in an area calculated to contain more than four times the registered number of inhabitants! Table one compares the number of registered voters in the Ikapa area to the *de facto* population, and serves to illustrate the meaninglessness of the election results.

Wards: 21
Candidates: 40
Uncontested wards: 3
Registered voters: 46 000
Percentage poll: 11,6%
<i>De jure</i> population in area of jurisdiction: 143 700
<i>De facto</i> population: 186 500

Table 1: Results of the 1983 Cape Town Community Council elections

Source: (Survey of Race Relations, 1983)

The 1983 elections coincided with the founding of the United Democratic Front (UDF), which co-ordinated resistance to the local elections (Seekings, 1992). In a desperate

effort to undermine the substantial influence of the UDF, the Ikapa mayor, Lubelwana, banned all township meetings prior to the elections (Kahanowitz, 1988).²⁵

There was a general sentiment among township residents that the Community Councillors themselves were corrupt and misused their positions of power (Heymans & White, 1991). Intimidation by councillors was reported in the local press:

“Community Councillors are warning people that if they do not vote in the November 24 elections they will be thrown out of their homes”.

(*Grassroots*, Vol. 4 No. 9. November 1983: p.1)

Such actions by individual councillors served to taint the image of the local authority structure, drawing township residents increasingly to look to their own civic organisations as their ‘legitimate’ representatives. In this way the civics gained agency through community support, and were able to position themselves as alternative leadership structures acceptable to the township dwellers, contesting the legitimacy of the Ikapa local authority to govern the Lagunya townships.

Rasool records the rapid growth of civics and youth groups in the Western Cape (1992). *Grassroots*, a local township newspaper, reported (October 1983) that members of these organisations went door-to-door in the Lagunya townships with pamphlets and newsletters deriding the Community Council elections, while street meetings were held and even churches gave their support as the civic movement grew. The Western Cape Civic Association (WCCA), founded in 1982, led the opposition to local government elections in the Western Cape (Seekings, 1992), supported by other youth, women and student organisations affiliated with the UDF (*Grassroots* November 1983, p.1).

It was against this background of civic organizing that the Cape Town Community Council tried to validate its authority to administer the Ikapa communities. Kahanovitz (1988) comments that although the lack of legitimacy of the Cape Town Community

²⁵ Lubelwana was a most unpopular man in the Lagunya townships. According to Elias (1983) he was at one time the chairman of the housing portfolio on the Council. Two of my interviewees, who shall remain anonymous for their own security, explained that Lubelwana was in the habit of using any means at his disposal, often cruel and violent ones, to avail himself of other people’s houses for his own ends. He was later assassinated outside the butchery he owned in Guguletu.

Council differed little from that suffered by other BLAs throughout South Africa, the level of militancy among the civic groups co-ordinating resistance to the BLAs was comparatively little in the Ikapa area until later in the 1980s. He suggests that this was perhaps because the Cape Town Community Council had not been upgraded to a Town Council, leading people to disregard it as a fairly powerless entity.²⁶

Interrogating the realities of running a BLA: No mandate, no money, no muscle

The Ikapa local authority retained the status of a Community Council until 1984. Thus, for the residents of Lagunya the introduction of a new local authority meant that effectively there was little change. In addition, the new Council remained answerable to the Western Cape Administration Board. Cooper and Kaplan comment that:

“In practice what seems to have happened is that the Administration Board continues to control and manage the townships. The powers of the Cape Town Community Council are limited, both by statute, and by their ability to exercise them.” (1983: p. 25).

So, the new Council was regarded as an ineffective and unempowered administrative structure controlled by the Administration Board.

The Council consisted of a number of departments: Business and Finance; Works; Transport and Roads; Housing; Community Development; and Personnel and Education (Ikapa file 2/2/2). The number of staff was decided by the central government, but not all the envisaged posts were actually filled. From the outset a shortage of staff and a lack of expertise undermined the Council’s effective administration of the Ikapa area. By 1988 less than a thousand people worked for the Council although it was administering an area calculated at that time to contain more than a quarter of a million people (Ikapa file 7/3/1/25).

In many instances Board officials were seconded due to the Council’s lack of capacity, and many became permanent Council members. This was a source of contention for

²⁶ I argue, however, that perhaps the lower levels of violence are in fact significant in light of my findings in chapter six in which I interrogate the complex relationships that underlay interactions between various groups from both the state and Ikapa communities.

many years, as evidenced by a letter from the Urban Councils Association of South Africa (UCASA)²⁷ to Councillor Njoli of the Cape Town Community Council in June 1985 recommending that:

“UCASA affiliates be encouraged to refuse to accept the transfer or appointment of former seconded Development Board officials to the staff establishments of the councils, but instead to let them remain seconded”. (Ref. Ikapa 7/3/1/11)

The permanent appointment of seconded officials perpetuated the Board’s control over the Ikapa local authority. Clearly, the Cape Town Community Councillors themselves resented the intrusion of the Board officials in their affairs and the damage that being closely identified with the Board had on their relationship with Lagunya communities.

Inheriting the legacy of the Western Cape Administration Board and later the Development Board that replaced it, the Cape Town Community Council as all other BLAs, lacked substantial sources of revenue.²⁸ The Cape BLAs had inherited the worst annual deficit in the country from the Western Cape Administration Board, which from 1977 until 1985 was unable to enforce rent increases in order to address the financial shortfall due to resistance from local communities (Kahanowitz, 1988). This forced the Ikapa local authority into a spiralling accumulation of debt that seriously impeded their effective administration, a situation from which they were never to recover. Although the budget varied annually, records from the Ikapa archive illustrate how the Council’s expenditure consistently outstripped incoming revenue (Ikapa file 12/1/22).²⁹ Such financial restraints constrained administration and development in the Ikapa area, and

²⁷ The Urban Councils Association of South Africa (UCASA) was established as a national body of BLA councillors in order to make representation to central governments on national issues of relevance to the functioning of BLAs. It was intended as an expression of the councils’ solidarity and to counter intimidation of councillors by anti-council elements (Ikapa file 7/3/1/11).

²⁸ Records from the Western Cape Development Board’s accounts show that 41% of their township revenue had accrued from the sale of alcohol in the townships i.e. beer halls and liquor outlets. The decision by the Department of Constitutional Development and Planning (DCDP) to dispose of all liquor undertakings belonging to the Development Boards (File 7/3/1/11 Ikapa Archive), and instead to privatise them, constituted a huge loss of revenue for BLAs (Kahanowitz, 1988).

²⁹ 1986/7 Expenditure R74 153 740, revenue R45 462 592

1987/8 During initial development of Khayelitsha, expenditure R111 042 250, revenue R85 845 730

1988/9 After excision of Khayelitsha from Ikapa, expenditure R 95 446 643, revenue R47 795 780

1989/90 Expenditure R80 502 430, revenue R47 795 780 (Ikapa file 12/2/22).

eventually induced the Council to increase rent and service charges, provoking an immediate response from local communities.

The local authority's need for additional revenue became dire after the influx of urban Africans following the rescinding of the Coloured Labour Preference Policy in September 1984, the eradication of Influx Control in 1985, and the abolition of the Pass Laws later in 1986. Large numbers of people moved into areas throughout the province, especially in Khayelitsha and existing squatter camps (UWC, 1989). Fast maintains that contrary to popular belief, there was no large in-migration from the Eastern Cape but rather an influx from other areas in the Western Cape (1995b: p.36). New informal squatter areas began emerging in the Ikapa area, placing an immense extra burden on the already under-capacitated local authority structures.

The Cape Provincial Administration, aware of the Cape Town Community Council's general unpopularity in the Lagunya townships, circumvented the lack of communication between the state and grassroots structures by establishing their own communication channels. This made it clear to both the Ikapa officials and local township residents that the state was prepared to undermine the township authority in order to gain some community buy-in, further reducing the credibility of the BLA (Ikapa file 2/2/2). Evidence of the dilemma this posed for the Council was found in a letter it sent to the local branch of the Department of Constitutional Development and Planning in Cape Town demanding adherence to the State President's directive in May 1985 that:

“...government functions be executed at the lowest possible level of government and that higher levels of government should as far as possible only be policy-making and monitoring levels of government”.
(Ikapa file 2/2/02)

The undermining effect of communications between the Provincial authorities and local residents is further illustrated in the minutes of a meeting in the early 1990s between the Nyanga Civic Association and the Ikapa Town Council:

“Mr. Stuurman [the Nyanga Civic representative] objected [when asked to deal with the councillors directly]...claiming that councillors did not exist and the only person they would like to meet with is the Administrator”. (Ikapa file 7/3/1/70)

Thus, it appears that senior officials, aware of the communication problems on the ground between the township communities and the local authorities, began circumventing the Ikapa structure in contravention of stated government policy.

Lagunya society begins to earnestly contest the legitimacy and the power of the state

In January 1985 the rent campaign that had been proliferating across the country finally reached the Western Cape and civic resistance to the state moved up a scale. The initial rent protest in the Ikapa area came about in response to an announcement by the Cape Town Community Council of prospective rent increases of R6.00 a month in New Crossroads just as the New Year dawned.³⁰ The response of the New Crossroads community reflected the general feelings of anger and frustration that had grown within Cape Town’s African townships (Cole, 1987). In the climate of resistance that prevailed the Council was deemed responsible for the decisions and actions of the state.

From this point the Lagunya residents began to challenge the authority of the local state using a range of strategies. In his thesis on the Black Local Authorities Du Toit suggests that this period formed the first phase of a nationwide resistance campaign to destroy the apartheid regime by weakening the economic viability of BLAs using the rent boycotts as a weapon of resistance (1995). He further proposes that non-aggressive action, a form of Ghandian ‘*satyagraha*’, was consciously being incorporated into community resistance strategies (1995). Hall reiterates that there were ‘long-established traditions of protest politics in the Cape metropolitan area’ (1986: p.9). He describes the

³⁰ Several civic associations gathered to co-ordinate resistance to the proposed increase, namely the New Crossroads branches of the Western Cape Civic Association under the chairmanship of Johnson Ngxobongwana, the Cape Youth Congress and the United Women’s Organisation. After the meeting a deputation of 200 women from New Crossroads marched to the Nyanga offices of the Western Cape Development Board to protest the increases, calling for reductions on their existing rents (Cape Times, 9 January 1985). The women claimed that in spite of damp and overcrowded conditions in their houses, they were paying more rent than the people living in other townships in the Ikapa area (Cape Times, 9 January 1985). Timo Bezuidenhout, the Chief Commissioner of the Western Cape Department of Co-operation and Development, granted the community a reprieve until the matter could be referred to Pretoria. A second march provoked a violent response from the police and many arrests were made.

range of passive strategies that were adopted such as holding meetings in 'white' areas, which did not contravene the existing state prohibitions against public gatherings in the townships, hunger strikes among detainees, candle light vigils and marches (Hall, 1986).³¹ In addition Haysom and Kahanovitz recall the successes of human rights lawyers as they began to contest the legitimacy of the state in the courts on behalf of the 'voiceless' majority (1987: p.187).

However, the level of violent confrontation increased dramatically in the Western Cape after 1985 (Hall, 1986). In the Lagunya townships there were petrol bombings and many reports of arson (Kahanovitz, 1988). In response to the increasingly violent nature of township resistance, a State of Emergency was imposed in the Western Cape in October 1985, which was only lifted briefly in March 1986 before being reinstated again in June of that year (Hall, 1986; Kruss, 1987). The townships were placed under continuous security force surveillance, aggravating community resentment towards the local authority structure that formed an integral part of the state's National Management System that was co-ordinating the State of Emergency. While Du Toit explains that this action was calculated to address not only broader national security issues but to ensure the survival of the BLAs (1995), Kruss believes that the state had lost control and responded 'wildly' in order to crush political resistance (1987: p.173). Indeed, by this time only two of the four Cape BLAs were still fully functional, namely Lingeletu West and Mfuleni. The Community Services Division of the Cape Provincial Administration had taken over the administration of the Ikapa and Crossroads Town Councils.

The *Cape Times* reported that two Cape councillors had resigned due to their fear of being regarded as enemies of the people, stating that they had become powerless to act in their official capacity (18/1/85). It is evident that councillors feared retaliation and felt morally challenged, being Africans themselves. They suffered a contradiction of dual identities – simultaneously positioned as agents of the state and township

³¹ It was recorded that several days after the New Crossroads protests those arrested on charges of arson began a hunger strike in prison (*Cape Times*, 28 January 1985), showing that small community groups were also adopting passive resistance strategies.

residents. In Ikapa the confrontations and physical violence intimidated councillors, several of whom requested extra personal security.³²

On 12 June 1986, the eve of the tenth anniversary of the Soweto uprising, a second State of Emergency was imposed nationwide (Kruss, 1987: p. 174). As the state attempted to squash all opposition and to promote the BLAs as legitimate local authorities, security force action was greatly increased and popular organizations were ruthlessly crushed and prevented from meeting (Kruss, 1987). There were mass detentions, road blockades into the townships, and forced removals (Hall, 1986). Kruss records that Board officials confronted residents at night in their homes, threatening them with eviction from their houses (1989: p. 179).

Meanwhile, in spite of escalating unrest in the townships and the often-violent rejection of the BLAs, the government doggedly continued with its local government reform programme. In a bid to enhance the credibility of the Ikapa local authority and to seemingly empower it as a more effective administrative body in the Lagunya townships, the state upgraded the Cape Town Community Council.

A new Ikapa local authority: The Cape Town Town Committee and the continuing quest for legitimate local government by the state

According to the provisions laid down by the Black Local Authorities Act, the old Community Councils were to be gradually upgraded until they became fully-fledged Town or City Councils. The Cape Town Community Council was upgraded to the Cape Town Town Committee on 1 July 1986. Following the dissolution of the Western Cape Development Board in 1985, the Cape Town Town Committee became the responsibility of the Community Services Branch of the Cape Provincial Administration.

However, upgrading to a Town Committee did not realistically provide any benefits to the residents of Ikapa due to ongoing administrative incapacities. The Committee bemoaned the futility of its newly given and long-awaited raised status, which fell short

³² These included the installation of burglar bars, security lights, fences, first aid supplies, and security patrols at their homes (Ikapa file 14/4/P; Ikapa files 18/7/P).

of their expectations. In a memorandum to the Cape Provincial Administration, the committee voiced its concerns at not being granted Town Council status:

“The Town Committee is of the opinion that the legislator introduced town committees as an intermediate step to the higher status of town councils. The legislator was apparently unaware of the decided material differences between the various community councils. Most of these Councils were relatively small (seven members) whereas the Community Council of Cape Town had 21 elected members and a population in excess of 300 000 people in its area of jurisdiction... It is inconceivable that a town committee, evidently designed for a small area of jurisdiction could effectively control an area of jurisdiction the size of the Black residential areas of Cape Town”. (Ikapa file 7/3/1/25)

Thus, the Provincial Authority was either unaware of the realities of administering the Ikapa area, or was not serious about the proposed incremental devolution of power to BLAs prescribed by the central state.

The new Committee remained constrained by a chronic lack of financial and other resources. The next controversial step in the state’s reform programme was intended to address this critical issue of access to resources for the BLAs.

The function of the Western Cape Regional Services Council: Representation and resources or extended state control?

Central government recognised that a lack of revenue and resources was seriously undermining effective administration by the BLAs. In an effort to allay this problem they introduced the Regional Services Councils (Regional Services Council Act, Act 109 of 1985) as an intermediate regional level of local government. The multi-racially constituted Western Cape Regional Services Council became operational in July 1987.

Representation on Regional Services Councils of the municipal structures was calculated according to their expenditure on sewerage, water, refuse, civil defence, tourism promotion, and land-use planning (excluding expenditure in commercial and

industrial areas). Due to their higher expenditure, 'white' local structures therefore received more representation, while in contrast, BLAs as the poorest and least resourced areas, had little influence. The Cape Town Community Council had 10.96% voting power on the Western Cape Regional Services Council and initially had one representative, compared to the Cape Town municipality's 35,32% voting muscle and four representatives (Driver, 1992: p. 4; File 7/3/1/8 Ikapa Archive).

Undeterred by its inferior position the Ikapa BLA requested funding for large infrastructural projects. These included high mast lighting, an electrification network for Nyanga, a community centre for Langa, basic services for the crowded KTC informal area, the upgrading of streets in Langa, as well as storm water drainage and pavements (File 27/3/1/8 Ikapa Archive).³³ The Regional Services Council approved most of these projects and, apart from circumstances where the Ikapa authority was constrained by a lack of staff and/or equipment, most of them were actioned (File 7/3/1/8 Ikapa Archive).

Thus, the Ikapa local authority's inclusion on the Regional Services Council provided tangible material benefits for the Lagunya township residents. In 1989, for example, the it awarded the Ikapa local authority over R20 million in grants and loans for infrastructural development costs such as surveying, street upgrading, water reticulation, sewerage and electricity upgrading, high mast lighting, storm water drainage and the building of a community centre (Ikapa file 12/1/2/2). Driver reports that in 1990 more than fifty percent of the Regional Service Council's budget was allocated to the two BLAs of Ikapa and Lingelethu West, but she comments that the upkeep for these new developments had to be financed by the BLAs themselves (1992: p. 14). This was of course impossible for the cash-strapped township authorities, who were inevitably accused by township residents of poor administration. Rasool asserts that in the townships the councillors were considered to be the exploiters responsible for rent increases while not providing adequate services (1989: p.21).

³³ It is interesting to note that the Council also applied for a loan of R2m to upgrade their offices at Fezeka (Ikapa file 12/1/2/2). This exceeded the amounts requested for all but two of their other projects in the Ikapa area (Ikapa file 7/3/1/8. Dated 7/2/89)

The Regional Services Councils also served to reduce the influence of White Local Authorities not compliant with the state's 'reform' strategies. According to Cameron (1991) the Western Cape Regional Services Council was specifically structured to minimize the influence of the politically liberal Cape City Council by strengthening the Cape Provincial Administration's influence, in order to facilitate the government's own political objectives. This contrasts with Nieftagodien (2002), who suggests that the Nationalist government depended heavily on the co-operation of municipalities in the implementation of its policies in the major urban areas. It would seem that, in the Cape, the state relied more upon the Provincial authorities to institute and guide reforms.

However, the Regional Services Councils were also the regional components in the state's security mechanism. Boraine (1989) explains that the National Management System formed an integral part of the state's urban strategies, acting as another control mechanism for safeguarding its interests.

Seeking agency in the African townships using force and favours: The role of the National Management System in the Ikapa area

The introduction of local government reforms was contradicted by the simultaneous introduction of a more-centralised security establishment in the townships. The Ikapa local authority became incorporated into the National Management System through the local Joint Operations Centre. The South African Police re-established their control over the municipal police force at the end of 1988 (Ikapa Agendas and Minutes, December 1988) so that the Ikapa local authority lost the direct control it had previously wielded over this local force. The Chief Executive Officer of the Cape Town Town Committee, at that time a seconded Provincial Administration official, was tasked to liaise with the Commander of the Municipal Police and the District Commander of the South African Police. This effectively kept the African local authority officials at a distance from the decision-making and planning processes.

According to the Ikapa records, which lacked details about the role of the Ikapa local authority in the Joint Operations Centre, a Law Enforcement Committee was established consisting of the District Commandant of the South African Police, the

Mayor/ Administrator of Ikapa, the Commander of Municipal police, and the Town Secretary, and other persons co-opted for specific tasks³⁴.

The Ikapa archive held records of inappropriate actions by the local municipal police among township residents. Frequent misconduct hearings were held for recruits who became a law unto themselves, both on and off duty (Ikapa Agendas and Minutes, September 1988). The Ikapa records show that the 'kitskonstables' and the municipal police were accommodated in the Langa hostels where they provoked the other hostel-dwellers with their guns (Ikapa Minutes March 1989). The WCCA demanded the removal of the police and especially the 'kitskonstables' (Ikapa file 7/3/1/70), while the Cape press voiced concerns for the heavy-handed actions of the new 'kitspolisie', recruited from among members of the African community:

“A trend which has caused concern among human rights activists and victim communities alike is the induction of vigilantes into the State’s formal law and order machinery. A more prevalent form of this may well take place through the appointment of community guards, a form of municipal police under the control of the community councillors”.

(*Cape Times* 16/10/89)

Indeed, 'community guards' were later introduced to safeguard several of the Ikapa councillors. Councillor Lobi had two such armed guards placed on duty twenty-four hours a day after several attempts were made on his life (Ikapa file 18/7/P). Township residents responded by threatening the guards, attempting to disarm them, and even burning down their houses.

Several years later, Jan Van Eck a Member of Parliament warned that there was a 'boere mafia' within Ikapa, but the Administrator disregarded the information, even though the African security officers at Ikapa were quoted in the press as claiming that their White commanders were members of the Afrikaner Weerstand Beweging, a militant right wing Afrikaans political organization (*South*, 29/11/92).

³⁴ Councillor Ngo, a long-serving local government official who had served on the Urban Bantu Councils and the Community Council system prior to the BLAs, was nominated to attend the meetings on behalf of the Ikapa Town Council (Ikapa Agenda & Minutes, December 1988).

In a letter to Brigadier Snyman of the South African Police in the Ikapa region the Black Sash reiterated the resentment of the township residents towards the police:

“It is disturbing to have to report that, at this moment in time, a large majority of the community in that area (Nyanga) have no respect for the police and perceive them to be biased in their support of the councillors and council body guards/employees” (Black Sash, BC1020. Advice Office. 30/6/92).

Thus, the Lagunya residents who often felt the wrath of the police, had experienced the uncalled-for actions of municipal police, and saw them defending the councillors, came to see them both as the common enemy towards whom they directed their anger.

Township residents feared the presence of spies during the States of Emergency. In an informal interview Thandi Mpambo, a middle-aged woman from Guguletu, commented on the state’s methods of infiltrating community groups in order to gather information regarding resistance activities. She said that after public meetings were banned church gatherings were used as opportunities to disseminate information among township communities and it was commonly understood that it was in such environments that government spies were often at work³⁵ (pers. comm. June 2005).

These actions of the state generated further rejection of the local authority structures. The next section looks briefly at some of the issues and events that led to the eventual demise of the Ikapa local authority.

The failure of the 1988 Ikapa local authority elections: a refutation of state legitimacy

In 1988 the Cape Town Town Committee was upgraded again and became the Cape Town Town Council³⁶. In October of that year the Council officially changed its name

³⁵ In a similar fashion, in an interview with Sidina, he informed me that, though he was never a religious man, he attended regular church meetings in order to disseminate subversive information on behalf of the banned ANC.

³⁶ The Council now warranted extra staff and therefore bigger and better offices, and requested bridging finance from the WC RSC for this purpose - R2m! (Ikapa file7/3/1/8.Dated 7/2/89)

to Ikapa Town Council in time for the national municipal elections, which were held despite the ongoing State of Emergency in the townships. Stringent voting qualifications denied many Ikapa residents the right to vote in the local elections. These included young people living with their parents, domestic workers, contract workers, sub-tenants, shack-dwellers, families on waiting lists for houses, and residents living in the 'wrong' group areas (Cape Action League, 1988: 9). Once again this created divisions between the 'legals' and the 'illegals', those with rights and those denied them, an artificial separation of 'insiders' from 'outsiders' to the state system.

Many political and other community organisations were banned prior to the elections, while curbs effectively gagged the media (Humphries & Shubane, 1989). Many local leaders were in jail, unable to co-ordinate resistance to the elections. Michael Fadana recalled that in his ward, Section Four in Guguletu, all the chairmen of the Civic were detained during the elections, making a mockery of the process of representation (pers. comm. 8 April 2005). Nevertheless, a resistance campaign was launched and many heeded calls for a boycott of the elections by the civics. The anonymous flier on the next page bears testimony to ongoing resistance to the elections.

Only eight Ikapa candidates were nominated for the twenty vacancies on the Council (Cape Action League, 1988: 9)³⁷, therefore no elections were held in the Lagunya townships. This necessitated an appropriate interim arrangement so that the Ikapa Town Council could 'legitimately' continue to function, and it was proposed that additional Provincial personnel be seconded (Ikapa Agendas and Minutes, September 1988).

Having no mandate from the Lagunya communities to govern the Ikapa area, the Ikapa Town Council was increasingly confronted by township community groups openly contesting its legitimacy. The WCCA challenged in a flier circulated early in 1990 that:

“...as long as the authentic people's structures are not consulted before any decisions are taken, conflict will be the order of the day”. (Ikapa file 7/3/1/70)

³⁷ Councillors pointed out that the reason for not obtaining sufficient nominations was because of the stipulations that Councillors putting themselves up for nomination had to be up to date with rent payments, and in light of this, outstanding rate and service charges were waived for at least one of the councillors (Ikapa Agendas and Minutes, September 1988).

Residents.

In 1983 we took a decision that we will no longer be governed by puppets in the form of Community Councillors. The support of the peoples resolution was shown by no participation in voting. Consequently those who had given their names for election decided to withdraw. During the time when there were no Community Councillors there was no agreement among people, and this is one of the whitemen's endeavours to set us at logger heads with one another.

To vote for such puppets like Njoli, Ngxobongwana, Botha (ny 16), Shishe (Shwabane) and many other self asserted personalities like them will not at all solve problems regarding power sharing in South Africa.

The first step to be taken is to fight for the peoples organisations' freedom of speech - enabling peoples leaders to come out from detention in order to express their peoples' views. Residents are the only rightful people to elect whoever they want, and this must be done in a way to give chance for those who happen to be craving for leadership. Do the above mentioned self appointed leaders ever give themselves time to think that our schools are being used to train the so-called soldiers while our children are walking up and down the streets?

Boycott the Community Councillors votes!
 Join the existing peoples organisations!
 Fight for the peoples' leaders to be set free from ^{detention} ~~detention~~ in order to speak for people!
 Don't vote on Thursday the 10th.
 Down Ngxobongwana, Ngo, Elsie, Lobi, Botha and other fools.

Figure 3: Flier distributed in Guguleu on 10 March 1988

(Source: Ikapa Agendas and Minutes, March 1988)

Thus, by the early 1990s tensions in the Ikapa area were running high as civil society became increasingly politicised, questioning their lack of rights and the legitimacy of the local authority structure.

The collapse of the Ikapa Town Council

In March 1991, due to increasing political pressure and intimidation, as well as financial and administrative chaos, the Ikapa Town Council collapsed. An administrator appointed by the Provincial Administrator managed the council to keep it functioning. The Council was in chronic debt and mal-administration became rife, especially among seconded officials who took advantage of the chaos in order to run scams and embezzle money (Ikapa file 7/3/1/11; *Cape Argus* 24/2/94; *Cape Argus* 28/6/94; *Cape Times* 25/1/94; *Cape Times* 25/3/94; *Die Burger* 13/11/93).³⁸

Communities in the Ikapa area were developing a growing number of grievances against the Ikapa Town Council and were increasingly by-passing the Council and dealing directly with the Provincial authorities, a trend that had already been established in the mid 1980s. A letter from the 'concerned residents of Lagunyakha', a civic body representing residents of Lagunya and Khayelitsha, left no doubts about their perceptions regarding the legitimacy of the Town Council:

"As you have been placed, or placed yourselves in charge of our lives in the African townships...you have been placed in power so fight for the rights of the townships...Town Councillors do not represent the community so why not keep the Administrator only and forget about Councillors who cause trouble for themselves but stay because they are greedy". (Ikapa file 7/3/1/63. Dated 22.10.90)

This illustrates the township residents' continued preference for negotiating with the Provincial authorities due to their inherent distrust of the councillors.

³⁸ By 1993 these irregularities had come to the attention of the Administrator of the Cape, Mr. Kobus Meiring, who called for a formal commission of inquiry into allegations of corrupt tendering systems, payment of kickbacks to officials, and bribery by banks (*Cape Times* 31/11/93 & 25/1/94; *Weekend Argus* 20/3/93).

The three informal settlements of Browne's Farm, Black City and Miller's Camp would only undertake to move into a fully-developed 121-hectare site in Philippi, which had stood vacant for 6 months, if they fell directly under the jurisdiction of the Cape Provincial Administration (*Cape Times*, 19/3/1991). They feared becoming controlled by the councillors whom they did not trust (Development Action Group case files).

In another case, residents of Three Squares lost faith in the Ikapa Town Council after six years waiting for services. (Development Action Group Case Files). Although the Council had made promises of upgrading these had not been kept, and there were long intervals when the Ikapa authority failed to communicate with the Three Squares community at all. Eventually the residents created blockades to prevent the Ikapa housing assistant from surveying and numbering their shacks, saying that they preferred to carry out this task themselves. Thus, the perceived remoteness of the Council was answered by physical distancing from the Council by the residents.

Thus, by the early 1990s the Ikapa communities had begun consistently to take matters into their own hands and to openly confront the Council officials and staff. The *Cape Times* reported for example that Council staff were sent home after two of their drivers were forced to stop their cars which were then set alight by protesting residents (*Cape Times* 16/10/93). In July 1992, hundreds of chanting ANC members marched on the Council offices, demanding the improvement of township conditions and the provision of more houses (*Cape Argus*, 22/7/05). *The Weekend Argus* (3/7/1993) observed "the tide is turning against the local authority system and a 'people's voice' is around the corner".

In May 1993, in response to increasing pressure from the community and media reports, President De Klerk appointed a commission of inquiry into alleged corruption and embezzlement of funds by members of the Ikapa Town Council.³⁹ A story of bad management came to light. Many incidents of corruption by both councillors and officials were discovered. Significant misuse of leave privileges and constant 'no-

³⁹ A full investigation was launched to discover the extent of the corruption and how much money had been wasted. This resulted in the immediate suspension of six local councillors (*Cape Times*, 28/5/93)³⁹. Numerous press reports of the time covered the scandal. The investigative report stated that: "Ikapa's financial position is still such that, unless State funds are made available soon, the provision of essential services and administration will collapse". (Ikapa Mintes, June 1993. Report by Eric Fry to the Administrator Ikapa Town Council 7/6/93)

shows' at important meetings (Ikapa file 4/2/2) were the manifested responses to the stresses of working for the township administration by this time.

The Ikapa Town Council had descended into administrative confusion, with a financial deficit of about R1, 7b (Argus, 20/10/94). The Cape Town City Council began helping with the administrative and service functions of the Ikapa Town Council (*Cape Times* 24/5/94), immediately adopting a hard line approach to the non-payment of services by cutting off the power supply to all public amenities in the Ikapa area and threatening to reduce water pressure to private consumers should the need arise (Ikapa file 12/2/2/2).

At the end of 1994, Wallace Mgoqi, an attorney seconded from the Legal Resources Centre, was appointed to rescue the ailing council 'from its corruption ridden past' (*Weekend Argus* 15/10/94). He remained at the helm until the Council was finally officially dissolved on the 1 February 1995, when all its assets were transferred to the Ikapa Transitional Metropolitan Substructure.

By this stage the Ikapa local authority had endured more than a decade attempting to administer the Ikapa townships within the changing framework of apartheid ideologies. It had borne the brunt of political resistance campaigns, finally succumbing to gross internal corruption and financial ruin.

Concluding remarks

The undercurrent of political resistance and the turning tide towards political reform created a complex environment in which the new Black Local Authority structures, introduced after the 1982 Black Local Authorities Act, struggled to gain legitimacy. However, this research has shown that in the contested political space of the turbulent 1980s and 1990s, these were difficult times for the officials too as they endeavoured to administer poor, under-resourced urban areas, against a background of political resistance, civic organizing and the undermining influence of the Provincial Administration that challenged their authority.

Despite the introduction of the Western Cape Regional Services Council, which provided capital and resources for development, the Ikapa BLA was unable to maintain the resulting improvements. The increasing involvement of the National Management

System from the mid-1980s undermined the legitimacy of the local authority still further, engineering divisions between township residents. The failed 1988 elections denied the Ikapa authority a mandate from the township communities, increasing its legitimacy to govern the townships, while mandating the alternative civic structures.

BLA history in the Ikapa area has illustrated that the frustration of township residents was often triggered by grievances related to housing. Access to housing was tied inextricably to rights to the city and issues of legality and legitimacy that positioned people either inside or outside of the state system. In the next chapter the scale of research shifts back to the national level, exploring the general political, ideological and policy changes that shaped housing administration under the BLAs. This focus is critical in order to understand the particular local-area experiences of housing administration explored in later chapters, where I examine the realities of policy implementation for housing officials and local township residents in the Ikapa BLA.

University of Cape Town

- CHAPTER 4 -

**HOUSING POLICY & ADMINISTRATION IN AFRICAN URBAN AREAS: A
BRIEF HISTORICAL EXPLORATION**

Introduction

After 1948, housing policy was used as a means to implement the Nationalist government's social development strategy (Wilkinson, 1998). Couched within the Group Areas Act of 1950 (Mabin, 1992), the Native Laws Amendment Act of 1952, and the Bantu Homelands Citizens Act of 1970, this legislation effectively denied 'non-White' people rights to reside in the urban areas by tying access to accommodation with rights to reside in the city (Chaskalson & Duncan, 1984). Housing rights were also linked to Influx Control policies first introduced under the 1952 Native (Urban) Areas Act (Grest, 1988; Planact, 1989), which drastically reduced the rights of Africans to live in or even visit urban areas and limited their access to 'approved' accommodation, allowing only a minority to qualify for permanent residence (Chaskalson & Duncan, 1984). Failure to find accommodation meant endorsement out of an urban area. Thus, government housing policy effectively divided township dwellers into 'legal insiders' with access to state housing and 'illegal outsiders' denied these same rights and access.

African housing was also historically administered separately by the state. Thus, although the Housing Act of 1957 established a general Department of Housing, it created a separate housing mechanism, the Bantu Housing Board, in order for local authorities, welfare institutions and housing utility companies to administer housing for Africans, funded by the National Housing Fund (De Loor, 1992).

State-housing construction for African urban dwellers reached its peak in the 1950s and 1960s (Mabin & Parnell, 1984). However, from 1968, the Department of Bantu Affairs halted any further provision of African family housing in the cities (Grest, 1988; Wilkinson, 1998). In terms of the state's separate development policy, all further housing construction for urban Africans was restricted to the Bantustan areas (Parnell, 1992), in an attempt to stem the influx of 'illegal' migrants from the rural areas. These policies created a chronic shortage of housing in the urban townships with which changing local authorities had to contend.

Prior to 1971 white local authorities were responsible for housing urban Africans. Grest (1988) remarks, however, that in several large traditionally liberal metropolitan areas central government tenets were undermined and the official policy line was often bypassed. Heymans (1988) and Todes and Watson (1986) show that the City Council of Cape Town, for example, strongly resisted the state's separate development policies. Many local government officials in such areas were morally compromised in applying rigid apartheid doctrine and the corresponding state policies when executing municipal functions such as housing administration. It was inevitable therefore, that the state, wary of the ability of local authorities to obstruct or compromise efficient policy implementation, such as Influx Control and the Pass Laws, would eventually re-centralise control of African urban areas and administration of housing away from local authority structures (Rasool, 1984 ; Wilkinson, 1998).

There is a large body of research on African urban housing. Parnell and Mabin (1984; 1995) have described apartheid policies relating to urban rights and housing that provide substantive background information. This is complemented by Goodlad (1996), Hendler (1991), Seekings (1990) and Wilkinson (1984) among others, who offer general observations around housing policy, and Mazur and Qangule (1995), Elias (1983; 1984) and Fast (1995a; 1995b) who have focused on housing in the Cape townships. The aim of my research is to trace an historical account of African housing administration during the BLA era, exploring the realities of implementation at this turning point in South African political history. This was a time when apartheid ideology was in a state of flux and African township communities were beginning to contest the legitimacy and agency of the state, resulting in major institutional and legislative changes that impacted directly on township housing administration.

This chapter provides a background to the local-area study in chapters five and six. It begins with a brief description of the housing conditions prevailing in African urban areas prior to the inception of the BLAs. I describe the permit system that effectively divided township communities between those with legal rights to live and work in the urban areas, the 'insiders', and those lacking rights and legitimacy, the 'outsiders'. My intention in providing this brief historical introduction is to contextualise the changes in housing policy and administrative practice that were introduced during the BLA period. The remainder of the chapter explores housing administration under the BLAs,

interrogating the nature of changing government ideology regarding African urban rights to permanent residence in the city, and the corresponding shift in state strategy during the 1980s and early 1990s. I show how this engendered new legislation such as home ownership schemes, and changing administrative systems, as the state gradually began to acknowledge the rights of Africans to permanent residence in the cities and to provide more secure forms of tenure for 'legal' urban Africans.

The nature of the housing crisis inherited by the BLAs: Backgrounding the housing issues

The state's strict adherence to apartheid ideology caused a growing fiscal crisis (Swilling, 1988b). Nowhere was this more evident than in the realm of African urban housing (Seekings, 1988a). From the late 1960s the state withdrew from the provision of African housing, constructing no further rental accommodation (Watson & McCarthy, 1998).⁴⁰ De Loor (1992: 62) reports that the government concentrated instead on stimulating development in the self-governing territories to discourage the influx of poor rural dwellers to the cities. Rasool (1984) asserts that the right to live in an urban area became tied increasingly to the availability of housing.

The shortage of urban African housing was exacerbated by increasingly stringent control over access to urban accommodation using a permit system controlled by the local authorities (Rasool, 1984). Under this permit system Township Superintendents were placed in a powerful pivotal position in township life, responsible for allocating rental accommodation and issuing residential permits. Meer (1984) describes this permit system demonstrating the grading process that established varying degrees of legitimacy to urban Africans.

The 'apartheid permit system'

During the 1970s and 1980s several permits were available to African urban dwellers:

⁴⁰ By the 1980s government expenditure on housing amounted to a paltry 3% of the GDP, often even as low as 2.6% according to the World Bank figures. By 1990/1 it had reduced further to only 2.1%, considerably lower than other countries rated at a similar level of development (De Loor, 1992).

- **Residential permit** – In terms of Section 38(8) (a) of the Black (Urban Areas) Consolidation Act (No. 25 of 1945),⁴¹ this meant that an African person could rent a dwelling in a township area if they qualified as a ‘legal’ resident. Permit holders had to supply the personal particulars of everyone living in the house, except lodgers, who were separately classified. Rental was payable to the Administration Board.⁴²
- **Certificate of Occupation of a Board Dwelling** – upon payment of a deposit the holder of such a certificate could ‘buy’ a dwelling. The certificate holder was granted a housing loan by the Board in respect of the unpaid balance of the purchase price and had the right to occupy and use the dwelling and the site on which the dwelling was situated with his dependants. The certificate indicated the personal details of the holder and all persons residing with that person, excluding lodgers. A certificate holder could let the dwelling to another person who had satisfied the Superintendent that they qualified to remain in the area in terms of The Black (Urban Areas) Consolidation Act Section 10(1) (a) or (b).
- **Lodger’s Permit** – enabled a person to lodge with a registered occupier. To qualify for a Lodger’s Permit the Superintendent had to be satisfied that the person had not previously refused to accept accommodation in a dwelling, hostel or other accommodation provided by the Board. A dependent of a prospective lodger who was accommodated in a building or dwelling on the residential site concerned did not need to obtain a lodger’s permit. The permit was valid for as long as the permit fees were paid monthly in advance, or until the permit was withdrawn in terms of the regulations. A lodger’s permit could not be transferred and was cancelled when the permit holder changed residence.
- **Hostel permit** – was available to people over 18 years of age, through application to the hostel superintendent, who would issue a hostel permit if a bed was available and he was satisfied that the applicant was a ‘legal’ resident, was employed in the area, and agreed to be examined by a doctor. The applicant had to make an advance payment to the superintendent of an amount determined

⁴¹ According to Regulation 7 of Chapter 2 of the Regulations Governing the Control and Supervision of Urban Bantu Residential Areas and Relevant Matters, published in Government Notice 1036 dated 14 June 1968.

⁴² In 1979, a new revised Regulation 7 offered a slightly more secure form of tenure to ‘legal’ residents, providing that anyone already holding a residential permit under the previous Regulation 7 was entitled to retain occupational rights to the dwelling until such right was withdrawn (Meer, 1984)

by him before a bed was allocated. Thereafter every hostel resident had to pay the prescribed amount for his accommodation to the hostel superintendent.⁴³

- **Accommodation permit** – issued to a person with no legal right to residence in the township, who wished to enter and remain in an African urban area, excluding a hostel, for more than 72 hours. A fee was payable to the superintendent. A person would only be issued with an accommodation permit if the superintendent deemed that person was a fit and proper person to be in an African residential area.
- **Site permit** - for erection of a private dwelling. The superintendent of the residential area allocated the permit. Applicants had to prove that they qualified to live in the area in terms of Section 10(1)(a) or (b), and give proof of their financial ability to build a dwelling. A person could, however, be granted a site permit on the Board's recommendation and with the approval of the Chief Commissioner, even if he did not qualify on other grounds. The township manager gave instructions to the permit holder regarding the method of construction, materials that could be used, and once the building plans had been approved, the superintendent would issue a permit.

The township superintendent had the power to withdraw any of the above permits at his own discretion, without furnishing reasons for withdrawal (Meer, 1984).

The permit system thus firmly established African people as 'outsiders' in urban areas, requiring them to have 'legal' rights if they wished to reside in the townships, which were peripherally situated far from the urban centres. The grading of the permits introduced a form of stratification among African urban dwellers, which I will argue created perpetual divisions not only between the holders of different permits but also between those who 'legally' qualified for permits and those informal dwellers who remained 'illegal' by not qualifying to hold permits. This had profound ramifications for the life styles and coping strategies of urban Africans.

⁴³ This system was open to abuse by corrupt officials. For instance, an Ikapa councillor was found to be overcharging for hostel space and pocketing the difference himself (*Cape Times*, 25/1/94). He was later accused of many other corrupt practices as he progressed up the council hierarchy.

The permit system formalised the state's artificially created divisions between township residents, giving access to state housing to those with more legitimate rights to the city. So, for example, those who were 'borners', i.e. born in the city, had more rights than the '*amagoduka*', those who came from the rural areas and had no legal rights to stay in the city. *Amagoduka* frequently could therefore only live 'illegally' as invisible 'outsiders' in the informal settlements on the urban periphery. Such divisions, I argue, became entrenched in the minds of township dwellers and administrators, stratifying African urban society into groups such as:

- Legal residents with access to state houses
- Backyard shack dwellers with residency rights, but no access to state housing
- Hostel-dwellers, considered temporary sojourners, with rights only to the migrant labour hostels and not to permanent residency
- Informal settlement dwellers with no rights at all, suffering constant harassment from the local authorities and situated for the most part peripherally to other township dwellers.

Lawrence, a retired Director of Housing in the Western Cape township areas, spoke of the frustration of local officials trying to deal with the clash of interests between the state's ideological stance on curbing African urbanisation and the reality of the acute housing shortage and how local housing officials circumvented legislation of their own accord:

"There was a moratorium placed on housing...there were no state funds made available for housing for Blacks. It was the policy that no state funds were made available. You had the dilemma already of overcrowding and natural increase of population. So, we tried to devise a legal way to overcome it. It was a project that I am particularly proud of...we converted the whole of Langa hostels into married quarters" (Lawrence, pers.comm. May 2005).

It would seem therefore that some local officials, frustrated with the housing situation by the early 1980s, used their own initiative to ameliorate the shortage of housing.

However, the state's ideological framework could not accommodate the concept of African home ownership, which would have acknowledged permanent residency rights for urban Africans. The Minister of Co-operation and Development in the early 1980s stated categorically that the government would not consider freehold rights for urban Africans, despite the Grosskopft Commission's recommendation to the contrary in order to effectively address the housing crisis⁴⁴ (Survey of Race Relations, 1981). The Croesser Working Group later made similar recommendations regarding the introduction of 'African' home ownership as a means to develop a financial base for the new BLAs after 1982 (Survey of Race Relations, 1983).

In spite of these and other similar recommendations from the private sector the state still necessitated a gradual ideological shift before it could accommodate the idea of permanent tenure rights for urban Africans.

The state's quest for legitimacy: changes in housing strategy and policy

Growing discontent among African urban communities from 1976 to the 1980s, forced government to concede that new housing was essential to maintain 'quiescence' in the townships and to 'depoliticise' the issue of housing (Seekings, 1990). Open resistance prompted an ideological paradigm shift acknowledging the inevitability of African urbanisation and the importance of controlling and directing the process (Royston, 2002: p. 197). This change in attitude pre-empted the government's decision to provide finance for the provision of additional township housing for the first time since the late 1960s.

Seekings (1990) believes that it was at this moment in the late 1970s that the state began to accept that it lacked adequate resources to address the housing shortage alone. It slowly opened up opportunities for the involvement of the township residents themselves, then their employees, and later construction companies in the provision of township housing. The establishment of the Urban Foundation in 1977 reflected the growing awareness and concern among the business community that their profits

⁴⁴ Although delivered to government in May 1981, the Grosskopft report was in fact never made public because it was contrary to the state's official stance at that time on African rights to permanence in the urban areas (Survey of Race Relations, 1981).

related directly to the social well being of their work force (Boaden, 1979). The private sector had for some time expressed a keen interest in becoming involved in both the financing and construction of houses for its African work force. It had been constrained from so doing by government policy, but was finally invited to participate in the process (Wilkinson, 1984; 1998) as the state began to relinquish some of its autonomous control over African housing. Seekings (1990) suggests that the involvement of other role players in the provision of housing was a calculated effort to depoliticise housing by disassociating it to some extent from the state.

The government wanted to limit its own involvement in urban African development to the provision of basic infrastructure and services, and the provision of housing for only lower income groups, with the private sector playing a bigger role in other housing provision (Survey of Race Relations, 1983), placing increasing responsibility for housing onto the individual township residents (Rasool, 1984). According to (Wilkinson, 1984):

“...it was clear that the machinery of the conventional housing delivery system, built up over a period of some thirty years, had already been adjudged to be too costly and too cumbersome for the task that lay ahead...the future direction of African housing policy would be dictated by the concept of ‘self-help’ rather than that of ‘state responsibility’” (Wilkinson, 1984 p.19).

Changes in the administration of urban African housing reflected changing political ideologies, as township administration shifted on a continuum between strongly centralised systems and independent local government control. The state had begun to acknowledge the necessity for more substantial local government reforms encompassing fundamental changes to African urban housing policy, specifically with regard to increased security of tenure.

First attempts at 'Black' home ownership: Letting some of the 'outsiders' in and engineering 'class' difference in township society

Up until mid-1978 the only form of 'home ownership' available to urban Africans had been a thirty year leasehold title which carried no transferable rights and was subject to stringent conditions (Wilkinson, 1984). In June 1978, however, the 99-year leasehold system was introduced in terms of the Bantu (Urban Areas) Amendment Act (No. 97 of 1978), an amendment to the Black (Urban Areas) Consolidation Act (No. 25 of 1945), in order to concede more security of 'tenure' to disgruntled township residents seeking increased residency rights.⁴⁵

In terms of this new legislation, a 'qualified' person was able to obtain the right to occupy land owned by the State and to erect, alter and demolish buildings on this land for a period of 99 years. The 'owner' was given a 'Certificate of Right of Leasehold' that constituted an effective title (Boaden, 1979). To stimulate community buy-in for this leasehold scheme, potential purchasers were not required to use a conveyancer or to pay stamp or transfer duties. Up to that time building societies had been minimally involved in the financing of African housing because they had only been permitted to make loans against security of freehold title, which had historically been denied to African people. However, building societies had always expressed the desire to fund Black housing if the tenure regulations could be changed, and they were now given the right to grant mortgage loans (Boaden, 1979). In spite of these changes, the new leasehold scheme was only accessible to those who could raise financial assistance. Loans from building societies were not available to low-income earners because they were considered to be high risk.

Wilkinson (1984) explains that one of the subtle intentions of the 99-year leasehold scheme was to develop a moderate African middle class of 'homeowners' in the townships, offering the state a degree of legitimacy from an influential sector of the African community within the townships. However, this rudimentary form of homeownership held little appeal for the majority of township dwellers.

⁴⁵ Although this replaced the previous 30-year leasehold scheme, no provision was initially made for the many homeowners who already owned their houses under the 30-year regulations. At a later stage, people who had bought homes under the 30-year home ownership scheme were able to convert to 99-year leasehold by paying leasehold and registration costs (Survey of Race Relations, 1982).

Wilkinson (1984) remarks that, in terms of increased security of tenure, leasehold offered a questionable improvement to prospective 'homeowners' as, despite simultaneous and substantial rent increases, it remained cheaper to rent a house than to purchase one under the leasehold scheme. Ownership on such terms offered little long-term benefits to households already living on the breadline (ibid). The Survey of Race Relations (1982) suggests that the slow pace of the 99-year leasehold scheme was due to three specific factors:

- (1) Psychological resistance of Africans to the offer of leasehold when freehold rights were available to other race groups, once again setting Africans apart from other race groups with greater tenure rights;
- (2) Increased initial and monthly expenditure was beyond the means of most urban Africans; and
- (3) Uncertainty about the potential of home ownership with regard to inheritance, occupation rights and investment, the former which had great cultural importance to the amaXhosa people of the townships.

In response to the failure of township residents to accept the new tenure option, the government decided that they needed to make homeownership more appealing by making rental options less so, raising rentals to 'realistic' levels, while reducing the costs of homeownership as far as possible (Wilkinson, 1984). The rent boycotts that followed in the BLA period were triggered by the increase in rental introduced under their administration. Mabin & Parnell (1984) suggest that tenants in the townships were therefore faced with the dilemma of either buying their homes, which were beyond the means of many, or accepting increased rentals, which would impoverish them anyway.

Failure to accept the offer of homeownership reflected an inherent and historic suspicion of government motives and sincerity, particularly as no corresponding amendments had been made to the hated 'Section 10' regulations, which governed the rights of Africans to live in the urban areas. These legislative shifts can be better understood within the context of the changes that were happening simultaneously at local government level, beginning with the passing of the Black Local Authorities Act in 1982.

The failures of housing administration under the Black Local Authorities

'Of all the problems of development confronting the black local authorities none is as crucial as the challenge to house their inhabitants. Because the possession of a house is so intimate to the individual, affecting as it does the well-being, social status and the stability of the family unit, the housing backlogs which exist in almost all the black areas are potentially a very explosive issue' (Rammala, 1987: p. 14).

As Rammala, a BLA official with personal experience of local township administration, has expressed, housing was a critical issue for both local communities and the local authorities, representing the fuse capable of igniting further community protest. Shubane & Madiba (1992) assert that by the time of the BLAs, the gradual erosion of control by local authority structures due both to their own incapacities and because of the informal strategies established among township residents to circumvent official housing policy, had led to an almost total breakdown of formal housing administration. It was said that BLAs seldom knew themselves who occupied each house in their jurisdiction (ibid).

In response to the stringency and unfairness of the apartheid laws, contingency measures had developed within the townships, such as passing houses on from generation to generation without informing the local authorities (Shubane & Madiba 1992). Therefore, records in local authority offices became outdated and inaccurate resulting in confusion, a legacy that has continued to muddle registration of legal tenure until today.

Residents' distrust of the township housing administration system stemmed from the days of the both the Urban Bantu Councils, euphemistically referred to in the townships as 'Useless Boys Clubs' (Swilling, 1988), and the Community Councils under the control of the Administration Boards, when corrupt officials could be bribed to re-allocate houses (Cornell, 1983). In her thesis Fast (1995a) describes the duplicity of local officials in the Nyanga township.⁴⁶ Kahanovitz (1988) suggests that the reappearance of officials with previous reputations for corruption, undermined the

⁴⁶ Fast refers to 'an epidemic of bribery' in Nyanga during the era of the Urban Bantu Councils, while Administration Boards officials later gave preferential treatment to people belonging to the Ciskei or Transkei Independence Parties. "[This] scandal reverberated in the years that followed, for administration personnel attempted to endorse out people who had obtained permits by bribery" (Fast 1995a: 274).

credibility of new local authority structures in the townships. The Survey of Race Relations reported that there were:

“...frequent allegations of bribery in connection with the allocation of houses as well as complaints of unfair competition, with councillors allegedly allocating business sites to themselves or their relatives.”

(Survey of Race Relations, 1985: p. 87)

The story of a New Crossroads resident illustrates the kind of corruption that residents were experiencing. Ndzumeka, an elderly man who was one of the founding members of the Old Crossroads settlement and deeply distrustful of local government officials even today, recalls that having heard stories about a government official called Basson illegally ‘selling’ houses in order to make money, he himself went to the housing office to trick the official. Posing as an interested buyer he proceeded to buy his own house in New Crossroads. Little realising that Ndzumeka was already the legitimate ‘owner’ of the house, Basson began to fill in the paperwork and to go through the motions of ‘selling’ him the house, whereupon Ndzumeka confronted him asking him:

“How many times [have] you sold this house before you sell it to the owner?” (Ndzumeka, pers. comm. 23 April 2005)

Ndzumeka further explained how the officials took advantage of the confusion resulting from new leasehold legislation:

“People did not know the laws of the pass of the ownership, so they [the officials] were also using the people to extend their pockets (pers. comm. 23 April 2005)

Similar observations were reflected in a government survey conducted among township residents in the Pretoria–Witwatersrand-Vereeniging area in 1988 (Department of Public Works and Land Affairs, 1989: p. 24).

In 1983, the government announced its intention to sell off more than half a million state-owned rental housing units in order to promote home-ownership, offering special

discounts in their 'Great housing sale' (Wilkinson, 1984). Mabin & Parnell (1984) suggest that this scheme should have been referred to as the 'right of occupation' scheme rather than 'homeownership' because in reality it only gave the purchaser indefinite rights to occupy a house as opposed to the earlier 'leasehold' scheme which had given the purchaser rights to the land for 99 years. The Department of Public Works and Land Affairs annual report of 1984 reveals that the cadastral surveying of all the existing African townships that this necessitated, in order to officially register properties to their 'owners', created a huge increase in the work load of the offices of the Surveyor General, further compromised by the severe shortage of skilled technicians (Department of Public Works and Land Affairs, 1984: p 51). Mabin & Parnell (1984) suggest that the government's motives for offering home-ownership were not realistic because many new homeowners would be forced for economic reasons to sell to profiteering landlords. Township residents did not take up the offer with any alacrity.⁴⁷

However, the government reform programme changed gear following the abolition of Influx Control and the Pass Laws (Fast, 1995a). These groundbreaking changes in state urban policy then allowed for the subsequent lifting of the prohibition on African property buying and housing development in the townships.

To create and normalise the housing market in African areas, previous 99-year leasehold rights were upgraded to statutory rights under the Black Communities Development Act of 1984 (Latsky, 1987a). From 1986 these could be registered at the Deeds Office (Latsky, 1987b), granting Black urban dwellers full freehold ownership rights for the first time, converting previous tenure forms to ownership. Latsky (1987a) explains that in 1986 the Black Communities Development Amendment Act represented a comprehensive change to the original act, offering a choice of title forms: either a 99-year leasehold right to an erf, or the conversion of an existing leasehold

⁴⁷ Sales started off slowly and this led to an extension of the opportunity to take up the 99-year leasehold offer until the end of June 1986 with special incentives added, such as the sale offered at between 35% to 40% of the selling price with government financial assistance (Cape Times 16/4/85), a 25% reduction for a cash sale for houses priced at R2 500 and upwards, while those costing less could be sold only for cash at a 30% reduction. A 5% reduction was offered to people who had occupied the dwelling as tenants for more than 5 years, and a further 5% reduction for purchasers who bought houses within 12 months (Ikapa file 14/4/P).

right to one of ownership. In effect a form of incremental tenure was offered, with leasehold a cheaper stage en route to full title.

A township establishment process similar to the process that already existed in White, Coloured or Indian areas was legislated. Another amendment to the Black Communities Development Act in October 1987 was introduced to simplify and speed up the process of opening township registers. This made the preliminary consolidation and sub-division of underlying farm portions unnecessary (Survey of Race Relations, 1987). The identification of local area boundaries, which were an integral part of the township establishment process, often caused delays in the opening of township registers, which were critical to the process of transferring ownership (Royston, 2002). Although the fault of the Provincial authorities, irate township dwellers blamed their local township authorities for these hold-ups. Another delay was often due to a missing conveyancing step in the township establishment process as Latsky explains:

“Prior to 15 September 1986, townships were established in Black areas for the purposes of leasehold only. Since the leasehold is granted in respect of land, and is not land itself, it was deemed sufficient to comply with land survey requirements only... consolidation diagrams and general plans were prepared and approved but...the corresponding conveyancing steps were often not taken....[and] land cannot be transferred in ownership nor... can the relevant leasehold be converted into ownership.”(1987b 18)

It is evident that the registration process was not held up by bureaucratic ineptitudes at local government level, but by the tardy or non-existent application of the essential conveyancing step.⁴⁸

Meanwhile, because the state had made no adequate financial provision for their new local authority structures it was inevitable that the BLAs would be forced to resort to increases in rents and service tariffs in order to raise the funds, prompting rent and

⁴⁸Later fieldwork establishes that current tenure issues in the Ikapa area are still related to conveyancing hold-ups and the blame continues to be placed at the door of the local authorities (Dyantyis, pers. communication, 5 August 2004).

service boycotts in the mid-1980s. In response township communities initiated rent boycotts, beginning in late 1984.

In spite of the political call to challenge the BLAs and orchestrated resistance from the civics, Shubane & Madiba (1992) believe that the majority of the poor saw the rent boycotts as an 'economic necessity' more than a means of political expression, obviating the need to pay rent. Thus, when settlements were later negotiated at local level by the civics, the boycotts did not end. Many township residents were already in arrears prior to the rent increases due to their struggle to survive in the economically stressed township environments.⁴⁹ The boycotts also undermined the government's homeownership scheme (Survey of Race Relations, 1988/9).

The introduction of the Conversion of Certain Rights to Leasehold Act (No. 81 of 1988) provided tenants with the additional option of converting to leasehold or to a common law lease and for the first time placed no restrictions on who could gain access to housing (Todes & Walker, 1991). Thus, the artificially created divisions of African society that had previously denied many sectors of the township population access to housing were gradually relaxed. The Act also established a formal review process whereby tenants could appeal against the allocation decisions of the township authorities through the courts (*ibid*). In practice the old systems were for the most part retained, continuing, for example, the practice of re-allocating a house after the death of the registered occupier to another family member once this had been agreed upon in negotiation with the family concerned (*ibid*).⁵⁰

The inadequacies of the official processes to increase tenure security for township residents during the 'Great Housing Sale' (Lamont, 1985) were compounded by the lack of support for the campaign despite an intense media campaign launched by the government to overcome apathy and opposition from the township residents (Mabin & Parnell, 1984). According to the Race Relations Survey (1988/9), by January 1989 less than one percent of sales of houses to African urban dwellers had taken place under

⁴⁹ As an example within the Ikapa area, the rents in New Crossroads had risen by an average of 6% per annum so that between 1982 and 1993 rents had effectively been increased by R29.00 per month and the water rates were added to this (Kaplan, 1997).

⁵⁰ My archival research of the Ikapa local authority substantiates this claim.

freehold. However a government report produced in 1989 records the 'success' of the leasehold scheme:

“Good progress is still being made with the registration of 99-year leasehold rights in Black townships, and since the third quarter of 1988, when the 10 000 mark per quarter was exceeded for the first time, this level of performance has been maintained...The 100 000th transaction was registered during the first quarter of 1989” (Department of Public Works and Land Affairs, 1989: p. 32).

These figures mask the failure of the campaign to sell over half a million state houses. This was due to a large degree to the politicisation of the housing sale by the civics, as well as to the administrative incapacity of the township authorities, many of which were staffed by untrained Defence Force personnel after the collapse and subsequent revival of many of the BLAs during the State of Emergency.

Recognising that access to credit was crucial in order for tenants to buy their homes (Boaden, 1979), the government began providing a limited capital subsidy to prospective buyers through the establishment of the Independent Development Trust in 1991 (Goodlad, 1996). By 1991 about a third of the national housing stock had been sold off under 99-year leasehold (Gardner, 1997; Goodlad, 1996).

Meanwhile, in a further reshuffling and restructuring of government departments, the Department of Planning, Provincial Affairs and National Housing was rationalized in 1991. Responsibility for provincial affairs and the coordination of urbanization was awarded to the newly created Department of Registration and Land Affairs. Housing administration became a separate affair under the new Department of Local Government and National Housing. Housing affairs were further divided between those considered to be general i.e. for all population groups, and those reserved specifically for African housing. Thus, even at the dawn of the 1990s, African housing administration was still considered a separate entity, set apart from general housing administration. The African Housing Division of the central state co-operated with the four Provincial Administrations to formulate guidelines for the development of the African townships, coordinating township development programmes at national level. Funds were channelled to the Black Local Authorities for the purchase of land for

housing through the Provincial Administrations (De Loor, 1992). The Department of Local Government and National Housing was empowered to provide finance to the National Housing Fund and to fund the first-time homebuyers subsidy scheme for Africans.

These institutional and legislative changes were taking place against the background of political resistance and escalating confrontation in the townships, forcing the state to concede increasing concessions to township residents. Acknowledging that housing grievances underlay much of the township communities' resentment towards the state, and had initiated the rent boycotts, the granting of new housing and residency rights was expected to diffuse some of the frustrations of the urban residents.

Thus, on 1 September 1991, the Upgrading of Land Tenure Rights Act (No. 112 of 1991) provided for the conversion of all leasehold to freehold rights as soon as township registers had been opened (Ikapa file 2/3/1). The opening of township registers, which were legal documents laying down conditions under which owners could make use of their land (Royston, 1998) was a lengthy process and necessitated a proper survey approved by the Surveyor General. Thus, policy decisions were not reflected or experienced on the ground very quickly, being subject to long bureaucratic delays. Added pressure from civic associations ensured that occupants were not charged fees for the privatisation of state rental stock, known as the Transfer of Housing Process (Royston, 1998, 2002).

The inability of townships dwellers to raise adequate finance to purchase their own homes was impeding housing reforms. Therefore, in November 1992, the Discount Benefit Scheme was introduced (Ikapa file 6/5/2/1). The Minister of Local Government, National Housing and Manpower explained the motivation for this new deal in a press statement:

“By taking this decision, the Government also reaffirms its commitment to wiping out the growing housing backlog within the shortest possible time. This can only succeed if all the role players in the housing field reach consensus on a comprehensive housing policy and strategy” (Ikapa file 6/5/2/1).

To the state the granting of urban rights and substantial housing concessions to urban Africans were the panacea for diffusing township resistance to the state.

Mofokeng (1996) explains that, as before with the granting of leasehold rights, the implementation of freehold rights was hampered by administrative incompetence, suspicion and mistrust of residents towards their local council, previously unreported deceased estates, disputes between families, numerous unrecorded informal sales or changes of tenancy, and confusion among residents themselves.⁵¹

Slowly the state was moving towards major political reforms. The National Housing Forum was established in 1992, in response once again to several housing-related issues: the increasing mobilisation against the state's adoption of a site-and-service approach to addressing the housing backlog, as well as the violence sparked by the appalling living conditions of hostel-dwellers (Royston, 2002). The ANC, SANCO as well as worker's unions and representatives from the business sector were included in this body, which, Royston (2002) explains, became a forum for the negotiation of a new housing policy.⁵²

This brief history of housing policy and administration ends here, at the dawn of the new South Africa, with the formulation of the Housing White Paper, which clearly stated that security of tenure would in future guide the government's approach to housing provision for the poor.

Conclusion

This chapter has discussed housing policy and administration for urban Africans during the apartheid era. It has illustrated how government policy successfully set urban Africans spatially and legally apart from other urban dwellers, establishing them as 'outsiders' in peripherally situated townships, where they were denied legitimate rights

⁵¹ Problems were also experienced in the Ikapa area, and no doubt in others as well. with the completion of people's identification numbers on their applications forms. Many Ikapa residents did not possess identity books and had only their old 'pass books' or 'green books' with which to identify themselves. Although these were accepted as proof of identity, people were encouraged to apply for identity documents in order to speed up the process (Ikapa File 18/7/P).

⁵² The policy that resulted from their deliberations became, in fact, the blueprint for the housing white paper in 1994. Baumann (1998) suggests that the negotiating process did not truly represent all South Africans lacking the critical input from communities themselves and the landless.

to urban residence or accommodation. Strict adherence to apartheid ideologies resulted in a critical shortage of housing, appalling conditions of overcrowding, and the proliferation of squatter settlements in urban areas.

The acceptance of the inevitability of increasing African urbanisation caused fundamental changes in state ideology, driven by increasingly volatile township resistance orchestrated by the civics and political organisations, and motivated to a large extent by housing grievances in the townships. This resulted in the gradual introduction of legislative concessions granting urban Africans increasing rights to the city. However, the introduction of home-ownership failed to address the lack of legitimacy and the plight of the 'illegal' residents in urban areas, for whom this was not a viable option due to financial constraints, while the critical shortage of housing and chronic overcrowding among 'legal' established township residents was not assuaged.

Having drawn the legislative and political background to the administration of housing in poor African urban areas, this chapter has set the context within which to understand the manifestations of changing housing administration at a more detailed scale in the next chapter, which unravels the nature of housing administration under the Ikapa BLA. Research at the local level is critical in order to understand the realities of implementing state housing policy, to interrogate the relationships that developed between township residents and the local authority officials carrying out their administrative duties during the violent and politicised environment of the townships of the 1980s.

- CHAPTER 5 -

**A HISTORY OF CONTESTED AGENCY: HOUSING IN LAGUNYA UNDER
THE IKAPA LOCAL AUTHORITY**

‘...the local state may find itself torn between central government policy and the pressure emanating from local social relations in response to local-specific housing conditions.’ (Kemeny J, 1992: 44)

Introduction

Housing was employed as a form of social control by the apartheid regime (Fast, 1995a; Planact, 1989). Although historically housing policy was formulated at central government level, local authorities had area-specific impacts on the provision and administration of housing within the boundaries of the national policy framework (Driver, 1992). This concurs with Dickens *et al* (1985: p 238-41) who theorise that local government functions to mediate between the central state and the local area around housing issues particular to that environment. Local government was situated at the interface between the state and local township communities, adapting to localised situations.

This chapter traces the administration of housing in the Lagunya townships during the BLA period. The Bantu Affairs Administration Boards were responsible for African housing administration prior to and during the BLA era; therefore I begin this chapter with a brief account of housing administration under the Western Cape Administration Board, before exploring that of the Ikapa local authority system. I explain the particular circumstances in which the Council found itself, and then investigate the manifestations of changing housing policies in the Lagunya townships and how local communities responded to the actions of the Council. I explore the roles of the Ikapa local authority both as a state institution and as a neighbourhood organisation, investigating how state housing policy was reshaped not only in local contexts, but in particular neighbourhoods, such as New Crossroads, through official practice and engagement. Exploring the introduction of home ownership options within the Ikapa context, I discuss the shortcomings of new processes that were established to give greater security of tenure to registered occupants in Ikapa. This chapter thus explores the realities of local housing administration and the implementation of state policies at grassroots

level, analysing the experiences of a local authority with no public mandate to legitimate its administration and thus the ways township organisations contested local government agency to allocate housing in the Ikapa area.

I begin with a brief record of housing administration under the Western Cape Administration Board, painting a background to housing allocation in the Ikapa Black Local Authority (BLA) structure that followed.

Housing administration under the Western Cape Administration Board

In an attempt to re-centralise control of the African townships away from the local tiers of government, the new Bantu Affairs Administration Boards were introduced in 1971. Although twenty-two boards were originally established, this was later rationalised to fourteen jurisdictional areas. The introduction of the Boards marked the peak of the apartheid regime and the entrenchment of apartheid doctrine, manifested in the Verwoerdian idealism of many government officials.⁵³

The Western Cape Bantu Affairs Administration Board was established to oversee all the townships of the Western Cape. In an interview Lawrence, a retired local government official, recalled the institutional headaches that the introduction of Administration Boards brought about for local government officials as the administrative areas were reconfigured into new jurisdictional zones:

“[The rationalisation of the Administration Boards] brought about the first amalgamation. Then Langa, Guguletu and Nyanga formed one, but they were still, for the purposes of influx control, in terms of the Black (Urban) Areas Act No. 75 of 1945, they were still two separate prescribed areas. So we had the situation that someone with a Section 10(1) permit to live in Nyanga couldn’t get a house in Langa because his rights only applied to the prescribed area of the Divisional Council, and

⁵³ Lawrence spoke of his suggestion when still a young official to upgrade the informal settlement of KTC *in situ* to provide much-needed additional housing for Africans. He was rewarded for this innovative thinking with a suspension of his local government licence for six-months when senior officials took umbrage at his suggestion. He insists that this was the conservative type of thinking that was pervasive at that time, and that failure to tow the strict party line led to severe reprimand (Personal communication 20 May 2005).

the City Council only had rights in this area". (Lawrence, pers. comm. 20 May 2005)

Thus, two different forms of jurisdictional area existed simultaneously, causing confusion for local government officials because of conflicting areas of interests between Influx Control regulations and local authority boundaries.

During the administration of the Western Cape Administration Board, a significant step was taken by the central government in addressing the rights of urban Africans to permanent residence in the city. For instance, negotiation between the leaders of the Old Crossroads informal settlement and the Department of Co-operation and Development led to an agreement in 1979 to provide housing for some of the Old Crossroads squatters at a new township called New Crossroads, to be developed in several phases on the site of the original informal settlement of Browne's Camp. The first phase of the housing development, during which 1 500 homes were built, was completed in 1980 (Kaplan, 1997) and was coordinated by the Western Cape Administration Board. Although this negotiated process marked a benchmark in urban African struggles for rights to legitimacy and residency in the city, it did not engender a change in government policy around African urban rights at this stage.

In 1981 the Administration Board officially acknowledged that the housing backlog had reached critical proportions in the Lagunya townships (Cole, 1987). Official housing statistics from June 1982 as quoted by Elias (1983) illustrate the severity of the housing shortage.⁵⁴ However, because of the 'illegal' status of so many urban African people, many remained invisible to official census at that time, it can also be assumed that these statistics were far off the mark.

After a long moratorium on the building of houses for urban Africans, the Western Cape Administration Board began erecting additional family units in the Cape during

⁵⁴These statistics give a total availability of accommodation in the Lagunya townships as 12 955 family units with hostel accommodation for a further 28 009 people, while official waiting lists at that time only recorded 3 215 applications. Elias (1983) believes that this was probably the first official approximation of the housing backlog in the Cape peninsula area.

1981/2 (Survey of Race Relations, 1983).⁵⁵ The Urban Foundation launched Uluntu, a non-profit utility company headed by leading members of the African community, tasked by the state in the early 1980s to acquire land for housing construction from all the Administration Boards on a 30-year lease renewable for a further 30 years (Survey of Race Relations, 1981). There were plans for the construction of family homes in the Ikapa area to be completed by 1985 to be jointly financed by the Uluntu Utility Company, the Cape Town Community Council, the Urban Foundation and the Western Cape Administration Board (Survey of Race Relations, 1981). However, in 1982 the government suddenly announced a cutback on funds for African housing (Wilkinson, 1984), refusing to accept tenders for new projects. The building of additional housing in the Cape Townships came to an abrupt halt.⁵⁶

In this same year the state introduced the Black Local Authorities (BLAs) to administer the urban African townships. In Ikapa, the existing Cape Town Community Council, retaining its original name until it was upgraded in 1986, became the 'new' local authority structure in the Ikapa area. The next section traces the fortunes and fate of the ill-fated BLA.

Exploring the realities of housing administration under the Ikapa Black Local Authority

In terms of the Black Local Authorities Act, the Council was to assume much of the responsibility for housing that had previously been the task of the Western Cape Administration Board. The duties of the Council's Housing Department included the administration of the letting of dwellings and other structures under the control of the local authority. It was also tasked with the keeping of waiting lists, the control of allocation of new houses, the re-allocation of existing houses and hostel-beds, and the setting of service charges (Ikapa file 2/2/2).

However, there were no regulations laid down in the act for the administration of housing specifically. Therefore the Council continued to apply the Township

⁵⁵ Of these 209 were new family housing units in New Crossroads, while another 250 were provided in Langa due to the conversion of hostel units. The rent at Langa was R33.83 per month with services, while at Nyanga and New Crossroads it varied between R23.50 and R117.19 per month with services included, depending on the type of house and the income of the tenant (Survey of Race Relations, 1982).

⁵⁶ Apparently, this cutback was linked to the prevailing economic climate, and was due to a drop in the gold price (Survey of Race Relations, 1982).

Regulations laid down in terms of the old Black (Urban Areas) Consolidation Act 25 of 1945, which had already been repealed.⁵⁷

A report by Batt, the Acting Control Administration Officer of Housing, stated that by 1988 the demand for housing in the Ikapa area was so great that residents had stopped putting their names on the waiting lists or enquiring about the allocation of dwellings at the Council, considering it a waste of time (Ikapa File 18/7/P. Report dated 28/12/88). Indeed, due to the chronic conditions of overcrowding in the Lagunya townships, the number of families occupying one dwelling and site meant that any re-allocation was usually made to a family already on the site, obviating the use of the waiting list (Ikapa file 18/7/P). Indeed, Shubane and Madiba (1992) record an informal practice that had developed in all the African townships by this time whereby houses were passed from one generation to another without official sanction or record. In this way access to a house was not lost to a family through the official re-allocation process. Morape reiterated that as Township Superintendent of Guguletu he had been aware of this state of affairs, which caused many administrative headaches (pers. comm. 5 April, 2005). Thus, housing records and the waiting lists became confused and outdated.⁵⁸

During the early 1980s the Cape Town Community Council introduced a committee that dealt with the allocation of houses, and especially with disputes after divorces. Known as the Appeal Committee (Ikapa file 18/7/P), it consisted of the Chief Superintendent of Housing who acted as chairman, the three Township Superintendents from Langa, Guguletu and Nyanga, as well as the Mayor of the Cape Town Community Council. Meetings were held every week and the parties involved in the allocation of a dwelling, plus their legal representatives could state their claims to the dwelling. The Committee would then reach a decision based on the evidence (ibid).

This process continued until 1985 when a new housing policy was developed for the Council and a new Housing Allocation Committee was established. At this time the

⁵⁷ This continued until 1988 when the Council began to draft its own by-laws and develop a more area-specific housing policy (Ikapa file 18/7/P).

⁵⁸ In response to the disorder of the official allocation process, Fadana claims that the Western Cape Civic Association began compiling its own waiting lists and allocating houses accordingly, ignoring the Council system completely (Fadana personal Communication, 8 April 2005). This further confused administrative records, a legacy that still has ramifications today.

housing officials were not represented on the committee, which consisted only of councillors who took uninformed decisions (ibid). According to Batt's report:

“These [allocation] decisions were for obvious reasons seldom accepted and made a mockery of housing administration. Housing officials got disillusioned and lost their respect for management and the system.”
(Ikapa file 18/7/P)

It is evident that there was some animosity between the housing officials and the councillors as each sought agency in the allocation process. For instance, apparently the Director of Local Government had not approved this allocation committee, and declared its decisions invalid.

In 1988 the Ikapa Town Council established a new housing sub-committee to deal specifically with the backlog that had accumulated in the allocation of houses. The new Housing Allocation Committee was chaired by the head of the Housing Department, supported by the Control Administration Officer of the same department, the Chief Executive Officer of the Council, the township managers and several councillors.

With the accumulating rent deficit in these closing years of the 1980s, applications for the allocation of a house required not only information pertaining to the original allocation of the house, the composition of the family of the registered occupant, but also a Town Secretary's report on outstanding rent and service charges. The Ikapa Housing Allocation files record that although the allocation of houses to new tenants was subject to the payment of a monthly rental, arrears were often carried across, even when the new occupier admitted to being unemployed.

The Housing Allocation Committee was also responsible for the allocation of vacant land and business sites. At this point it is useful to include an observation by Rammala (1987) that:

“The dominance of the Councils by businessmen and teachers is of interest. It is quite possible that the large numbers of businessmen on the Councils is linked to the capacity of the Councils to allocate trading sites

within townships...as presenting an opportunity for involvement in civic affairs relevant to their personal affairs". (1987: p.9)

In his brief history of the Cape Town Community Council and the Black Local Authority that followed, Kahanovitz (1988) reiterates this saying that access to the process of allocation, particularly business sites, drew members of the African business fraternity to positions on the local authorities in order to further their own personal agendas. Indeed, when the Council later advertised vacant land within Guguletu and Nyanga to those who wanted to build their own houses, wealthy individuals began to scramble for land in order to establish their power bases, among them several councillors involved in housing allocation.⁵⁹

This evidence hints at corruption on the Housing Allocation Committee. Indeed, several powerful men on the committee had previous histories of corrupt allocation practices pre-dating the BLA structure, involving allocations of bed spaces to hostel dwellers and formal housing allocations (Fast, 1995a).⁶⁰ Much of the reported lack of faith in the housing allocation system among the Ikapa residents stemmed from these historic but unforgotten allegations (Fast, 1995a; Cape Times 25/11/82).

Corruption in the allocation of houses was also found elsewhere on the Council. An administration clerk in the Housing Section of the Town Secretary's department was caught taking cash payments from people who wanted their names put on the waiting lists (Ikapa minutes, March 1991). Although only two isolated incidents were actually reported to the police, fifteen subsequent calls received over several days when the clerk was absent proved that the clerk's illegal dealings had been fairly extensive, involving several agents working for the clerk in the field. Strangely the clerk did not work with the waiting lists in the course of his daily duties, implying that others within the housing office were involved. The actions of the councillors and the officials, who lived in the Lagunya townships themselves, often incurred the wrath of their communities.

⁵⁹ The allocation in 1990 of several residential sites in Langa was decided by the drawing of lots. However, of the thirteen bidders eight were identifiable as councillors and members of their families (Ikapa Housing Allocation file, September 1990).

⁶⁰ Ngo and Lobi, both Ikapa councillors on the Allocation Committee, were mentioned by Fast (1995a).

The Ikapa allocation files reveal that housing applicants often used township organisations such as street committees, burial societies, and even next-door neighbours, to substantiate their claims to houses.⁶¹ In cases where wives were unable to provide death certificates for their deceased husbands, they obtained affidavits from their local police station.⁶² Councillors were often affiliated with street committees (Ikapa Minutes August 1989). This gave both the councillor and the members of the street committees power to influence allocation decisions. When quizzed about such alliances Morape agreed that they had existed but was reluctant to say more (Morape, pers. comm. 5 April 2005).

Civic organisations became increasingly involved in allocation decisions towards the end of the 1980s. After 1992 an official process was developed between the Ikapa Town Council and SANCO. The civic then became an official component of the Housing Allocation Committee and the Dispute Resolution Committees, and was tasked to resolve allocation disputes between rival applicants that the Council could not solve (Morape, pers. comm. 5 April 2005).⁶³

However, the responsibility of local housing officials for other more onerous tasks such as forced evictions and increases in rent and service charges concurs with Lemon's (2002) suggestion that the role of local government is often to deflect the blame for central government actions to the local level. Thus, the Ikapa local authority became the target of community dissatisfaction with local administration, particularly with regard to rent increases.

Contesting state legitimacy at grassroots level

Local civic organisations in Ikapa were among the first in the country to contest the local authority's right to increase rent and service charges. Kaplan (1988) records that from as early as 1977 the Western Cape Administration Board was unable to increase rent charges due to resistance from Ikapa residents. These ongoing confrontations compromised effective administration by the Ikapa local authority.

⁶¹ One lady used her burial society to write a letter on her behalf pleading with the Council to re-register the property in the name of her new husband, while another went to the Cape Peninsula Black Pensioner's Organisation who drafted a letter requesting the transfer of the house from her deceased husband to herself (Ikapa Housing Allocation files).

⁶² This was often the case where registered occupants had died in a 'homeland' area.

⁶³ An in-depth account of the Housing Allocation Committee is to be found in Chapter 6 of this thesis.

Civic associations in the Lagunya townships encouraged local communities to confront the Ikapa local authority over their housing issues. They not only orchestrated resistance but kept township communities informed by distributing flyers and sending letters to the local authorities on behalf of their communities, voicing public concerns.⁶⁴ For example, in March 1982, residents of Langa, led by the Langa Residents Association, sought legal representation and won an urgent action in the Supreme Court for the Western Cape Administration Board to set aside intended increases. It was submitted that the Board did not have the power to increase rentals as this fell to the Minister of Co-operation and Development. This encouraged further confrontations with the local state, establishing local civic organisations with a mandate to represent local interests, engendering a sense of solidarity and increasing agency among Lagunya residents.

According to Cole (1987), the small New Crossroads community in Nyanga became the first African township in the Cape to consistently challenge the local authority structure, continuing a rent boycott from as early as December 1984. The legacy of successful negotiation with the state for houses and urban residency rights from their days in Old Crossroads⁶⁵ encouraged the New Crossroads' community to confront the local authorities over proposed rental increases and to negotiate special dispensations. This prompted other Lagunya communities to pressure the council to make similar allowances for them. For example, the Nyanga Civic Association in a meeting on 16 September 1991 with the Ikapa Town Council to discuss proposed rent increases in an area called White City stated that:

“The people want Council to reach an agreement with them in a similar manner which was reached with New Crossroads” (Ikapa file 7/3/1/70).

⁶⁴ Much later, in 1992, one such letter from the Langa Civic Association to the Ikapa Town Council challenged the Council about the lack of housing and specifically their corrupt allocation practices: ‘We want to convey this message to the Ikapa Town Council “Enough is enough”. We are not going to be divided by the Apartheid structure like the Ikapa Town Council. We have the right to houses, security and comfort. We therefore demand that the Ikapa Town Council: Give back the houses to the rightful owners; Stop giving criminals houses that belong to other people; Stop being corrupt; Build houses that people can afford to rent. (Ikapa Archive File No. 7/3/1/102)

⁶⁵ The New crossroads residents came originally from the Old Crossroads settlement. Their negotiated deal with the state for residency rights and the provision of houses was mentioned earlier in this chapter and is referred to again in chapter six. This history has been recorded in detail by Boulton (2002), Cole (1987), Isaacs (1989) and Metzger (2002).

The New Crossroads example thus illustrates the importance of smaller localised housing issues and how the responses they provoke can be instrumental in shaping broader neighbourhood housing histories that can only be discovered during research at the neighbourhood level.

From the mid-1980s the civic organisations in the Lagunya townships began to confront the Council more aggressively. An Ikapa housing official and a councillor recalled during interviews how the civics coerced staff of the Ikapa cleansing branch to drop truckloads of garbage outside their houses in protest at the rent increases and the lack of a concomitant improvement in services. The councillor recalls the ordeal that lasted:

“...for quite a couple of months [the garbage was] as high as the gate, the car couldn’t come in, nobody could come through the small gate”. (Lobi, pers. comm. 6 April 2005)

The housing official was not quite so glib about his experiences of the protest actions as people marched outside his house with placards labelling him ‘a white man in a Black skin’ (Morape, pers. comm. 5 April 2005). His response was to call a community meeting during which he confronted a crowd of local residents and explained his own stance on the matter. For some officials these were clearly emotionally charged times of self-questioning around ambiguous personal convictions.⁶⁶

After several years of huge accumulated rent deficits, the Community Services department of the Cape Provincial Administration decided that the only solution to the shortfall in revenue was to evict registered occupiers with outstanding rents. For this onerous task designated housing officials were empowered to serve eviction notices on residents in their homes. These posts were filled by housing officials appointed by the Cape Town Community Council, thus identifying the council officials as the agents of

⁶⁶ When plans to forcibly remove people from established areas of Ikapa to Khayelitsha became known in 1984 even the mayor of the Cape Town Community Council, Mr. R. Njoli, was forced to rally behind his community and was quoted as saying that the people were prepared to fight the government over such matters (*Cape Argus* 28/5/84).

the Provincial authorities and thus supporters of the apartheid regime (Ikapa Agenda and Minutes May 1988).

Driven by various civic organisations, local residents began to counter these evictions. There were physical stand-offs in Guguletu when the sheriff or housing official arrived at a house with an eviction notice to be confronted by a deputation from the civic organisation together with local residents. Fadana recalls:

“If the sheriff comes in we tell him in a nice way that he better move out or else, and then he had to because there wasn’t a way of doing that (evictions). [The eviction officials] were helpless because the force, the comrades were ruling in the townships”.
(Fadana, pers. comm. 8 April 2005)

The Council thus became powerless to evict the Lagunya residents in the face of increasingly politicised contestations. Two Ikapa councillors threatened to resign saying that they too were affected by the increases and did not want to be regarded as enemies of the people (*Cape Times*, 18/1/85). Others left fearing for their lives:

“Mrs Florence Mahono ...In an interview at the Nyanga home of veteran community leader, Mr. Oscar Mpetha, she said she had resigned because the community did not support the Community Council system. She said she intended joining the organisations supported by the majority of the people. Her house had been stoned during the township disturbances earlier in the year and she been threatened that action would be taken against her if she did not resign”.
(Staff reporter, *Cape Times*, 24/4/85)

Fadana recalls how the township residents disregarded other Council directives:

“These operations were just ignored... these rentals, arrears, electricity everything we never paid attention to, and then if you tried anything you will meet us”. (Fadana, pers. comm. 8 April 2005)

Indeed, Roxo, the Township Manager of Nynaga reported that stone throwing and intimidation prohibited the collection of rent in September 1989 (Ikapa Minutes of General Meeting 16/10/89). The mounting arrears and the continuing accumulation of rent deficit was beginning to seriously undermine its financial viability, causing further staff and operational cutbacks that in turn began to compromise service provision and the job security of the Council's own staff. Effectively, the officials were caught in a 'Catch-22' situation, in which they could not raise sufficient finances, and without such resources they could not adequately service their communities. The communities seeing no improvement refused to pay for services.

Meanwhile, hoping to undermine nationwide resistance to their BLA system by responding to what was seen as one of the essential housing grievances of township residents, the government introduced new housing legislation that empowered the local township officials to address the lack of tenure security in the townships directly.

The introduction of leasehold legislation: State attempts at housing reform

In terms of the Black Communities Development Act, No. 4 of 1984, BLAs could grant leasehold rights to Council-owned or controlled land. However, in the Western Cape the 99-year leasehold facility introduced by the new Act could not be implemented because it essentially conflicted with the ideology that underlay the implementation of the Coloured Labour Preference Policy (Fast, 1995a; Humphries, 1989). This policy denied the permanent residency of Africans in the urban areas of the Western Cape, perpetuating the relationship between access to accommodation and permanent employment in order to safeguard employment for the Cape Coloured people. This policy was only revoked in 1984.

Thus, the right of leasehold was only applied in October 1984 in the Western Cape, prompting the Cape Town Community Council to insist on an extension of the leasehold option (File 14/4/P Ikapa Archive). Following this late start, it required a considerable amount of time to establish the correct administrative machinery, while housing stock took time to identify, delaying the commencement of the 99-year

leasehold scheme until 1987.⁶⁷ Once again the local officials were severely constrained to act by circumstances beyond their control.

Due to the failure of township residents to accept the new leasehold offer, a rebate was introduced nationwide to induce them to 'purchase' their properties. The Cape Town Community Council claimed that it was unfair to apply the same closing date in Ikapa due to the delays in launching the leasehold scheme in the Western Cape. It appealed for an extension of the deadline in the Ikapa area to the end of 1988 (File 14/4/P Ikapa Archive, Letter dated 30/4/88).

The Cape Town Community Council also contested the stipulation that only people who had occupied a dwelling for more than 5 years could be offered a 5% rebate. They described the particular difficulties faced by Ikapa residents where the acute shortage of housing had historically forced families to accept whatever kind of accommodation they could find, frequently occupying cramped single or two-roomed dwellings. They argued that it was not in the nature of African people to move from dwelling to dwelling unless forced by circumstances to do so, but that when conditions were so intolerable any opportunity to relocate to a larger house was immediately taken. It was therefore unfair, they claimed, that the criteria for the granting of the rebates were so stringently applied where families had taken opportunities to move to larger homes within the Ikapa area. The Council suggested instead that a rebate of 5% be granted to prospective purchasers whose period as registered occupiers in a particular township, instead of a particular house, exceeded five years.⁶⁸

It is clear from the above examples, that the officials were aware of the particular housing dynamics of the Ikapa communities and, far from 'rubber-stamping' all government decisions as has been suggested, were willing to contest the decisions of higher tiers of government in order to fight for the rights of established residents.

Meanwhile, Ikapa residents regarded the government's attempt to 'sell' state-owned houses as an attempt to undermine and break the rent boycott. Guided by the civics they

⁶⁷ For example, land surveying of the African townships, which had been underway elsewhere in the country from 1982, was only begun in Lagunya in 1984 (Department of Public Works and Land Affairs, 1989).

⁶⁸ This information was pieced together from various files in the Ikapa archive.

undertook to refuse to buy the houses or to allow rural migrants, regarded as ‘outsiders’, to move into the area (Kruss, 1987). The Ikapa local authority tried to encourage residents to buy their houses, but residents backed by the civics ignored the leasehold offer. Fadana remembers:

‘When Ikapa tried to say, “We want you to buy these houses, we’ll give you a 99-year lease” we told them “To hell with that! We are not going to buy these houses. We are going to get them free of charge”’.
(pers. comm. 8 April 2005)

Rasool (1984) explains that civic organizations in the Western Cape believed that there were ulterior motivating factors behind the state’s seemingly altruistic new housing policies for the urban poor. In response they began ‘Anti-sale of Houses’ campaigns, creating awareness among thousands of township dwellers of the political ramifications of the new housing laws. This is clearly illustrated in this extract from an anonymous pamphlet discovered in the Ikapa archive:

“We regret the attempts by the ruling class to pass the burden of the economic and housing crisis onto the backs of workers as well as their attempts to divide us...We reject the state’s new housing policy in the form of high rents, sale of houses, site and service schemes, forced removals, group areas and the victimization of squatters. We demand the immediate provision of adequate state housing free of rent exploitation”.

(Pamphlet – Resolution adopted at Bishop Lavis. Undated⁶⁹)

This extract illustrates the range of housing issues tackled by the civics on behalf of township residents.

However, apparently not all Ikapa residents were opposed to the housing campaign. In January 1985, some residents of Langa, Guguletu and Nyanga formed Umziwonke, a housing interest group drawn from residents of these three areas. A report in the Cape

⁶⁹ Unfortunately the exact origin and date of this pamphlet found in the Ikapa archive could not be ascertained.

press claimed that they welcomed the 99-year lease proposal (*Cape Argus* 26/2/85). However, Michael Fadana questions the existence of this 'so-called' community organisation, which stood in opposition to 'the Civic', suggesting that it was actually engineered by the government and did not represent real support for the government's housing initiative in the township (Fadana, pers. comm. 8 April 2005).

In mid-1987, representations from several local authorities in the Western Cape were received by government asking for a review of the conditions of sale of existing housing units. Many houses were old and in disrepair, many having structural defects and it was decided that such houses warranted a larger discount of up to 65% of the previously calculated purchase price, where the maximum discount had been 20%. Any rental arrears were to be included in the loan amount, and tenants who had regularly paid rent during the previous three years were able to purchase without a deposit. Thus, in answer to community apathy to the sale of state houses, the terms and conditions were constantly improved upon in an effort to drive the process of homeownership.

In 1988 the Ikapa local authority was upgraded to Town Council status, making it increasingly autonomous and thereby giving it more legitimate right to act as the agent for the Ikapa township communities.

**Legal but not legitimate: Institutional and legislative changes
(Ikapa Town Council finally gets its name, but not a mandate)**

In 1988, the Cape Town Town Committee was upgraded. Initially renamed the Cape Town Town Council, it officially adopted the name Ikapa Town Council in October of that year (Ikapa File 7/3/1/8). In a bid to reinforce the status of the Council the Cape Provincial Administration insisted that township residents in future conduct all housing negotiations through the town councillors (Centre for Development Studies, 1989).

The Conversion of Certain Rights to Leasehold Act (No.81 of 1988), which came into operation on 1 January 1989 provided for the conversion of certain occupational rights in the townships to leasehold rights, converting residents into common law tenants.

This offered greater security of tenure for township residents because the local authority could no longer terminate their leases, while it allowed lessees the right to terminate their leases with three months notice. The repeal of the old legislation and the promulgation of the new act led to administrative nightmares at the Ikapa Town Council.⁷⁰

The tardy transfer of the ownership of state land from the Cape Provincial Administration to the Ikapa Town Council was a cause for concern for the Council as this delayed the opening of township registers, the necessary first step, which preceded the registration of 'ownership'. According to the Demarcation Board, the hold-up was due to a pending decision on whether or not to excise Khayelitsha from Ikapa's jurisdictional area. However, this did not explain why the transfer of land in the other Ikapa townships was not being processed. Despite the backlog in property registration that was beyond their control, the Ikapa Town Council was faced with the introduction of further legislation by central government in an already under-staffed and under-resourced environment.

The Upgrading of Land Tenure Rights Act (No.112 of 1991) followed, enabling residents to claim full ownership rights of their properties. However, the townships registers for Langa and Guguletu were being processed and were only scheduled to be ready by June 1993, a delay of nearly two full years, while in Nyanga the delay was caused by a dispute over several erven belonging to the Western Cape Provincial Administration, which fell within the boundaries of Crossroads and not Ikapa.⁷¹ The

⁷⁰ An urgent request was made to the Western Cape Community Services branch for help so that the Ikapa Town Council could commence drafting their own by-laws regarding matters of housing administration (Ikapa file CCT 1/3/1 Letter dated 30/1/89).

⁷¹ In September 1990, the Administrator of the Ikapa Town Council had made an agreement with the Cape Provincial Administration (CPA) to transfer certain sections of land from the CPA to Ikapa. The land to be transferred was known as the Consolidated Areas of Langa and Guguletu. Only parts of the consolidated area of Nyanga, namely erven numbers Cape Town 113161, 113162, 113163 and 113164, were omitted from the agreement as they did not form part of the Development Area according to the Black Communities Development Act, Act 4 of 1984. Cape Town erven 136605 and 136603 were also excluded because they extended over Mahobe Drive, which was taken as the natural boundary between Ikapa and Crossroads. Therefore, parts of these erven fell under the area of Crossroads (Ikapa Executive Committee Minutes 11/8/95).

Ikapa Town Council was therefore powerless to move ahead with the registration process.⁷²

The Development Action Group estimated that by the early 1990s the shortage of housing for Africans in the Western Cape stood at more than 100 000 dwelling units with more than three quarters of the African population living in sub-standard conditions (Driver, 1992b). By 1993, Morape recalls that in the Lagunya area alone 30 000 backyard households were waiting for housing (pers. comm. 5 April 2005).

In spite of this housing shortage, and concessionary legislation introduced for established township residents the government responded drastically to the proliferation of informal settlements, establishing 'Hut Squads' under the Prevention of Illegal Squatting Act, which gave local authorities wider powers to demolish shacks (Development Action Group Press Statement July 1991) and to 'nip fresh squatter settlements in the bud' (*Cape Times* 16/7/91). Morape, for instance, recalls how wardsmen were employed to support officials working among informal communities:

"...Barcelona, an informal area along Landsdowne Road, near Borchards Quarry. It was an old dump area, then Council decided that area should be used for sporting facilities. It was not very good for habitation you know there were poisonous gases and whatnot. So I went there to tell the people when the first structures were put up there. I took some of my people, wardsmen. Do you know what wardsmen were? They were like security guards working for Council. I took some of these men and went to Barcelona...they are like security policemen within the Council. And they told me they are not going to move. I must stay in my Sea Point, they are used to staying in areas like this, and they started just building, building... It was a rubbish dump that whole area." (pers. comm. 5 April 2005)

The extract above illustrates the animosity that officials felt towards the informal settlement dwellers. Morape was clearly disgusted that people were prepared to live in

⁷² Eventually Township Registers were opened for Langa and Guguletu and existing leaseholds were converted to ownerships, enabling the Council to affect the property transfers on the basis of ownership (Ikapa Executive Committee Minutes 11/8/95).

such a filthy environment. Officials, already powerless to proceed with newly legislated processes, were also helpless to deal with the speedy and haphazard proliferation of informal settlements, confirming remarks made by Royston regarding the ineptitude of 'peripheral administrative structures such as the black local authorities' (2002: p.167).

Meanwhile, the state's Discount Benefit Scheme was introduced in 1992, to make financial resources available to prospective homeowners in the established townships. Meetings between the Ikapa Town Council and local civic organisations resulted in the formation of an 'inclusive forum' to decide upon a collaborative process to identify Ikapa housing stock for sale and to establish who had rights to buy them. Registered tenants were invited to visit their local housing office for information and any disputes were referred to Dispute Resolution Committees set up by in the three major Lagunya townships (Ikapa Minutes. Executive Committee Meeting 20/3/95). Veto, the Nyanga Township Manager headed up the Nyanga committee, pictured below in the mid-1990s.



Figure 4. Changing times in Ikapa. Community participation in the 1990s.

(Source: Nikizela News Issue No. 2 1996)

However, the Ikapa Town Council could not drive the project alone due to staffing constraints and the time consuming and complex process involved in transferring a house or a site to an individual.⁷³ An extract from the Ikapa Executive Committee minutes emphasizes this reality:

“...the Provincial Administration found itself in a situation that they must activate the process through the local authorities but the administrative capacity of local authorities such as Ikapa totally lacked the capacity to drive the project departmentally with existing staff. The situation worsened as pressure was brought upon staff structures of Ikapa”. (File Exco Minutes March 1995 Ikapa Archives)

Once again, central government policy makers had not appreciated the realities of the operational capacity of their local authority structures.⁷⁴

Concluding remarks

This chapter has illustrated that although BLAs have traditionally been blamed for their incompetence and seeming indifference to the townships communities they were tasked with administering, it is clear that they were severely undermined from their inception, not only by a lack of financial and other resources, but also by powerlessness caused by bureaucratic ineptitude and stalling tactics at higher levels of government.

Contributing to the existing body of knowledge on the BLA period in South Africa, this history of housing administration under the Ikapa Town Council in many respects mirrors that of many other BLAs, trying to cope with continual revisions to legislation and changes in institutional structuring as the central state attempted to diffuse the tensions that had arisen in the townships, particularly around housing. However, the scale of this investigation has also exposed how added to the moral and political dilemmas of the officials was their inability to cope with a daily confusion of rules and paperwork and the realities of life in the townships under their jurisdiction, all of which

⁷³ It was later decided to appoint consultants to help the transfer of property process run smoothly, accurately and efficiently, financed by the Provincial Administration of the Western Cape (PAWC), through the National Housing Board.

⁷⁴ The history of this process falls outside the historical scope of this thesis but details are available in the Ikapa archive.

were further undermined by the personal agendas and underhand actions of particular officials.

The next chapter changes the scale of the research to record in more detail the realities of housing administration under the Ikapa Town Council. It interrogates the competing discourses and interactions that existed at community level, focusing specifically on housing allocation strategies in New Crossroads. Chapter six thus interrogates the complex, often inter-related levels of meaning that inform a comprehensive understanding of housing allocation in the BLA era, tensions that continue in housing allocation politics in the current period.

University of Cape Town

CHAPTER 6 -**CONTESTATION OF HOUSING ALLOCATION STRATEGIES:****Old Crossroads legacy, New Crossroads disjuncture**

'...[A] study of social institutions has to go beyond formal rules, to also consider actors outside the state and how they interpret, use and challenge formal rules, as well as the source of their power to do so'.(Rakodi & Leduka, 2003: 11)

A case of complex relationships and competing identities

Allocation of houses is fundamentally really about allocation of resources. In environments of poverty resources are precious commodities representing economic and social opportunities. The urban poor have always been pawns in political power-games around access to such resources. Ewick & Silbey (2003) suggest, however, that resistance has the capacity to radically alter power relations and social structures when relatively powerless people struggle to protect their own interests and identity.

In the Western Cape the way in which the Old Crossroads community strategised in order to circumvent their lack of rights and access to housing, forced the state to make major ideological and policy changes (Cole, 1987). Their resistance became the benchmark for many other poor urban communities struggling for basic citizenship rights. Correlating with the observations of Rakodi and Leduka (2003) above, my research acknowledges the importance of investigating the centrality of both formal and informal processes.

While the previous chapter traced a general history of housing administration in the Ikapa area, this chapter now focuses on the case study area, New Crossroads, unpacking the competing discourses that developed around the right to allocate houses there. My research investigates the disjunctures in allocation systems, in an attempt to unravel the complexity of the interrelationships between formal and informal allocation systems, exploring how these relationships were established and how they transformed over time. I will analyse the changing power dynamics related to control over housing allocation processes, both formal and informal, discussing the roles of particular individuals and various interest groups. It will be shown how

allegiances and enemies changed as agency to allocate housing was contested in this politically charged terrain.

This chapter begins with a discussion of the official allocation processes administered by the Ikapa Town Council, describing the official policies that shaped the implementation strategies of the Council, determining who the role-players were, their particular functions and personal inputs. It also attempts to capture on a more psychological level, some of the emotive responses that were played out by a variety of government role-players in the everyday functioning of the Council. For example the officials' frustrations at the lack of resources, fear of community reprisals, alienation from and rejection by the township communities, and even the egotistical or aggressive nature of some councillors.

The history of the Old Crossroads community underpins a comprehensive understanding of the subsequent history of the New Crossroads residents, their sense of entitlement to and their expectations regarding their rights to houses (Boulton, 2002; Cole, 1987; Isaacs, 1989). The second section therefore describes the Old Crossroads informal housing administration system, exploring the allocation processes established there, and how these were later employed in allocating the first houses in New Crossroads to members of the Old Crossroads community. I will show how this system helped to shape the processes that evolved within New Crossroads.

The chapter then describes the informal mechanisms established to administer housing in New Crossroads from the time of its establishment in 1980 and how the community, together with the local authorities, instituted a collaborative allocation process. The discussion explores the shifting power bases within the community explaining the changing dynamics and local housing politics, examining the critical role of neighbourhood and civic organisations in this history.

The strengthening of civic movements nationwide had major ramifications for local organising in the Ikapa area and in New Crossroads in particular, where the 'battle of the civics', as it was referred to by an elderly community leader (Mene pers. comm. 9 May 2005), was to polarise the community and directly influence changes in housing allocation processes.

During the course of my fieldwork residents and government officials alike made frequent reference to the significance that the amaXhosa people, who form the largest ethnic group in the Western Cape townships, attach to their houses due to their traditional ancestral beliefs. I conclude this chapter therefore by exploring the significance of culturally embedded beliefs and practices, showing how these have influenced the acceptability of different allocation strategies, relating this to the concept of African 'retraditionalism', or as Oranje (2003) has recently suggested the evidence that traditional African practices never really went away but were overlooked by many in the fervency of new political dialogue and democratisation. Traditional values, it will be shown, were nevertheless acknowledged by most of the role players and came to underlay both the formal and informal allocation processes.

For the record: Official Housing Allocation - Policy and implementation

During the turbulent 1980s, local government departments together with the Black Local Authorities (BLAs) were challenged with administering housing in the townships (Cameron, 1991; De Jongh, 1991; Hendler, 1991). The moratorium on the building of houses for Africans within the city made the allocation of existing housing stock a nightmare of opposing interests. The availability of dwellings gradually diminished due to the increasing numbers of people living in the townships, both from natural increase and in-migration from other areas. Overcrowding increased dramatically with several families often occupying each site (Ikapa file 18/7/P).

A retired Director of the Community Services Branch, Lawrence, spoke of the frustrations he experienced administering township housing in an era in which policy makers sitting behind their desks in Pretoria failed to understand the realities of life in poor urban areas. In particular, they drafted unrealistic laws which officials then had to implement at grassroots level within the constraints imposed by the shortage of housing. He emphasised:

“...[There was] nothing new so you just had a bottle that just kept overflowing because there were more and more

people...hundreds of people who need houses and there is no more housing being built". (Lawrence, pers. comm. 20 May 2005)

Lawrence described local government officials trying to work according to prescriptive apartheid policies, adhering to a multitude of rules and regulations. He produced in the interview, as an example, the huge 'Manual of Bantu Law' published in 1971, insisting that allocation strategy became effectively a case of 'politics versus reality'. Moreover, he asserted that it was impossible for local government officials to 'stick to the book' when allocating houses because township dwellers interpreted their right to a particular house in terms of ritualised traditions. He insisted that officials made allowances for such 'cultural' considerations so as to legitimise decisions in the eyes of both the communities and their own African staff.

The Black Local Authorities Act of 1982 stipulated that the new local authorities would be responsible for the allocation and administration of the letting of dwellings under their control, but did not lay down any other specific regulations around housing administration. Such was the state of confusion and disorder around the lack of a comprehensive housing policy, that the existing 'Regulations Governing the Control and Supervision of an Urban Black Residential Area and Relevant Matters' made in terms of the Black (Urban Areas) Consolidation Act (25 of 1945) were retained even though the Act itself had been repealed. In spite of these measures officials also made other efforts to eradicate the potential for bias in the decision-making process as this extract from a general meeting of the Ikapa Town Council on the 9 December 1988 shows:

"Mr. Naude [then Administrator of the Ikapa Town Council] held the opinion that the allocation of sites should be done by lot: He said that this will enable Council to justify the allocation of sites".
(Ikapa archive. File No. 14/3/1/1)

Thus, the officials even resorted to primitive methods, because the legitimacy of their decisions was frequently contested in the general climate of opposition to BLAs. Nowhere was this more evident than in the arena of housing allocations.

The regulations made Township Superintendents responsible for allocating houses and maintaining the waiting lists. The Superintendents were also tasked with issuing registered occupiers and lodgers with permit books and maintaining separate housing files for each legal resident. Veto, a retired Ikapa township manager, was quite emotional about the responsibility he felt as a housing official and the associated dangers involved:

“It is very much political. When you are an official people mustn’t know what party you support, because once you attend to their matter and the matter doesn’t please them, they will say it is because you belong to ANC, that is why you have treated us like this. You get blamed! ... That was when I decided not to be a part of that [the allocations] because I knew that at the end we would be blamed, the way the allocation was, because there is favouritism”.

(Veto, pers. comm. 11 May 2005)

By the early 1980s the compilation of waiting lists for housing had become a futile exercise. Morape, a retired Ikapa Township Manager spoke of the long waiting lists and the concomitant lack of new housing:

“There was a waiting list but no land allocation for development...[so] they stopped using them. You can also only allocate existing houses to immediate families. [They] must be considered first and then the next person”. (Morape, pers. comm. 5 April 2005)

Thus, registered occupation was usually transferred to another member of the same family so that houses seldom became vacant and the waiting lists hardly moved.

A report drafted in 1988 by the Acting Control Administration Officer of Housing of the then Cape Town Town Committee, Batt, documenting allocation practices during the early 1980s reiterates Morape’s statement and illustrates the dilemma that faced housing officials at that time:

“Due to the number of families occupying one dwelling and site, the dwelling can only be re-allocated to a family already on the site and the waiting lists can seldom be used. Residents gradually realised that it was fruitless reporting to the Superintendents to place their names on the waiting lists or to enquire about the allocation of dwellings and stopped doing so, with the result that the existing lists were outdated...Due to a large number of divorce cases in the townships, the ex-wives of tenants who were given custody of their children usually approached the Superintendents with the request to cancel the tenant’s occupancy and to transfer it to the wife and children...the parties involved usually instructed their attorneys to act on their behalf to fight for tenancy of the dwelling as well. Superintendents had to be very cautious and had to act correctly in deciding on the future tenancy of dwellings...In many instances the party who lost made allegations of corruption with fingers pointed at the Superintendents”. (Ikapa Housing Allocation File March, 1988: p.2/3)

Clearly officials as decision-makers were precariously positioned between contesting applicants.

The Chief Superintendent of housing later introduced a committee that dealt specifically with the allocation of houses, chaired by him and made up of superintendents from Langa, Guguletu and Nyanga and the Mayor of Ikapa. As far as possible preference was given to accommodating families, defined as a husband, wife and children [i.e. in the Western sense of the word]. Russell however suggests that:

“Households can be taken for granted in the West because the nuclear family system with its bilateral descent system ensures a fairly standard pattern of co-residence, with predictable patterns of pooling resources. In contemporary South Africa, the tradition of patrilineal descent in Black families entails a much wider set

of options for co-residence as relatives disperse to make a living in the new global economy". (2003: p.5)

Such assumptions about households did not therefore mirror the realities of township life. Moreover, in the official policy preference was given to males while single persons, male or female, did not qualify and their tenancy was terminated if discovered.

The allocation policy determined that in cases where no one had a pre-emptive right to a house, the house could be allocated to a resident according to a pre-determined allocation list sanctioned by the Council. These were referred to as 'Class B' houses. Superintendents or any other person authorised to allocate houses were not permitted to deviate from this list unless under circumstances of extreme urgency, such as when damage to a house was severe enough to result in evacuation of the tenant, or where a divorce resulted in a split of the household, with minor children on both sides.

However, some houses were referred to as 'Pre-emptive' or 'Class A' houses when they became available for re-allocation in ways that negated the use of the waiting lists, for example when the registered occupier died, when the registered occupier or spouse deserted the home, when there was a divorce or when the occupier was relocated elsewhere. Under these circumstances the Council had to allocate the house according to a set of guidelines contained within the policy: In deceased estates the tenant's wife or children had a preferential claim to the house. The wife had a stronger claim to the house, but where the wife could not succeed the children would be given preference according to age, and male descendants would be given priority over female descendants. When children were already registered as tenants elsewhere they would lose their rights to their father's house. The policy stated that each case should be treated on merit and each claim considered. It will be shown how this clashed head-on with traditional decision-making practices of the township dwellers.

In terms of a divorce, as a general rule the party with custody of the minor children would be given preferential claim to a house. Subsequent changes to the marital status of the parties were to be of no cause or effect. In cases of desertion the general

rule was that the party who elected to leave the home or caused the desertion forfeited their rights to the house. Again each case was determined on merit.

Morape claimed that generally only families could be allocated houses and that men often hastily remarried just to keep a house. He further explained how local residents circumvented these rules in order to gain access to a house:

“Where there was a divorce both husband and wife claimed occupation. The matter had to go to Council for a decision...the allocation was done on the strength that it must be a married couple...But I’m telling you there were fake marriages. That was very common in the early days in the sense that brothers and sisters married each other”. (Morape, pers. comm. 5 April 2005)

This evidence of strategies adopted by residents in Ikapa reiterates the observations of Todes and Walker (1991) in two Durban townships that there was a perception among women that one had to be married in order to be allocated a house. Although it was officially recognised that lodgers lost the right to remain in a house if the registered occupier died, it was also acknowledged that as many lodgers had often lived in a house for a long period of time they too had preferential rights during a reallocation. Therefore, if a wife or child of a deceased person did not have a stronger claim, and if the lodgers had an uninterrupted period of tenure of at least five years in the same house, they were to be given preference during re-allocation.

The new housing policy identified the necessity for appointing an official body to deal specifically with allocations. In 1988 a new officially sanctioned Housing Allocation Committee was established for this purpose, under the auspices of the local authority, recently renamed Ikapa Town Council.⁷⁵

⁷⁵ The Cape Town Town Committee had been upgraded to a Town Council in that year. It was briefly known as the Cape Town Town Council before being officially renamed the Ikapa Town Council. See figure 2 on page 42.

Strategies of the Ikapa Housing Allocation Committee: The quest for legitimacy and acceptance among Ikapa residents

The Housing Allocation Committee was tasked with drawing up a housing allocation list from the names of residents in the same order that they appeared on the waiting lists submitted by the superintendents. The list could have a maximum of thirty names at any time and was compiled by the superintendent after a personal screening of the applicants. The list was to be submitted by the Housing Allocation Committee to the Council for approval, thereafter becoming the official allocation list to be continuously reviewed and circulated to all Councillors and Ward Committee chairmen, and also posted up in public. Any deviation from the list by either the Allocation Committee or the Superintendents was to be reported to the Council (Ikapa Housing Allocation File March 1988, 1988). Well, that was the intent anyway!

The Housing Allocation Committee was to be comprised of the following members:

- Chairman: either the Town Secretary or the Assistant Town Secretary of the Housing Portfolio of the Cape Town Town Committee
- Vice-Chairman: Assistant Town Secretary
- Chief Resident's Officer
- The Township Managers

(Ikapa Housing Allocation File March 1988, 1988)

A councillor in whose ward a dispute was to be considered was entitled to attend a meeting of the Allocation Committee during consideration of the case, but was not permitted to vote. The Committee was given the right to call to the meeting any additional person or party who in the opinion of the committee could further inform the dispute. The records in the housing allocation files reflected the presence of a variety of representatives who attended these meetings on behalf of the applicants, such as burial societies, civic associations, street committees, and old age groups. Morape describes the Housing Allocation Committee as he remembers it:

“We had representatives from Council, councillors and then representatives from the officials, normally the senior housing officials...because they more or less know the history of the area, and they have got the records and they know what is actually

happening...whenever there is to be a reallocation of that nature, then they will report the nature of the case, how do they know the history of this house and what recommendations do they bring”.

(Morape, pers. comm. 5 April 2005)

Lobi, an ex-Ikapa Councillor who was very involved in housing allocations, confirmed Morape’s statement, insisting that officials and councillors knew residents in their wards personally and endeavoured to create a case to present to the officials in order to influence an allocation decision. He argued:

“It was a question of the officials. You as councillor you have got to put your motivation there, points and the letter being submitted as an application for a house...depending on the person who is wanting the house you got to find out from this person ‘How long have you been there? What happened at such and such a time?’ And so on, and from that you build, you build something to present to the officials, because they haven’t got the time to talk with these people as individuals...[the officials on the Housing Allocation Committee] they wouldn’t have time for that”. (Lobi, pers. comm. 6 April 2005)

The Housing Allocation Committee was obliged to meet on a weekly basis to address the backlog in the allocation of houses, but this became hard to maintain as Morape recalls:

“We [the Allocation Committee] had weekly meetings, not the general council [where] the allocations were monthly, but when we have pending cases it can take more than a month to resolve because it was useless really bringing the matter to Council when it is not resolved yet. So during that process we are trying to resolve that issue, that is why it used to take so long. Maybe the councillors as politicians they were also throwing their weight around, but it was impossible at times to resolve such cases, more especially when the family is involved. At times a particular councillor is also

interested in the house in the sense that he may have his own children and knowing very well that the children of the house, most of them are useless, he will try to bribe them so that he can get that house for his own children”. (Morape, pers. comm. April 2005)

His reference to the personal interests of councillors hinted at corrupt allocation procedures among Ikapa councillors, a national trend that was reported by Atkinson (1984: p.5). It can be presumed that membership of the Housing Allocation Committee provided Councillors with an opportunity to influence the decision-making process around access to housing. An ex-Councillor expressed the prestige and power that he believed was associated with being involved in housing allocation:

“There was something very important to be known by the people all over, that if they approached [me] about a house I would fight, listening to the arguments of the person concerned, I would fight and put the names of such people to the officials...If you were popular among the housing allocation nothing could happen to you...it is something of long standing for a number of years...as a councillor you would have to struggle...even going to the extent of confusing the council officials who do the allocation”. (Lobi, pers. comm. 6 April 2005)

Lobi also refers here to the adoption of underhand tactics by councillors to influence allocation decisions.

Indeed there was much evidence for duplicity among the Ikapa officials in the numerous housing allocation files where I found many references to multiple allocations of houses to officials, their friends and family. In an interview, Sidina, a long-time resident and civic leader in the Ikapa area reiterated this:

“The officials in the administration of Ikapa they played a dirty role. They were giving houses to those who were related to them and those who want to pay. They must have something to give. If it

is a young woman, they will go and have an affair with that woman. 'You are mine as of now you are going to get a house' ... Let me tell you Ikapa was corrupt".

(Sidina, pers. comm. 11 May 2005)

Sidina introduced another interesting historical process in which personal housing grievances often underlay seemingly political actions:

"Those days count against the officials ... the people were so angry against those people ... it was a problem because people went to those they hated most and they would destroy their properties".

(Sidina, pers. comm. 11 May 2005)

Stated differently, decisions around housing had such a profound impact on people's lives that individual vendettas against officials related to contested allocation of housing were sometimes played out on a personal level, subsumed and often unnoticed within the general political climate of resistance to the local authorities.

The Housing Allocation Committee had to adjudicate many allocation disputes, documenting them in monthly reports. Officials adapted formal dispute resolution strategies to make them more acceptable to the township residents. Morape was the first to draw my attention to the influence of typical African values and behaviour in the decision-making process around housing allocation disputes. He explains:

"The Black concept is that children always remain children; even if they are over aged they will stay there. They will always claim that this is their home... So if a man's wife dies, he remarries and the wife comes to live with that man, and immediately when that man dies these children will tell the woman 'Now you have to go. This is our home'. At times they are on good terms and they can talk it over, but mostly that doesn't happen. In some cases ... the children will leave when the stepmother comes in and they will be living elsewhere. Others are maybe married and got their own house, others may be scattered around living in back yards, but

immediately when the father has died, naturally they will come to bury their father, they will come to Council and start claiming and saying 'This is our home'". (Morape, pers. comm. 5 April 2005)

Morape explained that street committees became involved in the process and would help to decide to whom a house should be allocated. He said that there was no clear-cut process whereby, for example, an oldest son was given preference as was previously the official given policy:

"You may find that that the oldest son may be useless and the youngest son may be the hard working one, or neither of the sons may be worth it, maybe one of the daughters... The street committee will recommend 'Listen now this girl has been the one who has been looking after the parents, who has been maintaining the house, and who has been co-operating with the street committee'... Good behaviour! They will recommend and we will accept the recommendation of the street committee. It doesn't really matter if it is sons or daughters. Whoever has been co-operative then they will recommend that person... When there was a controversy they would ask somebody to come in and assist them, somebody who would know the history of the family to come and give as much input as to how much does he know about that particular person". (Morape, pers. comm. April 2005)

This provided further evidence of the traditionally social nature of African decision-making and the acceptance of this by the African housing officials themselves.

However, the involvement of street committees did not ensure a fair decision. Morape, as an official, was aware that street committees would even collaborate with an influential Councillor to obtain an allocation decision in their favour if they had vested interests in the allocation of a particular house themselves, throwing the Council into debate around the issue. He recalled that sometimes:

“There will also be a wrestle between Council and the street committee because some members of the street committees will want it [the house] for themselves”. (Morape, pers. comm. April 2005)

There were therefore many times when the family did not accept the decision of the street committee either, often seeking professional legal advice.⁷⁶

However, the Housing Allocation Committee also became involved in less socially mandated decisions associated with the rent boycotts. During the riots and rent boycotts of the mid-1980s the number of rent defaulters in the Ikapa area increased dramatically. The accepted practice prior to the riots had been to serve eviction notices on rent defaulters, but this had been discontinued during the violence that erupted in the townships. From May 1988, however, it became the added responsibility of the Committee to keep abreast of any intended evictions of rent defaulters. The three superintendents of the townships, namely Langa, Guguletu and Nyanga, which included the New Crossroads area, were nominated as the official eviction officers. Morape was one of these officials and expressed his anguish at the situation he was placed in:

“It was terrible...it was horrible...when they refused to pay the Council cut off the electricity. That is the day they came with placards and what did they call me this time? ‘Morape, White man in a Black skin!’” (Morape, pers. comm. 5 April 2005)

For the officials who lived in the townships themselves these were difficult times, positioning them in opposition to the communities among whom they lived. Although many officials were indeed corrupt and abused their positions, many others were genuinely concerned for the development of their communities and were often compromised in having to implement apartheid policies.

⁷⁶ This was borne out during an interview with J.J Brink of the attorneys Brinkmann and Hayward (17/8/04) as well as in a telephonic interview with D. Landu, a retired legal assistant from Vivian Malan’s firm of attorneys (2004) both of whom dealt with allocation dispute cases.

The New Crossroads experience: A collaborative relationship with the state

It was an inherent distrust of the official allocation process that shaped the coping mechanisms that developed in New Crossroads. Together with the community's determination to ensure the continued process of relocating Old Crossroads residents to the houses in New Crossroads, this stimulated the formation of a collaborative allocation procedure that was peculiar to New Crossroads at the time of the establishment of the community in the early 1980s. This strategy had developed from the legacy of the Old Crossroads community, which had found spaces for interaction and engagement with the local state.

The next section briefly describes how the Old Crossroads community established a collaborative process with the local authority for the allocation of houses in New Crossroads to Old Crossroads residents in the late 1970s. This was to shape the processes that later evolved in New Crossroads.

Informing New Crossroads history: housing administration in Old Crossroads

The Old Crossroads community's struggle against the state is a key to understanding the housing history of New Crossroads. It influenced the ways in which the New Crossroads community later organised and interacted with local government in the allocation of houses.

Old Crossroads was established in response to repressive influx control measures. The 'illegal' status of many of Cape Town's African population together with the shortage of housing for 'legal' residents and the demolition of several other informal settlements by the state, drove thousands of people to establish an informal settlement bordering the Ikapa area (see figure 1 on page 4). The residents of Old Crossroads, determined to acquire rights to remain in the city, engaged in negotiations with the state over a period of several years. Finally, in 1979 Minister Koornhof brokered a deal with the leaders of Old Crossroads to provide the community with houses in an attempt to move them off the land (Cole, 1987). Situated within the Ikapa area, the new houses were to be built for the community in three phases in an area between Guguletu and Nyanga, later to be called New Crossroads.

Although the history of the Old Crossroads community has been discussed from a variety of perspectives in the literature (Cole, 1987; Boulton, 2002; Hewatt *et al.*, 1984; Isaacs, 1989; Maree & Cornell, 1977; Potgieter, 1990), little mention has been made of the housing administration and housing allocation processes established by the community there. The lack of research on this aspect of organisation in Old Crossroads necessitated personal interviews with surviving members of the Old Crossroads committee structures, housing officials as well as a community worker who had a long term and intimate knowledge of the community.⁷⁷ The history that follows has been pieced together from these interviews.

Between February 1975 and June 1976, from the time when the people first began moving onto the land until the declaration of the area as an emergency camp, little more than a year, the community of Old Crossroads managed to develop a well-organised community (Cole, 1987). Under the control of a community-based interest group a process evolved to control the way in which houses were shifted and moved around, a locally adapted administrative structure was developed, linked to an old and trusted Transkei system but with an ‘urban twist’ (Cole, pers. comm. 20 May 2005). Cole explains:

“There was always an allocation system that was going on informally that was sanctioned and it worked up to a point...Over time obviously corrupt issues entered in, so by the time it came to the fact that people were dealing with the new settlement...the stakes became higher once they were given the right to settle. Still not everyone was given the right and that was one of the big issues. So not everybody was going to be allocated a house, there was a split already from the beginning”. (Cole, pers, comm. 20 May 2005)

⁷⁷ Although many members of the old committees have passed away, I was fortunate to be able to interview several key figures. Firstly, Josette Cole of the Mandlovu Development Institute, whose thirty-year relationship with both the Old and New Crossroads communities, initially in her role as a community worker, but later on a more personal level, was an invaluable asset in the research process. Cole was able to help me locate members of the Old Crossroads community, who were willing to talk about the ways in which the community had organised itself in terms of controlling the housing process in the older informal settlement.

Underpinning the authority structures that developed in Old Crossroads were the *izibonda*⁷⁸ (Lawrence, pers. comm. 20 May 2005). Ranking lower than chiefs and functioning similarly to the traditional rural headmen or wardsmen, the *izibonda* were an urban adaptation of Xhosa rural authority structures, serving to entrench the patriarchal nature of traditional Xhosa society in the new urban environment (Cole, pers. comm. 20 May 2005).

Mene, now an elderly woman living in New Crossroads, who was a member of the Old Crossroads Women's Committee, explained that the settlement was divided up into four, later five, sections with the residents of each section electing an *isibonda*, or chairman as he was known, and a committee to assist him (pers. comm. 16 July 2005). Although independent within his own section, the chairman was answerable to the Executive Committee, the overarching authority structure also elected by the residents. New people arriving at the settlement would approach one of the chairmen and request permission to settle within his section, and as such he and his committee became responsible for allocating space (ibid).

In the urban context the function of an *isibonda* was translated from representative of the chief to agent for the leader of the Executive Committee and the mayor of Old Crossroads, Johnson Ngxobongwana. The *izibonda* can perhaps be construed as the forerunners of the street chairmen later established in New Crossroads. The power of the *isibonda* was not grounded upon traditional sources, but became based on access to money and housing.

Mr. Veto, who was a Township Manager for many years tasked with administering housing in the Nyanga area during the 1980s and 1990s, believes that the *izibonda* system became corrupt as much of the money they collected from residents was said never to reach the mayor but was used to line their own pockets. Lawrence, who was also quoted earlier, expressed great respect for isiXhosa traditions, explaining that:

“[The *isibonda*] is the guy who came to see if all was well with your kraal. He brings a message from the chief of the area. And

⁷⁸ In the isiXhosa language the prefix 'isi' denotes singular, while 'izi' is the plural. Hence the interchangeable use of these spellings in this account.

you try and translate that, interpolate that into an urbanized society and we call it corruption. [The community] are paying the guy!" (Lawrence, pers. comm. 20 May 2005)

He believed therefore, that for those not familiar with them, such urban adaptations of traditional rural relationships could easily be misinterpreted as corruption.

The allocation process that developed for the move to New Crossroads was unique at that time representing the first occasion that local government worked closely with an African urban community to solve a housing issue. However, Cole observed that the Bantu Affairs Administration Board officials purposefully engineered alliances with the Old Crossroads gatekeepers in order to align themselves with the power structure there, and in this way state hegemony over the housing process was subtly established (pers. comm. May 2005). The men had closed ranks against the women by this stage and Cole spoke of 'a collusion of the patriarchy', as the government negotiating team sided with the men of the community (Cole, pers. comm. May 2005).

The strong Old Crossroads Women's Committee with its capacity for organising and ordering the community (Boulton, 2002; Cole, 1987; Metzger, 2002), frustrated the men's efforts to meet government officials without consulting them, fiercely contesting this patriarchy and forcefully involving themselves in the negotiations and the allocation process that followed (Cole, personal communication, May 2005). Thus, later during the negotiations with the Western Cape Bantu Affairs Administration Board for the New Crossroads houses, two Women's Committee members represented the women's interests on the Residents Committee (Mene pers. comm. 16 July 2005). The influence of these same women would continue during the relocation process and in the allocation practices in the new settlement.

Johnson Ngxobongwana, the Old Crossroads leader, with the assistance of the *izibonda* and the Women's Committee, drew up waiting lists of Old Crossroads residents who wanted to relocate to the houses in New Crossroads, using the numbers that had been painted on the shacks during the 1979 Bantu Affairs Administration Board Survey. They submitted these to the local Nyanga housing officials, who were

responsible for the final allocation. Ngqaqu, a housing official working with the Old Crossroads community at that time, explained that the allocation system for Old Crossroads was different from other Cape townships in terms of official practice:

“It was quite different. When you do allocations we had a system we used to call people into the office for screening...[Old] Crossroads was not on a waiting list. The shacks there were numbered systematically. What we did we used to write down notices and send these out to Old Crossroads...On Monday lets say we call from number 1 to 160 and then they come into the office and then we interview them and we open up files for them, a sort of screen sheet. So those people who are called into the office are asked to bring their I.D documents and their marriage certificates” (Ngqaqu, pers. comm. 4 May 2002).

Thus, in accepting the Bantu Affairs Administration Board survey as the basis for the allocation process, the Old Crossroads residents were in effect acknowledging the authority of the state. Although they were given a measure of control over the process, they were surrendering their cherished independence and traditional systems by submitting to administration by a state structure.

The Old Crossroads community, which had once stood united and defiant, now became divided around the issue of relinquishing their hard-earned independence to an apartheid structure. While some residents desired the move, many others preferred to remain in a secure and known environment, governed by their own elected leaders. When the time came for relocation there was inevitably a great sense of insecurity and a lack of faith in the apartheid government’s ability to broker a fair deal, because this was the first incidence of a negotiated deal, a successful engagement between African civil society and the apartheid state to address the urban housing crisis. It also served to acknowledge the fundamental rights of African people to reside in the city and the state’s role as the provider of housing.

However, the proposed housing could not accommodate the entire Old Crossroads community and this directly undermined the informal allocation system. Mene

remembers that the process was for the Executive Committee to call community meetings within the settlement, which only those wanting to move to New Crossroads would attend (Mene, pers. comm. 9 May 2005). Compilation of the allocation lists by the local leaders led to infighting and a constant realignment of shifting interest groups. Many residents including the lodgers were not eligible to be considered during the initial allocation process as only the houses of residents who had lived in Old Crossroads during the Bantu Affairs Administration Board survey had been numbered. Many un-numbered residents subsequently appeared on the allocation lists however, and at one point several community leaders were arrested for fraud in connection with the lists (Cole, pers. comm. 20 May 2005).

Veto was aware of corrupt practices involving both members of the Council and the Old Crossroads Committees even before the move to New Crossroads. He explained the corruption as:

“... money because you will find that some of the people were not on the waiting list but they were allocated houses...they got first preference”. (Veto, pers. comm. 11 May 2005)

The power to influence the allocation system inherently offered opportunities for self-enrichment. This induced changing community dynamics as various interest groups sought hegemony over the allocation process, even to the detriment of others within the same community.

This section has explained how the community gained agency in the allocation process for the move from Old Crossroads through engagement with the local authorities. This perpetuated and formalised a system of continued co-operation between civic representatives and local authority structures in New Crossroads. The next section traces this evolving co-operative process of housing allocation after the residents took occupation of the houses in New Crossroads, exploring the disjuncture between the formal and the informal system that developed.

The allocation of houses in New Crossroads: An exploration into competing identities and collaborative relationships

In township areas suffering an acute shortage of accommodation control over the process of housing allocation was a powerful asset. In New Crossroads those seeking power continuously contested such control. It was for this reason that the community's informal structures and their relationships with local government changed over time. The reasons for these changes are interdependent and complexly interwoven, related as they are to the changing political climate of those times.

Early days in New Crossroads

The first houses in New Crossroads were completed in 1980 but remained empty for three months.⁷⁹ There were several reasons for this: Firstly, the new residents who were giving up their homes in Old Crossroads after many years of struggle against the state, feared duplicity on the part of the authorities and became insecure about the move, which would alter their social networks and their established coping mechanisms. Secondly, there was a great deal of intimidation of the Old Crossroads people by residents in the surrounding areas of Nyanga and Guguletu who resented the negotiated housing deal with the squatter community as residents in these areas had been on waiting lists for many years and wanted the houses for themselves. A third factor was that Old Crossroads people were worried because the rental on the new houses was necessarily much higher than the Old Crossroads residents had been used to paying for their shacks. The affordability of the houses had been a big debate during the negotiations. Mene, a member of the old Executive Committee from Old Crossroads and a founding member of the New Crossroads Residents Committee expressed the sentiments of many of the Old Crossroads residents at that time:

“It is nice to live in shacks. You knew there was no money once you come to these brick houses. Then there is going to be a problem about paying rent...some people thought ‘We have no money. How can we pay rent? We don’t have jobs’”. (Mene, pers. comm. 9 May 2005)

⁷⁹ According to Lawrence (pers. comm. June 2005), these houses had to be guarded by the authorities day and night during this period to prevent people from moving in or vandalising them.

Eventually several of the women, led by leaders of the Old Crossroads Women's Committee, decided that failure to move into the houses would result in them being given to people from other areas. As Mene recalls:

“We held a community meeting. Those who wanted to come they showed up because they wanted to come into New Crossroads. They are not forced to come to New Crossroads, but they were forced some of them because these houses couldn't stay empty here because people from other communities wanted to move in. They said these are the best houses that have been built in the Western Cape because they are bigger and if you compare New Crossroads to Guguletu or Nyanga there is a vast difference. So the surrounding communities became jealous. It was me on the Women's Committee who said it is best for us to move in before the other communities take over”. (Mene, pers. comm. 9 May 2005)

The final process of physically allocating each specific house was left to the Nyanga Housing Office, under the control of Basson⁸⁰ and his officials such as Ngqaqu, Roxo and later his successor Veto (see figure 5 on page 124).

Veto explained that there were two ways of allocating a house to a family: Either (1) in terms of the size required, as there were several different sized houses in New Crossroads, (this meant going according to the number of people in the household) or (2) according to personal preference. He remembers that some people physically went to New Crossroads and picked out the house they wanted and then approached the Council with the erf number and requested it. Thus, engagement with local authorities occurred even at an individual level.

⁸⁰ Basson and Nqaqu are the two officials pictured in the photograph in figure 5 handing over the keys to the first tenant in New Crossroads.



Figure 5. Nyanga Housing officials Basson and Ngqaqu handing over the keys to one of the first residents in New Crossroads

(Source Cape Times)

Initially the rents varied, scaled according to the size of the house. Mene remembers:

“They were allocated according to our pockets... So when we sat at the negotiating team we made it clear that whether you are self-employed, unemployed or employed we need houses. You were allocated according to the family, how full it is. Small families had one-bedroomed houses. People like Mrs Yanta were not employed, but because she was at the forefront of the struggle she was given a five-roomed house...so she had to pay less money, R18.00. So the five-roomed houses were R23.00, and the unemployed as well they paid R18.00, and the self-employed”. (Mene, pers. comm. 9 May 2005)



Figure 6. Mene's house in New Crossroads today

As residents took up occupation of the first houses in New Crossroads street committees were established and the street chairmen became answerable to the new Residents' Committee that was established as an informal administrative structure. The involvement of the street committees over time became an important aspect of the official allocation process. Morape explained how the housing officials came to consult these committees throughout the Ikapa area over time:

“[During] the actual allocation...you will talk to the entire family and they will decide. After they have made their decision you call in the street committee, but you only call in the street committee if there is a dispute between members of the family. So when there is a dispute you call in the street committee”. (Morape, pers. comm. 5 April 2005)

A Housing Committee was soon established in New Crossroads and became part of the formal process administered by the Council, acting as the interface between the new community and the housing officials. In New Crossroads the street committees underlay the informal processes of housing administration adopted by the Housing Committee. Veto explained that each street in New Crossroads had a street committee

consisting of a chairman, secretary, treasurer and other committee members. Each street chairman would report to the Housing Committee on changes in housing occupancy. The new committee compiled allocation lists from the information they received from the street chairmen and submitted these to the Council, as had been the practice in Old Crossroads.

The legacy of the struggle of Old Crossroads residents for rights to live in the city engendered a fierce sense of entitlement to their new homes in New Crossroads, especially among the older women who had suffered endorsement out of the city and constant harassment by the authorities. Thus, the Residents Committee tried to ensure the continued process of accommodating the people who had been a part of the negotiation process by controlling the allocation system and the waiting lists from within the community. The local Nyanga Housing Office worked from these lists and formalised the process.

The houses had been promised to the Old Crossroads community and they resisted the intrusion of 'outsiders' because many of the Old Crossroads residents had not received houses in the new township as Mene explains:

"We carried on working and waiting for the rest because these houses were not enough for the community of Crossroads, it was a big community... The Backyard shacks were left behind there because we couldn't accommodate them all in our houses". (Mene, pers. comm. 9 May 2005)

The officials were however placed in a position to influence the allocation process and override community decisions.

Veto unwittingly referred to the underhand tactics of the officials when illustrating how fiercely the New Crossroads community defended their homes from allocation to outsiders:

"I went to see (an anonymous housing official) at Nyanga at that time because I also wanted to be accommodated there (New

Crossroads). As an official you know because most of the officials were not on the waiting list they were given houses since they were working for the council. But he said to me, his advice to me was, he can give me a house there, but I will suffer the consequences of that...so he is advising me not to go there". (Veto, pers. comm. 11 May 2005)

Lobi reiterated the defensive nature of the tightly knit New Crossroads community saying:

"You wouldn't come to New Crossroads if they know that you don't belong there". (Lobi, pers. comm. 6 April 2005)

Thus the Ikapa officials were well aware of the way in which the New Crossroads residents regarded residents from communities other than their own and that of Old Crossroads as 'outsiders'.

However, broader national and Ikapa-based political agendas were to upset the localised control over the housing allocation process.

Contestations of agency: Changes in the New Crossroads allocation process

As explained in previous chapters, the early 1980s was a time of political mobilisation and the politicisation of civil society. The meteoric rise of a strong civic movement in the Western Cape was a major factor influencing the changes in the allocation process in New Crossroads. The New Crossroads leaders resented the new political challenge to their control, which was strongly embedded in traditional practices that had been so successful in the older settlement in Old Crossroads. Mene explained that the leadership structures in New Crossroads, and indeed Old Crossroads had always remained 'non-politicised', in other words non-party aligned (pers. comm. 9 May 2005).

However, the link between the New Crossroads community and the Western Cape Civic Association, one of the largest of the Cape's civics, was consolidated in 1982

when Johnson Ngxobongwana, the Old Crossroads leader and then also the self-appointed representative of the New Crossroads community, was elected as its first chairman. Mene insisted that although the Western Cape Civic Association became involved in the New Crossroads area, it was never part of the process of allocating houses there (pers. comm. 9 May 2005), although elsewhere in the Ikapa area WCCA had begun to keep its own waiting lists and direct the allocation process on the ground (Fadana, pers. comm. 8 April 2005). At this time in New Crossroads control of this process was still in the hands of the New Crossroads Housing Committee (Mene, pers. comm. 9 May 2005).

The Residents Committee had effectively entrenched the hegemony of the older women from Old Crossroads in the new township, but the emergence of the civics, many of which came under the direction of the United Democratic Front after 1983, challenged this authority as they attempted to unify the civic associations of the Western Cape.

In the Ikapa area, during the 1985 and 1986 rent boycotts the ANC-aligned United Democratic Front recruited support for the banned political party among aggrieved residents. Many of the youth, wooed by the promise of radical political change, joined the resistance movements in the townships, becoming known as 'comrades' (Isaacs, 1989). Both Isaacs (1989) and Cole (1987) have described the antics of young comrades in the Ikapa area as they rooted out non-party supporters. Mene remembers open battles in the streets of New Crossroads between 'card carrying' comrades and other New Crossroads residents:

"It was the comrades...they were jealous of us ...they would lock us out and [say] we must go back to Crossroads..."(Mene, pers. comm. 9 May 2005)

Comrades believed that Old Crossroads residents had no right to formal houses in New Crossroads and therefore should be expelled to the informal settlements.

Mene believes that this was really a fight initiated by the 'civics' and the United Democratic Front to oust the New Crossroads leadership and to replace them with

ANC supporters, using the comrades to evict them from their houses. She recalls that while some former Old Crossroads residents defected and joined the new political movements, many others fled the township, some never to return, among them several Residents Committee members accused of involvement in a fund-raising scandal around the collection of bail money for several community leaders arrested during the rent boycotts. Ncate, who was once a street chairman in New Crossroads, has an informed understanding of the changing community dynamics that have occurred within the New Crossroads community. Having lived there during the period under discussion, he recalls that:

“...for the sake of that boycotting the committee leaders...were locked up...and the community came together and said ‘Let us collect money’...Eventually Bishop Tutu came in to help the people of New Crossroads by paying bail ... and then these people who were collecting the money they misused this money. That is the reason why they have been chased away”. (Ncate, pers. comm. 5 May 2005)

He recalls that the New Crossroads Housing Committee was dissolved after the ejection of many of the community leaders during the 1986 riots, and that a new one was quickly constituted among the residents (Ncate, pers. comm. 5 May 2005).⁸¹

Fleeing residents had left many houses vacant, which were subsequently allocated to ‘outsiders’, residents from the established townships, by the new committee without taking the matter to the Council for approval or dispute resolution. They later approached the Nyanga Housing office with the list of these new allocations requesting that they be registered officially (Veto, pers. comm. 11 May 2005).

The Ikapa local authority, placed in a delicate situation by this ‘take-over bid’, was initially unsure how to proceed, given that a new civic group had come forward claiming to represent the New Crossroads community, and given that the Black Local

⁸¹ Ncate was born in Old Crossroads and later moved to New Crossroads where he became the chairman of his street committee. He later became a local SANCO official before being appointed in 1995 as councillor for New Crossroads, a position he has only recently vacated.

Authorities at this time were suffering from a legitimacy crisis of their own. Eventually a meeting was called between the Committee and the housing office during which the officials approved the 'illegal' allocations in order to avoid having houses remaining empty, which often resulted in vandalism (Veto, pers. comm. 11 May 2005). Clearly, the officials were under pressure to acknowledge the allocations, not only for fear of reprisals such as further destruction of property, but also to sustain some small level of legitimacy.

However, in the dynamic political climate of the early 1990s yet another powerful actor, the South African National Civic Organisation (SANCO), was to take control of the allocation process in New Crossroads, as part of a broader political agenda enacted on the regional level after the organisation's establishment in 1992.

Further contestations and new relationships: SANCO in New Crossroads

'Counter hegemony has to start from that which exists, which involves starting from 'where people are at'. Such a conception of counter hegemony requires 'reworking' or 'refashioning' of elements which are constitutive of the prevailing hegemony'. (Hunt, 1990 p. 316)

In the early 1990s the Western Cape Civic Association and the Cape Housing Action Committee were the two biggest civic organisations in the Western Cape. The Executive of the Cape Housing Action Committee was pushing the United Democratic Front for the formation of a national civic body. The United Democratic Front, then the unofficial voice of the banned ANC, set up an ad hoc committee to investigate the dissolution of the Front and the establishment of a single national civic organisation. Most of the Cape Town civics sent representatives to attend a national conference in an attempt to establish a national body, resulting in the founding of the South African National Civic Organisation (SANCO) early in 1992 (Fadana, pers. comm. 8 April, 2005; Werge, 1992).

Reiterating Hunt's remark above, SANCO took advantage of the established street committee system to gain a foothold in urban African communities at grassroots level. Many street chairmen in those early 1990s became local SANCO representatives. In the Ikapa area several old informal authority structures were severely undermined as they lost support to this new national structure (Fadana, pers. comm. 8 April, 2005).

There was an underlying tension among the New Crossroads older residents that the involvement of the local SANCO branch, which did not have their localised and historic concerns at heart, would lead to the loss of their homes. This low-grade fear of eviction dated back both to their days in Old Crossroads and to the ‘battle of the civics’ referred to earlier. Mene expressed her own concerns:

“I would never join SANCO because SANCO is a political structure...the people of Old Crossroads we struggled as residents not as political structures so we don’t want to confuse ourselves or involve ourselves with SANCO...it is SANCO who gave people’s houses to other people... there are a few of us from SANCO that came from Crossroads, but they changed totally...we don’t want to politicise things because once you politicise things we are going to lose our rights here in New Crossroads”. (Mene, pers. comm. 9 May 2005)

It is apparent from these comments that some residents felt that local bodies could best address local issues⁸² and resented the interference of outsiders.

During 1993, within a year of the establishment of SANCO, their local branch concluded an official agreement with the Ikapa Town Council instituting an official process whereby the civic would be consulted on all housing matters in the Ikapa area, becoming an integral part of the Ikapa Housing Allocation Committee. This undermined the other civil society organisations, such as the New Crossroads Residents’ Committee, by giving SANCO official sanction to intervene in housing disputes.

Thereafter, the New Crossroads branch of SANCO held monthly meetings, receiving reports directly from the street committees, just as the New Crossroads Residents’ Committee had once done. Veto spoke of the national Civic’s official status at local government level:

⁸² It is interesting to note that during interviews about historical experiences it became evident that there is currently a resurgence of these sentiments among residents in the Ikapa townships after many years of SANCO involvement.

“SANCO of New Crossroads requested that any dispute should be directed to them so that they can discuss it and solve it. If it is difficult for them to solve they will refer it to the office. So even the residents of New Crossroads knew that they must go to the SANCO members. They are gathering at their hall at Piet Koornhof [Street]. They know the time of attending those problems. They discuss the matter and after that they go to the office and give me a report of that...Then I had to look at the report, check the file. If I don't understand I have to question them...The SANCO guys you see are street committee leaders, and they are from the upper body, SANCO”. (Veto, pers. comm. 11 May 2005)

Thus, local issues could be directed from a higher authority level within the national SANCO structure. The relevance of decisions taken at higher levels in terms of local community dynamics is obvious, given that the national body had broader political agendas that informed their decision-making.

By 1994 SANCO were also working with the Ikapa Town Council on the newly constituted Dispute Resolution Committees. These consisted of housing officials and four members of each section of the local SANCO branches (Ikapa file 7/3/1/102). However, the Ikapa Town Council soon became concerned about evidence of individual SANCO officials making unilateral allocation decisions. A letter to SANCO's regional office in Cape Town in 1994 states:

“We have noted that some of these recommendations are made by single SANCO officials without any indication that the relevant executive of the local civic branch had discussed the relevant matter...In order to overcome any potential for biased decisions which could prejudice some of, or all of the interested parties, it is hereby proposed that your regional office should assist in creating the necessary transparency pertaining to the need for formal letters of recommendations from the various branches of SANCO...[with] the full consensus of the executive members of each local

branch...with the letter from the relevant street committee of the house under dispute enclosed".(Ikapa Archive. File No. 7/3/1/102)

Indeed, from the time of the emergence of SANCO and their involvement in the Ikapa allocation process many homes in New Crossroads were allocated to 'outsiders'. Mene was quite clear about their real objectives:

"SANCO wanted to be dominant and they did nothing [to earn that right]... they put people in people's houses. That is why they gave those people because they gave them ANC cards so they were sort of recruiting". (Mene, pers. comm. 9 May 2005)

In other words, Mene believes that broader SANCO political agendas drove their involvement in the local housing allocation process as they created a political base for the ANC, giving houses in return for support.

It has been shown how the New Crossroads Residents Committee had quickly become established in the official allocation process, working in conjunction with the local BLA, but forced by political events to relinquish their position to a politicised group of 'comrades', militant young ANC-aligned United Democratic Front supporters. A larger SANCO civic structure later built on the successes of these earlier groups using the same street committee system to entrench and legitimise their part in the allocation system at the local level. Clearly changing broader political events influenced the changes that occurred in the allocation process.

Before concluding this historical analysis of housing allocation in New Crossroads, this final section introduces another significant aspect of the allocation process, exploring the influence of traditional value systems on the formal and informal housing processes.

Exploring cultural identities: The significance of a house among the amaXhosa

The strong emotions associated with the allocation of houses are not only to be understood within the historical context of the lack of access to resources i.e. the

chronic shortage of houses. The Xhosa family home is generally considered to be the home of the ancestors. Links to the urban 'ancestral home' have supplanted many of those traditionally held in the rural areas, especially where such links have been lost or relinquished due to alienation from rural roots. From an anthropological viewpoint, adherence to traditional values and the perpetuation of ancestral beliefs among even educated modern urbanites is indicative of the continuing importance of such values in a contemporary urban setting.

All the people interviewed for this research, whether or not they were African themselves, alluded to the cultural significance of a house for a Xhosa person, be they a '*borner*', i.e. one born and bred in the urban environment, or an '*amagoduka*', one born and raised in a traditional rural setting. In urban areas it is culturally accepted that the person who is registered as the legal occupier of a house represents the family, making it crucial that the family secures right of tenure to this house. This 'family home' never loses its status as the seat of traditional ritual activities. Even Mr. Veto, born and bred in Cape Town had this to say about Xhosa tradition:

"We've got culture; we've got customs which must be observed. ...For instance maybe we are a family of five, four of us we've got our own places, but now this one will remain at home. We will allow that the house be registered in the name of this person at Guguletu. But when we have got cultural things we come back to that house to slaughter and those things". (Veto, pers. comm. 11 May 2005)

Veto claimed that until the time of his retirement several years ago he had continuously stressed at Council meetings how important an understanding of cultural tradition was in drafting future housing policy, especially allocation policy. He attached strong traditional values to his family home in Guguletu, even though he had a home of his own in another more affluent suburb of Cape Town. Mene reiterated this sentiment:

"What we know this is a family house, we Xhosas, there are times in our culture...even those married children, there are times when they come and do their things here...they will come and do their

customs here. They want to move their ancestors, make beer, and slaughter, whatever we do. They will come to the family house, and it must remain that family house". (Mene, pers. comm. 9 May 2005)

Giving cognisance to this tradition, the first step followed by the Ikapa officials dealing with allocation disputes was to summon the whole family to discuss the re-allocation of the house. Officials understood the position of the occupier as the representative of the family and the place of the family home in ritual life over generations, and not just as a living space.

Thus, I argue that the cultural importance of a family house underlay much of the emotion regarding access to that home and shaped people's reactions to the threat of the loss of that home through changing control over the allocation process. In a sense, perhaps the rejection by the township residents of the local authorities can also be understood in terms of the latter's alienated position, despite the presence of African officials, as cultural outsiders who did not espouse the same ritual practices and traditional beliefs.

Concluding remarks

'In the endless debates that pose 'structure' against 'agency' and ask how much our lives are determined for us and how much by us, we are apt to forget that the balance between the two differs depending on where we stand in relation to social power'. (Bozzoli, 1991: p.1)

This chapter unravels the complex history of changing allocation practices in New Crossroads, from the time of the establishment of the township in 1980 until the official end of the apartheid regime in 1994. It describes the development of competing discourses around the rights to control the allocation process, interpreting the interrelationships between formal and informal systems during that time. Reiterating Bozzoli's statement above, the contested 'agency' to allocate houses in New Crossroads engendered changing community dynamics as various civil groups battled for access to that power, and as residents shifted their own allegiances accordingly above.

The discussion of the official Ikapa housing allocation processes has explained the contradictory nature of government policies set against the reality of conditions within the townships, negotiated first hand by local government officials who coped with the added dilemma of implementing policies amidst a tense and changing political climate. It has illustrated how local government officials understood the nature of traditional values and practices in relation to housing and adapted official policy implementation accordingly. An historical account of the Old Crossroads community's housing administration and allocation processes facilitates an understanding of how the initial systems were developed in New Crossroads after 1980. The authority structure established by the residents was patterned after the previous Old Crossroads system, and controlled by some of the same community leaders who had moved from the old transit camp to New Crossroads. A discussion of the New Crossroads community organizing around housing shed light on the collaborative process that developed with the Ikapa Town Council.

Apartheid policies of separate development and housing for urban Africans created a chronic housing shortage and an environment in which involvement in housing allocation meant access to power. Officials and councillors alike abused this power by influencing allocations, creating mounting distrust of the local authorities among residents who turned increasingly to alternative authority structures. The rise of the civic movement created new hegemonic powers desirous of a measure of control in the allocation process. This chapter has discussed the formation of local and national civics in this regard and the effects of both in the context of New Crossroads history.

Finally, this chapter has attempted to show how the cultural significance of a house to Xhosa people, who make up the majority of the African population of the Western Cape, has been directly translated and interpreted into local housing allocation implementation by officials and residents alike.

The process of housing allocation offers control over a precious and limited basic resource – housing – and, I argue, inevitably creates an environment of competing interests. The final chapter will analyse the competing discourses that developed with regard to housing allocation and how they speak to the ongoing dilemma of housing allocation strategies in contemporary poverty-stricken South African urban areas.

- CHAPTER 7 -

A LANDSCAPE OF COMPETING RELATIONSHIPS AND IDENTITIES

‘Insiders’ versus ‘Outsiders’: Competing identities in Ikapa:

The political nature of the township landscape during the 1980s, together with changes in civic organising, carried with it the inevitability of contestation over access to different resources, not only material resources such as houses, but also those establishing legitimacy and legality, such as institutional rights and community acceptance. In this thesis, I argue that a range of competing interest groups from both the Ikapa local authority and the local Lagunya communities came to contest agency in the process of housing allocation. Within this context, my research demonstrates how definitions of legitimacy and illegitimacy were constructed and at times became interchangeable, shaped by competing and conflicting identities and relationships that evolved in the township landscape. Such notions of legitimacy and legality in turn spoke to the ways in which officials, councillors, activists and residents were variously positioned in space and time as either insiders or outsiders, depending upon the relationships they formed and the identities they adopted.

The apartheid state historically only acknowledged ‘legal’ African urban dwellers, creating legislated divisions between those inside the official system, and those considered illegal ‘outsiders’. Indeed, in the Ikapa area this created irreconcilable differences between the two groups, an artificial division that became spatially manifested in residential patterns with the ‘illegals’ living mainly in the peripheral informal settlements while the ‘legals’ had access to more secure forms of tenure within the established township areas. These social divisions among Lagunya communities resulted in the creation of competing identities among township dwellers in their struggles for rights to live in Cape Town and to access houses.

The history of the Ikapa Town Council and its administration of housing in the Lagunya townships can only be properly understood if the range of relationships that existed is explored. Therefore, this thesis reveals the complex multi-dimensional relationships that developed, often simultaneously, in the Ikapa area during the BLA

period. Relationships between state actors and groups from civil society were manifested at various scales: from central state departments, through provincial and metropolitan levels of government, down to civil society organisations, community-based groups and personal interactions between individuals, such as local government officials and local residents, in places like Old and New Crossroads. These relationships resulted from negotiations of complex contested politicised identities, enmeshed in various polemics, such as the 'community' versus the 'state', the 'borners' versus the '*amagoduka*', politicised residents versus non-politicised residents, and local officials ambiguously positioned as agents of the state and as township residents themselves.

These various stakeholders, in their quest for legitimacy or access to resources, could simultaneously be seen as either 'insiders' or 'outsiders', depending on the nature of the particular intersection of interests. For instance the Ikapa Town Council formed a partnership with the New Crossroads Residents' Committee, which drew the local authority into the ambit of the local community structure and thus legitimated their housing administration, while it gave the community some agency in the allocation of houses. Neighbourhood groups competing for access to houses ended up collaborating with structures from the apartheid state in order to formalise their rights.

Competing community groups within Lagunya, and New Crossroads specifically, often thus posed more of a challenge to each other than did the state as they contested agency in the allocation of houses in a bid to legitimise their authority over township communities. However, in spite of its rejection by the township residents, the Council was nevertheless the 'legal' route through which to access control over the allocation of houses, resulting in relationships developing between unlikely bedfellows such as the state and local leadership structures. These complexities mirror Kemeny's argument that:

“...influence over state apparatuses gives vested interests considerable power to define or redefine the social relations of residence, and the manner in which they are organised”. (1992: p.160)

I argue, therefore, that housing issues specific to the Ikapa area shaped the way in which community relationships evolved, even though these interactions often contradicted the political language of the time in which urban Africans were supposedly standing together to resist the apartheid state and fight for political rights.

In the next section I explore the historical intersection of government and community structures and their competition for agency in the process of housing allocation in the Ikapa area, highlighting the changing identities of role players in the complex urban fabric. I begin by interrogating how the Ikapa officials adopted different 'faces' for different 'friends', be they actors from the state or from the township communities, in an effort to achieve some measure of credibility and acceptance.

Suffering an identity crisis: Positioning Ikapa officials

Ikapa officials were faced with a crisis of identity, employed by the apartheid state to implement repressive policies in their own communities. They had to position themselves effectively in relation to each of the various stakeholders with whom they interacted, from the national and provincial, regional and city authorities they were answerable to, as well as to the communities who saw local officials as 'puppets' of the apartheid regime and resisted them as legitimate local government agents. Exacerbating their identity as agents of the state, officials were also inextricably wound up in the National Management System (Borraine, 1989; Phillips *et al*, 1988). Their involvement with the repressive state security system reduced any prospects of legitimising the local authority structure, positioning the Council inside the very engine of the apartheid state at that time. This section explores officials' juggling of their identities as agents of the state and as community residents of the African townships they administered.

Even among the Lagunya township communities the officials interacted with a range of different groups. As many of the officials came from the established townships themselves, their attitudes often mirrored those of their own local community, for example in their animosity towards hostel dwellers and informal settlement dwellers. They were ambiguously situated between the traditional tenets of an African lifestyle with which they had been inculcated and the espousal of modern practices of

administration learned in the course of their official duties. The officials therefore, juggled a variety of identities that, although existing simultaneously, were very different in character.

Bound by a multiplicity of unrealistic rules and regulations laid down at central government level, officials themselves circumvented many rules in an effort to make their administration workable. Their efforts reiterate Kemeny's depiction of the local state and housing administration in which:

“...the [local] state may find itself torn between central government policy and the pressure emanating from local social relations in response to local-specific housing conditions”. (1992. p 44).

Reflecting just such a dilemma, the Ikapa officials sought spaces for engagement with the township communities, adopting certain traditionally acceptable practices in housing allocation such as family 'indabas', also drawing in street committees and other local civic groups to aid them in dispute resolution. This contrasted with the state's prescribed allocation process that failed to allow for social discussion and sanction, the traditional way of legitimising decisions in African society. Such 'informal' practices helped to ameliorate the stringency of apartheid legislation, earning official decisions legitimacy in the eyes of township residents who in this way gained some agency in the housing process.

Generally the literature casts BLA officials in the mould of the 'bad guys.'⁸³ Heymans and White (1991) contend that most township residents generally considered the officials to be corrupt and indeed this often was the sad reality. In the Ikapa area Kahanovitz (1988) records stories of councillors awarding jobs and trading licences to friends, while press reports in Cape newspapers record the embezzlement

⁸³ Interviews often felt like de-briefing sessions as the ex-Ikapa officials and councillors availed themselves of the opportunity to have their own motivations, sentiments and experiences while working for the apartheid state captured for posterity. Indeed as iterated earlier, it was one of the intended purposes of this research to be able to interrogate the 'bad guy' image of local government officials in the townships during the BLA era and to present the stories of the officials themselves.

of money and the bribery of officials for government tenders (*Die Burger* 13/11/93; *Cape Times* 28/5/93; *Cape Argus* 24/2/94; *Cape Times* 25/1/94⁸⁴).

In interrogating this negative stereotyping of Ikapa officials, who were precariously placed between the competing interests of the apartheid state and the Lagunya communities in the 1980s, my research reveals that many Ikapa officials were unfairly branded, identified as agents of the state and automatically scapegoated in the often violent political climate of the time. While Heymans and White (1991), Shubane (1991), Swilling *et al* (1991) among others have focused on the negative public image of officials, they have not examined the personal experiences of the officials themselves, and there is little account of the realities of township administration for the officials and councillors themselves.

In addressing this lacuna my research counteracts much previously negative reporting by recording the experiences of the Ikapa officials as they struggled to administer the townships. Interviews with ex-Ikapa employees provided insights into the nature of the administration of the Lagunya townships during the BLA period, the types of day-to-day problems officials encountered in their interactions with the local residents. Some testified to their exasperation with a system fraught with inadequate resources and unrealistic policies and unfair practices. Many knew the area and the township communities intimately, and were often challenged with contradictions of purpose. Others feared community reprisals and felt sadness and terror at the death of fellow workers.⁸⁵ Officials were also often thwarted in their efforts to address local issues by higher tiers of authority such as the Western Cape Administration Board, the Western Cape Development Board, and later the Cape Provincial Authority (Cooper and Kaplan, 1983: p. 19).⁸⁶ This created a crisis for local officials, situating them outside both the state and the community, their legitimacy challenged from both sides.

⁸⁴ Page numbers are missing from these references because the archives of the Cape Times and The Cape Argus that cover this period consist of themed scrapbooks contained in the South African National Library in Cape Town in which dates and page numbers are usually not recorded.

⁸⁵ Batt remembered sadly the death of two associates in the townships. This was the last straw that led him to resign on behalf of his family out of fear for his own life (pers. Comm., 2004).

⁸⁶ Even the rezoning of an erf in Guguletu could only be approved in principle by the Council as it was subject to final approval by the Community Services branch of the Provincial authority (Ikapa Minute Books. Entry dated 22/2/94).

Despite their ambiguous position as agents of the state and 'illegitimate' representatives of their own communities, which placed them in great personal danger, there were three main concerns that encouraged officials to ride out the stormy seas of often-violent political change within the BLA structure.

Firstly, there were those officials who genuinely believed in the process of reform that was being promoted by the state and who wanted to be a part of the transformation to more democratic forms of local government. A well-placed White official initiated a hostel-redevelopment programme of his own in order to supply family accommodation, while another African official, concerned with putting the interests of his own community first, greatly admired the work ethic of the 'more educated' White officials with whom he worked. For him these values and principles were the essence of effective administration, essential for improving and developing the townships. All the African officials interviewed expressed similar sentiments, having established enduring friendships with many of their White colleagues.

The racial segregation entrenched through apartheid policies was being tested by those meant to enforce it, the local government officials themselves, who in their everyday interactions were coming to know and understand each other's values, thereby developing a mutual respect for each other which endured over the years.⁸⁷

Secondly, there were those who, while distrusting the government's reform programme, firmly believed that they were better placed within the system to address the grievances of their impoverished communities. When questioned one African official motivated his reason for becoming a state official saying 'Well, what would you do?' implying that working within the state system was the only course open to seriously minded African reformers.⁸⁸ When asked why he remained within the system after a grenade attack that nearly cost him his life, Lobi, a retired Ikapa councillor maintained that he had strongly believed that political reform for African

⁸⁷ Indeed, the White official mentioned earlier was in the habit of staying with one of the community leaders at his Eastern Cape traditional home, and claimed to have reciprocated the favour in his own home at a time when this was forbidden by the very laws he was tasked with upholding (Lawrence, pers. comm. 20 May 2005).

⁸⁸ Morape, a retired township manager who is now elderly, remains a tireless campaigner for the upliftment of his own community and continues to work for the Independent Electoral Commission during government elections (pers. comm. 5 April, 2005)

people was imminent and that his position as a councillor for Ikapa enabled him to promote the interests of the people within his own ward, especially in terms of housing.⁸⁹

Thirdly, local government posts represented the obvious benefits of permanent employment, access to housing, and other resources for local officials and their families. For councillors, who did not receive a salary, there were other motivations. Many had personal agendas, such as acquiring wealth and business rights. Officials were sometimes well placed within the BLAs to satisfy these aspirations. For example, it was 'common' practice for officials to be given houses, one of the 'perks' of being local government employees although this was not 'official' practice. In an environment in which housing was in critically short supply this was certainly a contributory factor in enticing people to become members of the local authority structure.⁹⁰ Membership of the Housing Allocation Committee further empowered those officials involved in the process of housing distribution, thus creating opportunities for corrupt practices such as bribery and favouritism in order for them to amass wealth and prestige.⁹¹

Like Bloch's (1982), Kahanowitz's (1988) and Rammala's (1987) contentions that most councillors were drawn from the educated African 'bourgeoisie', who used their positions to access houses and business rights for themselves, their friends and families, I found evidence of the same in the records of the Ikapa Town Council. For example, the tenders for business sites frequently reflected the names of the councillors and their family members. Agency in the allocation of housing and land meant power in one's community.

⁸⁹ Lobi's sentiments are not altogether trustworthy. He was suspended from Ikapa after being implicated in a corruption scandal (*Cape Argus*, 30/10/93; *Cape Argus*, 24/2/94; *Cape Times* 25/1/94). Comments made by other interviewees suggest that he was far from honest and involved for his own ends.

⁹⁰ The Ikapa files showed that many officials were forwarding their studies, awarded bursaries by the Council, while in the early 1990s many employees were given driving lessons and awarded their licences. Clearly there were many such additional perks for employees.

⁹¹ It was common knowledge in the townships that men would even offer their wives' 'temporary services' to councillors in return for a house being allocated to them (Sidina, pers. comm. 11 May 2005). Other stories mention bottles of whisky, money and other 'gifts' (Bloch, 1982: p12; Fast, 1995a: p 273).

But it was not only the Ikapa officials who had a variety of motivations for staying in positions of power and influence. Township activists in a variety of organisations had similar divisions of interest.

Divided townships: The politics of access to resources

Township society far from a homogenous, unified group standing in opposition to the state, was itself divided into multiple layers of competing interests shaped by various histories. Differences were manifested between the ‘*amagoduka*’ and the ‘*borners*’, the traditionalists and the modernists, and the politicised versus the non-politicised residents, creating a complex range of relationships that were often tenuous and short-lived. The next section explores several of these associations and how they related to struggles over access to resources.

‘Down with the State’: Contradictions of faith

Despite the political rhetoric calling for the destruction of the BLAs, Lagunya township residents were nevertheless constrained within a deprived material environment in which access to precious resources such as housing was paramount. Struggles to access housing underlay the relationships that developed with the local authority structures. Political resistance to, and rejection of, the BLAs was one thing, but the realities of living in poverty in the crowded Lagunya townships required overlapping strategies to gain agency in the state housing process. I refer to the strategies of the township dwellers as ‘contradictions of faith’, for while rejecting the local authorities local communities nevertheless chose to associate with them in order to access critical resources like housing.

Township residents in Ikapa, motivated by the larger civics like the Western Cape Civic Association (WCCA) and the United Democratic Front (UDF) as well as the smaller community-based organisations, while loudly rejecting the BLAs, were simultaneously collaborating with those same authorities in order to gain access to houses and some part in the housing allocation process. Such collaboration had begun during the days of the Bantu Affairs Administration Board. Although disliked and despised for their heavy-handed actions, such as shack demolitions, endorsement of people back to the impoverished homelands and general harassment, the Old

Crossroads community nevertheless drew the Board into a negotiated deal for residency rights and the provision of houses. Likewise, the New Crossroads Residents Association maintained what can be described as a symbiotic relationship with the Ikapa officials in order to gain agency in the allocation process. Both parties benefited from the arrangement, with the Residents' Association gaining a measure of control and the council a level of legitimacy and acknowledgement.

Although at the beginning of the BLA era this collaborative relationship existed uniquely in the New Crossroads area, associations between the local authority and various community groups were developing in all the Lagunya townships as other community-based organisations began to engage in housing disputes. This cooperative atmosphere signalled the beginning of community participation in township processes that was to become state policy during the Transitional local government period of the early 1990s.

Given the shortage of housing in the Ikapa area, I argue that it was inevitable that the power to allocate such a precious resource would cause changes in local community dynamics as various role players strove to gain agency in the process of allocation. The collaborative process that had developed between the Ikapa Town Council and the New Crossroads Residents' Association, which gave partial agency in the allocation of houses to members of the New Crossroads community, was later contested by other township organisations wanting access to New Crossroads houses.

The antagonistic relationship between the people of New Crossroads and the residents of the established Lagunya townships must be understood in terms of other competing identities existing in the African townships at this time. Negative attitudes towards the hostel dwellers and the informal settlement by the established township residents had been to some extent artificially fabricated by the state through their influx control measures and their divide-and-rule strategies (Borraine, 1989), creating tangible divisions among African urban society. Wilkinson suggests that the state's 'reform' programme generally:

“...maintained a clear distinction within the African population between ‘insiders’ with legally registered rights of permanent

residence in the 'White' urban centres, and 'outsiders' living in the homelands and 'White' rural areas". (1998: p.222)

These aspects of internal township division are explored within the Lagunya context in the sections that follow.

Animosity between the 'Borners' and the 'Amagoduka'

There was a perception among the established township residents that the migrants were different, still espousing the old traditional behaviour of the rural Xhosa people, which was considered out of place in the urban environment, where peoples' value systems were different and education had created an awareness of modern Westernised behaviours. This 'insider' and 'outsider' polemic had profound implications for social structuring within the Lagunya townships, the community organisations that were formed, the relationships that developed, and the actions of community groups in defence of their positions as 'insiders' or 'outsiders'. The animosity of the 'borners', or 'City Blacks' as Fadana (pers. comm. 8 April 2005) and Veto (pers. comm. 11 May 2005) referred to them in their interviews, towards the '*amagoduka*' or traditional rural migrants, underlay some of the political agendas of the civic movements.

The derogatory attitude towards the '*amagoduka*' can perhaps be interpreted as a class issue. The officials that were interviewed believed that in established township society the '*amagoduka*' held an inferior status. Todes and Walker (1991) reiterate this, suggesting that influx control policies during the 1980s consolidated an 'insider-outsider' dichotomy, introducing the concept of 'qualified' access to houses (1991: p.6) thereby stratifying urban Africans into the 'haves' and the 'have-nots'.

The division of interests between the two groups was highlighted by the omission of the informal settlement dwellers and the hostel dwellers from the early civics. This led to the formation of strong alternative civic groups such as the Western Cape Squatter Association and the Western Cape Hostel Dwellers Association representing the interests of these 'outsiders', whose grievances and interests were in many ways different from those of the 'borners' (Fadana, pers. comm. 8 April 2005).

Although in their official capacity they had to administer both groups, Ikapa African officials exhibited the same bias. My interviews revealed their animosity towards informal dwellers who were considered ‘outsiders’, and spoken of in derogatory terms as being ‘uncivilised’, ‘inferior’ people from the rural areas with old-fashioned traditions.⁹² Although this may have been a somewhat subliminal and therefore unintentional bias, there is no doubt that such sentiments to some extent coloured the judgement and decisions of local officials when it came to the fair distribution of resources to township dwellers.⁹³ Several interviews with Ikapa African officials resonated with these tones of ‘otherness’. Veto clearly expressed his sentiments:

“...the way they grew up is different, it is not the same. People who were born and grew up in the rural areas, fighting is nothing to them, they are used to fighting, grew up fighting you know, playing with sticks and assegais”. (Veto, pers. comm. 11 May 2005)

This illustrates that although African society was united in its resistance to the apartheid government, stratification among urban Africans nevertheless existed and was in some ways a result of the spatial engineering of the state.

The established ‘City Blacks’ of Lagunya had been waiting many years for houses, partly because of the state’s moratorium on the building of houses for urban Africans. Their animosity towards rural migrants was intensified by the state’s decision to provide the people of Old Crossroads with new houses before providing for the needs of the established residents in the overcrowded older townships. I suggest that the contestation of agency in New Crossroads was, therefore, not simply a neighbourhood struggle, but was driven by the larger Lagunya civics such as WCCA and the UDF, and later SANCO. Their motivation for challenging the New Crossroads leadership

⁹² The perception that informal settlement dwellers were all rural migrants was a misnomer, which has been verified in the research of Fast (1995a), and Mazur and Qanguly (1995) among others.

⁹³ After intensive negotiations between the Minister of Co-operation and Development and the Cape Town Town Council, 3000 core houses were released in Khayelitsha to residents of Ikapa in August 1985. Kruss (1987) records that the Ikapa mayor, Njoli, who was in charge of the homeownership scheme, acknowledged that these houses had been previously reserved for residents from Old Crossroads. Lobi, an ex-Ikapa Councillor also admitted to attempting to accommodate residents from the established areas before the informal dwellers (pers. comm. 6 April 2005). This substantiates my contention regarding the division of interests of the officials between so-called ‘insiders’ and ‘outsiders’.

was related to their animosity towards the *amagoduka* from Old Crossroads who were living in new state houses. Their jealousy of the ‘outsiders’ ability to negotiate houses motivated the residents of the other townships to oust the leadership structure within the New Crossroads community in order to gain access to the houses.⁹⁴

However, there was also counter resentment on the part of the informal settlement dwellers towards the ‘borners’, evident in Veto’s remarks about the people of New Crossroads:

“... those people are from the rural area, their attitude is very negative towards people who are born here in the cities”. (Veto, pers. comm. 11 May 2005)

Searching for legitimacy of their own, the informal dwellers, or ‘outsiders’, had gained entry into the official system, becoming ‘insiders’ within the official housing mechanism of the Ikapa Town Council; while Ikapa officials, who were considered ‘outsiders’ by the communities they administered, by working with the New Crossroads community effectively became ‘insiders’, receiving community sanction and some element of legality.

The animosity between the ‘borners’ and the ‘*amagoduka*’ can be further explained as the conflict between traditional and modern values and practices among township residents, which was manifested in social actions and administrative practices.

‘Traditional’ versus ‘modern’: A clash of identities in the urban context

Established township residents regarded the informal dwellers as unsophisticated and inferior because of their strong adherence to archaic rituals and traditional practices.⁹⁵

⁹⁴ A woman interviewed, who grew up in Guguletu in the BLA period, explained how she and her friends were in the habit of taking a short-cut through New Crossroads when walking home from school, just to admire the wonderful new houses there, which, she says were the talk of the town (Mpambo, pers. comm., June 2005).

⁹⁵ This is not unique to the South African situation. For instance in the urban environment of Istanbul Robins and Askoy (1995) remark that: “There is a great cultural divide between those who consider themselves to be ‘western’ and ‘civilised’, and consequently the true Istanbulians, and those who they look down on as ‘Anatolian’, ‘rural’, ‘ignorant’ and ‘other’”(p229).

While Veto spoke of the perpetuation of stick fighting in Old Crossroads (pers. comm. 11 May 2005), Lawrence showed me photographs of the induction of sangomas in Old Crossroads (pers. comm. 20 May 2005), to demonstrate the perpetuation of rural traditions in the urban areas.

In contrast, official processes were built on modernist, formal written procedures according to legal prescriptive form, that were unfamiliar to many township residents, many of whom were uneducated. The research established that in order to administer communities who still adopted traditional processes Ikapa officials sometimes adopted traditional methods of decision-making.⁹⁶ This gave their decisions greater legitimacy, making them acceptable to township residents, who, although not unanimously embracing traditional practices and values to the extent of the *amagoduka*, nevertheless espoused some of them. Once again, this reflects a dichotomy between insider/outsider identities, with the cultural practices of African township residents differentiating them from other groups.

In some ways the African local government officials were trapped between the two systems, tasked with implementing 'modern' forms of authority, but having been inculcated themselves with traditional methods and values, which they understood to be the accepted ways of the township populations. Many African officials came from the ranks of the better educated and were keen to espouse new modern practices, but were faced with the reality of trying to impose them on an African urban society still steeped in tradition. Oranje, for instance, argues that although traditionalism is said to be re-emerging in South Africa, there is a counter argument that in fact it never went away (2003. p.176). Indeed, during my research the perpetuation of such practices among 'modernised' urban Africans came to light. Thus, for example, on moving into a new home, it is still traditional among the amaXhosa, to slaughter an animal and perform certain rituals (pers. comms. Morape 5 April 2005; Mene 9 May 2005; Veto, 11 May 2005) (see figure 7 on page 151).

⁹⁶This may support Fitzgerald's suggestion (1990. p.104) that civil society in South Africa is essentially different in nature from civil society in other parts of the world because of the intrinsic importance of social consensus and consent that is laid down by African indigenous traditions.

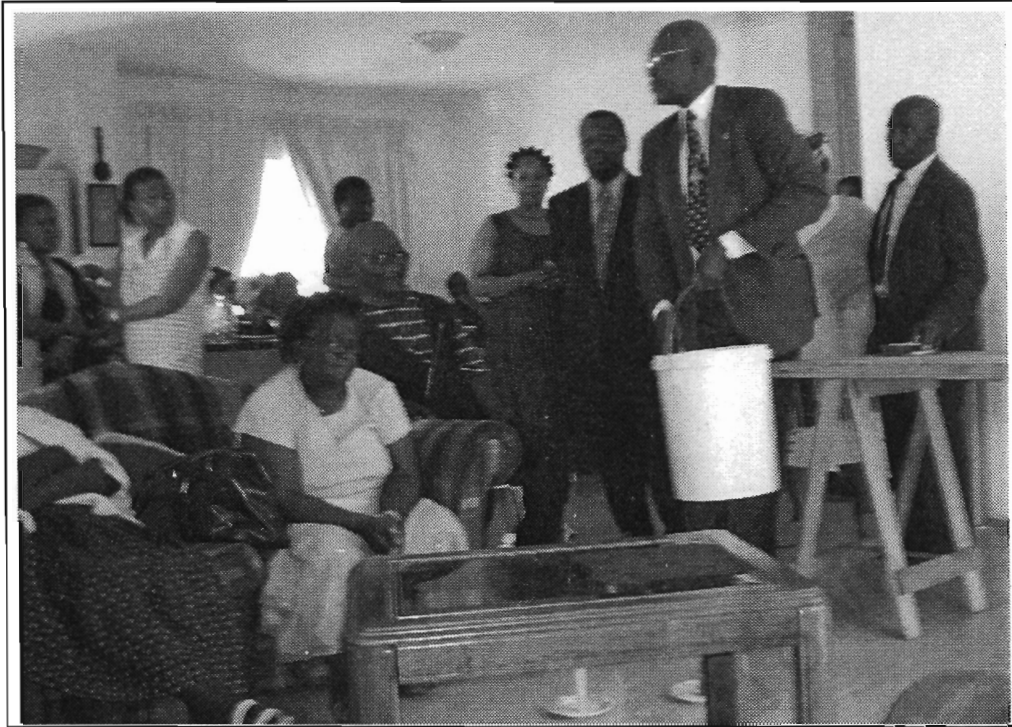


Figure 7. Ceremony welcoming the ancestors, 17 November 2005.

Indigenous African practices remained important to township residents and were re-interpreted in the urban setting during the BLA period in the Ikapa area, and specifically in New Crossroads. Traditions such as family indabas were incorporated into local official processes because the state had failed to recognize the importance of tradition for urban Africans. I would suggest however, that there were degrees to which rural and urban Africans maintained their ancestral traditions that effectively set them apart from one another in the urban environment. For example, chapter six has discussed how the people of Old Crossroads adhered more vehemently to traditional customs than residents of the established Lagunya townships. However, complex political undertones created yet other divisions among Ikapa residents.

Politicised and non-politicised society

By the mid-1980s there was a clash of interests between residents and groups within the townships in terms of whether or not they were party-aligned insiders or apolitical outsiders. Many community-based organisations became affiliated with the ANC-aligned UDF. This was to shape the history of the Ikapa area and has been traced in this research in the changing authority structures in New Crossroads, which

essentially divided the community between older apolitical residents and politically motivated groups that were predominantly younger.

The early informal authority structures in both the Old and New Crossroads communities had remained politically neutral, believing that this would better ensure effective leadership and decision-making (Mene, pers. comm. 9 May 2005). This historic neutrality underlay the resentment of the New Crossroads Residents Committee towards the local civics that were aligned to the UDF from 1983, and later towards ANC-affiliated SANCO in the 1990s.

This empirical evidence supports the observations of Jacobs (1992) that the earlier civics “popularised the idea of non-party political residents’ organisations that represent ordinary people on matters that affect their daily lives” (p. 23). Thus, it appears that the older leaders distrusted the political nature of the civics and did not believe that they could represent the best interests of their community in which their own hegemony was well entrenched.

Debates about ‘insiders’ versus ‘outsiders’ shaped identities and relationships between actors from the state, such as local government officials, and community-based organisations and residents in Ikapa. However, issues of contested legitimacy and legality also informed these issues. Analytically I argue that role players and their actions can be judged simultaneously as legitimate or illegitimate, legal or illegal.

Questions of legality/illegality and legitimacy/illegitimacy

The complexity of relationships and identities already discussed, also speak to the various ways in which legality/illegality and legitimacy/illegitimacy were articulated in housing allocation processes in the BLA period. Although housing allocation was determined by prescribed state policy and implemented by the local authorities as agents of the state, the Lagunya residents themselves had not mandated the Ikapa local authority to represent their interests and did not recognise the legitimacy of the state. Therefore, the regulations regarding housing allocation were considered illegitimate unless residents or their representatives had some part in the process.

Community participation conferred legitimacy upon official decisions, by allowing township communities to work within the 'legal' system of the state.

Thus, the Ikapa Town Council wavered between various degrees of legality, depending on the particular intersection of interests. In implementing state policies it was within the legal framework of the state regime but considered illegitimate by the people of the townships. However, by collaborating with neighbourhood groups, who rejected the state, the Ikapa officials gained some community sanction. Where 'modern' official processes clashed with the 'traditional' social decision-making methods familiar to township residents, the officials incorporated the latter into the official processes in order to legitimate apartheid administration.

By contrast, the Lagunya community organisations were elected by the township residents themselves and were directly accountable to them. These local organisations received growing recognition from township residents as their legitimate representatives and were increasingly supported due to their understanding of localised issues and shared histories.⁹⁷ For instance, the New Crossroads case shows that neighbourhood interests were promoted by the Residents Association because of a shared history of negotiation for houses, while Fadana (pers. comm. 8 April 2005) recalled how WCCA compiled its own waiting lists for houses in the Lagunya townships at a time when Morape (pers. comm. 5 April 2005) admitted that the official waiting lists were ignored by township residents and officials alike, having become obsolete and unusable. It is evident that local residents trusted their civic groups to allocate houses fairly, even though state processes could bestow questionable 'legal' rights.

⁹⁷ The civics had, according to Jacobs, 'a strong attachment to the local area [and] a capacity to define local grievances' making decisions that were 'appropriate to the local context' (1992: p.24). Community buy-in essentially invested the civics with legality and legitimacy within the townships. Jacobs (1992) notes that this eventually led to the recognition of the civics as the legitimate representatives of the township communities by government, business and international aid groups and an appreciation by the state of their significance in later local government negotiations (ibid).

Local government housing administration and changing state paradigms

Changes in urban policies and local housing administration structures during the apartheid era reflected the state's quest for legitimacy in the African townships, acknowledging the critical importance of housing in generating civic challenges to the state's authority. During the 1980s, the state grappled with shifting ideologies around residency and housing rights for urban Africans, experimenting with changing policies and administration systems. In the Western Cape the Coloured Labour Preference Policy, which denied permanent residency to most urban Africans in the Western Cape, perpetuated the relationship between access to accommodation and permanent employment in order to safeguard employment for the Cape Coloured people. This clashed with the changing ideologies of the central state.

In the Lagunya townships the critical shortage of housing and the chronic conditions of overcrowding shaped the ways in which officials and residents alike contested control over the allocation of houses. Although many 'illegal' or 'informal' housing processes had been in practice for many years (Fast, 1995a: p 275), subverting the official housing administrative system, the rent and service boycotts of the mid-1980s saw direct community confrontations with the state around housing issues, coordinated by the civic groupings that had emerged after the 1976 riots (Frankel, Pines, & Swilling, 1988).

Making increasing efforts to legitimise Africans rights to live and work in the city the state launched its 'Great Housing Sale' in 1983 with the intention of selling off state housing to registered occupiers (Gardner, 1997). Kruss (1987) reports that in the townships of Lagunya the civics coordinated a campaign against the sale of houses, which failed to answer urban Africans basic lack of rights. Township dwellers understood that while lessening the duties of the state to provide housing, such an offer substantially increased their responsibility for their own housing (Rasool, 1984).⁹⁸

⁹⁸ Mabin and Parnell (1995), *Grassroots* newspaper (April, 1988), and the Ikapa archive record that many of the buildings in the Lagunya townships in fact warranted serious repairs before they could be sold, offering little incentive to potential buyers.

There is little specific mention in the literature of the allocation of houses other than in primary sources such as government policy documents (Republic of South Africa, 1977, Republic of South Africa, 1982) and Fast's thesis on Nyanga housing (1995a). However, struggles to control housing allocation emerged as a pivotal aspect of housing administration in my research. In acknowledgement of the critical nature of the allocation of houses in the townships, for instance, in 1988 the Ikapa Town Council established an official mechanism specifically to tackle this task, the Housing Allocation Committee. The allocation of houses necessitated the identification of legally registered occupiers, a process fraught with a variety of problems such as the use of subversive strategies by residents and councillors alike in order to lay legal claim to houses.

In the Ikapa townships other technical and bureaucratic procedures also complicated the registration process. Registration of titles to houses was only possible after the opening of township registers, which required professional surveying and the production of general plans (Royston, 2002). This could only be achieved after the identification of municipal boundary lines, which was stalled at provincial government level while the placement of municipal boundaries was disputed (Ikapa File. Agenda and Minutes June 1988). This delayed the registration of ownership until the early 1990s. While the Lagunya communities blamed the local authority, the Ikapa officials were effectively powerless to begin the transfer of property process until the township registers were opened.

The shortage of housing in all the Western Cape townships continued to grow and by the early 1990s the shortfall was estimated at over a hundred thousand units (Driver, 1992). In response to the resulting proliferation of informal settlements and the continued influx of people into the urban areas, the state resorted to harsh repressive mechanisms such as the use of 'Hut Squads' to demolish any new informal settlements, introducing new policies such as the Prevention of Illegal Squatting Act to deal with the mushrooming of squatter areas. However, in spite of its ruthless attitude to 'rural outsiders', the state's support for the established 'legal' township dwellers increased with the inception of a financial aid scheme to facilitate housing ownership, and therefore greater security of tenure and legitimacy in the urban environment.

In the poor crowded Lagunya townships, access to housing was necessarily a rough terrain in which the rights to allocation were often bitterly contested. Thus, the Ikapa Town Council shaped an allocation procedure that, although prescribed by official government policy, also involved the use of family indabas and community groups in order to achieve community sanction.

My empirical investigation into the allocation of houses in New Crossroads traces the complex nature and the implementation of allocation processes, exploring the interrelationships that developed between various role players from local government and the local communities. In New Crossroads the process of allocation was initially quite different from the other Lagunya townships, involving collaboration between the Ikapa local authority and the New Crossroads Residents' Committee. This process, which benefited both the local council and the New Crossroads community, was a legacy of the Old Crossroads Executive Committee that had established a similar co-operative process with the local authority prior to the move to New Crossroads. While the Ikapa Town Council received recognition for its allocation decisions from a local community, the community established some control over their own housing destinies, simultaneously excluding residents of other township communities from gaining access to houses in New Crossroads.

Community organisations in the Lagunya townships continuously contested the allocation process in New Crossroads, seeking a measure of agency motivated by their own vested interests in the houses there. This speaks clearly to the analytical themes that have developed during this research around the changing relationships and competing identities that existed in the complex township environments of the BLA period.

Concluding remarks

Mabin and Parnell (1995) argue that the role of local government has generally been underestimated in terms of its mediating function between “conflicting ideological and material imperatives” (p.46). This research reflects the truths inherent in this statement by interrogating the historical realities of local government housing

allocation processes within the Ikapa area, demonstrating the nature of the interactions between local communities and the state. It contributes to our understanding of how local government officials historically mediated the implementation of central government ideologies in urban townships, shaped by particular historical legacies, material inadequacies, and changing community dynamics, which in turn informed the responses of both local government officials and local residents.

My findings resonate with the broader literature on the place of ‘insiders’ and ‘outsiders’ in South African townships, both past and present. While Wilkinson (1998) has shown how the state engineered social divisions through its influx control measures, and Todes and Walker (1991) have contextualised this same argument in terms of changing gendered access to accommodation resulting from housing legislation, my research, while reflecting the same state influences on creating divisions of interest, has also shown ways in which differences were constructed and used in township struggles for housing. These tensions were expressed in terms of conflicts between traditional and modern values and practice, and political and non-political identity.

In many ways this research reflects the contemporary situation in the Ikapa area today, where housing remains in critically short supply, where waiting lists are still fraught with queue jumping and unfair practices, and where insecurity of tenure undermines the lives of the urban poor, perpetuating apartheid housing grievances. In this respect Cross’s more recent work in informal settlements in the Ikapa area reflects the continued manifestation of the ‘insider’ versus ‘outsider’ polemic. She states:

“...that the central identifying characteristic of communal tenure is its identification of right holders with a specific bounded community [that] separates [people] into insiders and outsiders; and limits land rights to insiders”. (1993: p. 3)

It is interesting to note that Cross relates this identification of rights to land in terms of the legitimacy debate as well, contrasting informal settlement dwellers:

“...with their perceptions of what is legitimate, as opposed to what is prescribed in the official tenures. (2002: p. 4)

Thus, township residents continue to by-pass official processes in order to access land and housing, resources that have remained in critically short supply, in spite of the democratisation of local government in South Africa today.

My research has contributed to the historical record of the administration of the African townships during the time of the Black Local Authorities, filling a lacuna in Western Cape history, the era of the Ikapa Town Council, which due to the particularly violent nature of those times had not previously been recorded. This thesis has traced the institutional history of the local authority structure in terms of policy and structural changes in the Ikapa jurisdictional area. With a particular focus on housing history, it has recorded the realities of implementation of state policies by local government officials, investigating the personal experiences of members of the Council, as well as various community leaders and residents in order to comprehensively cover a past that is fast disappearing.

Adding to an understanding of the nature of township relationships that evolved in response to the critical lack of resources, particularly housing, my thesis demonstrates how actors from both the state and the local community strategised around the constraints of the Lagunya environment, in terms of both official ideologically-driven policy, political upheaval, and local community issues. The case study of New Crossroads housing allocation has illustrated the complex nature of the competition for access to resources, the relationships that evolved and the strategies that were employed.

Finally this research has explored the competing identities in the Lagunya environment of the 1980s and early 1990s, the curtain call of the apartheid era, interrogating the way relationships were configured in the quest for legitimacy and rights and has shown that, in spite of the broader political climate of the time, local issues shaped responses in specific ways.

University of Cape Town

REFERENCES

- Atkinson, D. 1994. Local government: Local negotiations, corporatism and political symbolism. In *Third Winelands Conference. Public Administration in Post-apartheid South Africa*. Muller & Van Rooyen (eds). School of Public Management, University of Stellenbosch. 44-77.
- Baumann, T. 1998. *South Africa's housing policy: Construction of development or development of construction?* Report by Homeless International. Cape Town.
- Bekker, S. and Humphries, R. 1985. *From Control to Confusion: The changing role of Administration Boards in South Africa, 1971-1983*. Pietermaritzburg: Shuter and Shooter.
- Bekker, S., LePere, G. and Tomlinson, M. 1986. Dissension over Regional Services Councils: the stances of opposition groupings to local government reform. *Social Dynamics* 12 (2): 48 - 63.
- Bekker, S. 1988. Devolution of the state's program of reform at local level. In *Government by the people: the politics of local government in South Africa* Chris Heymans and Gerhard Totemeyer (eds). Cape Town: Juta 25-23.
- Bernstein, A. 1991. The challenge of the cities. In *Apartheid city in transition*. Swilling, M., Humphries, R., & Shubane, K. (eds). Cape Town: Oxford University Press 322-334.
- Bloch, R. 1982. All little sisters got to try on big sisters clothes: the Community Councils system in South Africa. In *African perspectives* 21:1-36.
- Bloch, G. 1989. Facing the challenges of the 1990s: Organising for democracy in the Western Cape. Conference paper delivered at the Centre for Development Studies, University of the Western Cape.
- Boaden, B. 1979. The financial aspects of Black home ownership with reference to the new 99-year leasehold legislation. Occasional Paper. Department. of Business Economics, University of the Witwatersrand, Johannesburg.
- Boraine, A. 1989. Managing the urban crisis, 1986-1989: the role of the National Management System. In *South African Review* 5: 106-118.
- Boulton, J. 2002. *Placing Crossroads: mapping the political struggle 1975-1979*. Honours. Thesis. Department of Environmental & Geographical Science. University of Cape Town.
- Bozzoli, B. 1991. *Women of Phokeng: Consciousness, life strategies and migrancy in South Africa 1900 -1983*. Johannesburg: Ravan Press.

- Burman, S. and Scharf, W.1990. Creating people's justice: street committees and people's courts in a South African city. In *Law & Society Review* 24(3): 694-744.
- Cameron, R. 1991. Local government policy in South Africa 1980-1989 (with specific reference to the Western Cape): Devolution, delegation, deconcentration or centralisation. D Phil. Dissertation. Department of Political Studies. University of Cape Town.
- Cape Action League. 1988. October Elections. Information pamphlet distributed by Cape Action League, Cape Town.
- Centre for Development Studies.1989. Western Cape Regional Report, 21 October 1989. Centre for Development Studies: Local Government and Planning Commission, Cape Town.
- Chaskalson, M. and Duncan, S.1984. Influx control: The Pass Laws. Carnegie Conference Paper No. 81. *Second Carnegie Inquiry into Poverty and Development in Southern Africa*. 13-19 April 1984. University of Cape Town.
- Chaskalson, M., Jochelson, K. and Seekings, J. 1987. Rent boycotts and the urban political economy. In *South African Review* 4. Johannesburg: Ravan Press 53-74.
- Cole, J. (1987) *Crossroads: The politics of reform and repression 1976-1986*. Johannesburg: Ravan Press.
- Cooper, L. and Kaplan, D. (Eds).1983. Reform and response: Selected research papers on contemporary South Africa. Department of Economic History, University of Cape Town.
- Coorvadia, C. 1991. The role of the civic movement. In *Apartheid city in transition* Swilling, M. Humphries, R and Shubane, K (eds). Cape Town: Oxford University Press 334-345.
- Cornell, V. 1983. Community Councils - puppets, magicians or fledgling local authorities? In *Reform and response: Selected papers on aspects of contemporary South Africa* 2. Cooper, L. and Kaplan, D. (eds). Department of Economic History, University of Cape Town 4-49.
- Cross, C.1993. Informal tenure in South Africa: Systems of transfer and succession. Report to the Centre for Social Development Studies, University of Natal.
- De Jongh, M., Van Vuuren, C.J. and Faber, W.J. 1991. Councils in crisis: a study of Black Local Authorities. University of South Africa report. Pretoria: UNISA Press.

- De Jongh, M. 2000. Black urban turmoil: local level political transformation and ethnicity in post-apartheid, pre-election South Africa. In *South African Journal of Ethnology* 23(2/3):83-90.
- De Loor, J. 1982. *Housing in South Africa: proposals on a policy and strategy*. Report by the Task Group on National Housing Policy and Strategy. Pretoria: Government Printer.
- Department of Public Works and Land Affairs. 1984. Annual Report 1984. Department of Public Works and Land Affairs. Pretoria: Government Printer.
- Department of Public Works and Land Affairs. 1989. Annual Report 1989. Department of Public Works and Land Affairs. Pretoria: Government Printer.
- Driver, M. 1992. Local government in Cape Town: A survey of existing structures and problems. Report by the Development Action Group, Cape Town.
- Du Toit, P. 1995. Nie-geveldadige aksie (NGA) en die ontwikkeling van swart plaaslike regering: 'n histories-kritiese ontleding 1982 tot 1994. PhD dissertation. Department of Development Administration. University of South Africa, Pretoria.
- Edwards, I. 1994. Local Government. In *South African Human Rights Yearbook* 5: 190-210.
- Elias, C. M. 1983. An historical review of the supply of housing for urban Africans in the Cape Peninsula 1900-1982. Occasional paper No. 7. May 1983. Department of Sociology, University of Stellenbosch.
- Elias, C. M. 1984. A housing study: legislation and the control and supply of urban African accommodation. Carnegie Conference Paper No. 157. *Second Carnegie Inquiry into Poverty and Development in Southern Africa*. 13-19 April 1984. University of Cape Town.
- Evans, R. 1988. BLAs: Bread-and-Blood Politics. In *Indicator Southern Africa* 5(4): 51-56.
- Ewick, P. and Silbey, S. 2003. Narrating social structure: Stories of resistance to legal authority. *American Journal of Sociology* 108(6):1328 -72.
- Fast, H. 1995a. Pondoks, houses and hostels: a history of Nyanga 1946-1970, with a special focus on housing. PhD Thesis. Department of History. University of Cape Town, Cape Town.
- Fast, H. 1995b. An overview of African settlement in the Cape Metropolitan area to 1990. Working paper No. 53. Occasional paper No. 40. Urban Problems research Unit, Cape Town.

- Fitzgerald, P.1990. A response to Daryl Glaser. In *Review of African Political Economy: Democracy and civil society in South Africa* 49: 94-110.
- Frankel, P., Pines, N. and Swilling, M. (eds).1988. *State resistance and change in South Africa*. Johannesburg: Southern Book Publishers.
- Frater, W.1990. Crossroads 1975 -1983: a turning point for influx control. Honours. Thesis. Department of History. University of Cape Town.
- Gardner, J.1997. *Politicians and apartheid*. Pretoria: HSRC.
- Goodlad, R.1996. Politicians and apartheid. In *Urban Studies* 33(9):1629-1645.
- Grest, J. and Hughes, H. 1984. State strategy and popular response at the local level . In *South African Review* 2: 44 - 62.
- Grest, J. 1988. The crisis of local government in South Africa. In *State resistance and change in South Africa*. Frankel, P., Pines, N. and Swilling, M. (eds). London: Croom Helm. 87 -116.
- Hall, M.1986. Resistance and rebellion in Greater Cape Town. Paper for Centre for African Studies, July 1986. University of Cape Town.
- Haysom, N. & Kahanovitz, S. 1987. Courts and the State of Emergency. In *South African Review*, 4: 187-198.
- Hendler, P.1991. The housing crisis. In *Apartheid city in transition*. Swilling, M., Humphries, R. and Shubane, K. (eds). Cape Town: Oxford University Press. 196 -217.
- Hendrick, C.1988. Local government and national resistance. In *Reality*, 20(2):10-11.
- Hewatt, G., Lee, T. and others 1984. An exploratory study of overcrowding and health issues at Old Crossroads. *Second Carnegie Inquiry into Poverty and Development in Southern Africa*. 13-19 April 1984. University of Cape Town.
- Heymans, C. and White, R.1991. Playing politics without the power: the state of Black Local government in the South Africa of the 1980/90s. In *Politikon*, 18(1): 3 - 27.
- Heymans, C.1988. The political and constitutional context of local government restructuring. In *Government by the people: the politics of local government in South Africa*. Chris Heymans & Gerhard Totemeyer (eds). Cape Town: Juta. 34 -47.
- Hindson, D. and Lacey, M.1983. Influx control and labour allocation: policy and practice since the Riekert Commission. In *South African Review 1983. Same Foundations, New Facades*: 96 -113.

- Hughs, H. and Grest J.1983. The local state. In *South African review 1983. Same Foundations, New Facades*:122 - 141.
- Humphries, R. and Shubane, K.1989. A tale of two squirrels: local government elections and their implications. In *South Africa at the end of the eighties: policy perspectives 1989*. Johannesburg: Centre for Policy Studies. 75 - 111.
- Humphries, R. 1988a. Intermediate state responses to the black local authority legitimacy crisis. In *Government by the people*. Heymans, C. and Totemeyer, H. (eds). Cape Town: Juta. 105 - 117.
- Humphries, R. 1988b. "On the beaches...": South Africa's local government elections. In *Africa Insight* 18(3): 132 -142.
- Humphries, R.1989. Administrative politics and the Coloured Labour Preference Policy during the 1960s. In *The angry divide: Social and economic history of the Western Cape*. James, W.G. and Simons, M. (eds). Cape Town: David Philip.
- Humphries, R.1991. Regional Services Councils: a preliminary evaluation. In *Politikon*, 18(1): pp 59-74.
- Hunt, A. 1990. Rights and social movements: Counter hegemonic strategies. In *Journal of Law and Society* 17(3): 309-329.
- Isaacs, A.H. 1989. Crossroads: the rise and fall of a squatter movement in Cape Town, South Africa. In *Urban Social Movements in the third world*. London: Routledge.105-123.
- Ismail, N., Lungu, G. and Mphaisha, C. 1999. A summary of key aspects of the National Local Government Framework which impact on organisational change. Report. May 1999. University of the Western Cape.
- Jacobs, B. 1992. Heading for disaster? Why SANCO might be the downfall of the civic movement. In *Work in Progress* No. 86: 23-25.
- Kahanowitz, C.1988. Control in the townships and popular resistance: The system of community, town and village councils 1977-1985 with specific reference to Cape Town Community Council. In *South African Research Papers No. 5*. Bradford, H. and Nasson, B. (eds). Department of Economic History, University of Cape Town. 31 - 60.
- Kaplan, T.1997. Crazy for democracy: women in grassroots movements. *Crazy for democracy: Women in grassroot movements*. New York: Routledge.
- Kemeny, J.1992. *Housing and social theory*. London: Routledge.
- Kruss, G.1987. The 1986 State of Emergency in the Western Cape. In *South African Review* 4: 173 - 186.

- Lamont, T.1985. The great housing sale. In *Urban Monitor* 2 (4):18-20.
- Latsky, J.1987a. Black Communities Development Act: Implications of Amendments. In *Legal changes in Black Housing*. Report for the Urban Foundation.
- Latsky, J.1987b. 99-year Leashold and Conversion to Ownership. In *Legal changes in Black housing*. Report for the Urban Foundation.
- Lemon, A. 2002. The role of local government. In *Democratising local government: the South African experiment*. Parnell S., Pieterse, E., et al (eds). Cape Town: University of Cape Town Press. 18 - 30.
- Lombard, J.A. and Du Pisanie, J.1985. Removal of discrimination against blacks in the political economy of the Republic of South Africa. Academic Series No. 7. *A memorandum to ASSOCOM on behalf of the Bureau for Economic Policy and Analysis*. University of Pretoria.
- Mabin, A.1991. The dynamics of urbanisation since 1960. In *Apartheid city in transition*. Swilling, M., Humphries, R. and Shubane, K. (eds). Cape Town: Oxford University Press. 33-47.
- Mabin, A.1992. Comprehensive segregation: the origins of the Group Areas Act. In *Journal of Southern African Studies* 18: 423-27.
- Mabin, A. and Parnell, S.1984. The question of working-class home ownership. Carnegie Conference Paper No. 159. *Second Carnegie Inquiry into Poverty and Development in Southern Africa*, 13-19 April 1984. University of Cape Town.
- Mabin, A. & Parnell, S.1995. Rethinking urban South Africa. In *Journal of Southern African Studies* 21 (1): 39-61.
- Mandy, N.1991. Local government finance and institutional reform In *Apartheid city in transition*. Swilling, M., Humphries, R. and Shubane, K. (eds). Cape Town: Oxford University Press.119-138.
- Maree, J. and Cornell, J. 1977. Sample survey of squatters in Crossroads, December 1977. *Southern African Labour and Development Research Unit (SALDRU)*. January 1978. *Working paper No. 17*. Cape Town.
- Mazur, R.E. and Qangule,V.N.1995. Household dynamics and mobility amongst Africans in Cape Town. Report to the Western Cape Community-based Housing Trust. Cape Town.
- Meer, Y.1984. The control and supervision of an urban black residential area. Report for the Legal Resources Centre, Cape Town.

- Metzer, A. 2002. The Crossroad's Women's Committee: a social history 1975-1978. Honours. Thesis. Department of Environmental & Geographical Science, University of Cape Town.
- Mofokeng, D.1996. Closing a chapter on history. In *Housing in Southern Africa*. March 1996:17-18.
- Muller, J.J. and Van Rooyen, A.1994. Public Administration in Post-apartheid South Africa. Third Winelands Conference. School of Public Management, Stellenbosch University.
- Nieftagodien, N. 2002. The role of local authorities in the implementation of urban apartheid on the East Rand in the 1950s. Paper delivered at the Interdisciplinary Research Seminar. 11 march 2002.University of the Witwatersrand.
- Oranje, M. 2003. A time and space for African identities in planning in South Africa.In *Confronting fragmentation*. Harrison, P., Huchzermeyer, M. and Mayekiso, M. (eds). Cape Town: University of Cape Town Press. 175-189.
- Parnell, S.1992. State intervention in housing provision in the 1980s. In *The apartheid city and beyond*. Smith, D.M. (ed). London: Routledge. 53-64.
- Parnell, S. and Pieterse, E. 2002. Developmental local government. In *Democratising local government: the South African Experiment*. Parnell, S., Pieterse, E. and others (eds). Cape Town: University of Cape Town Press. 79 - 91.
- Perramond, E. 2001. Oral histories and partial truths in Mexico. In *The Geographical Review* 91:151-157.
- Phillips, M., Shubane, K. and Swilling, M. (eds).1988. The municipal elections: Success or failure for government strategy. In *South African Labour Bulletin*, 13: 26-42.
- Pikholz, L.1997. Managing politics and storytelling: meeting the challenge of upgrading informal housing in South Africa. In *Habitat International*, 21: 377-398.
- PLANACT.1989. Debating the role of housing in society. *Workshop on local government and planning*. Centre for Development Studies, University of Harare.
- Potgieter, H.J.1990. Socio-political problems in the upgrading of informal settlements with Crossroads as a case study. Master's Thesis. Department of Town and Regional Planning, University of Stellenbosch.
- Poto, J.1988. The viability of black local authorities. In *Government by the people: the politics of local government in South Africa*. Heymans, C. and Totemeyer, H. (eds). Cape Town: Juta. 95-103.

- Pretorius, P. and Humphries, R.1991. The Conservative Party and local government. In *Apartheid city in transition*. Swilling, M., Humphries, R. and Shubane, K. (eds). Cape Town: Oxford University Press.309-321.
- Rakodi, C. & Leduka, C. 2003. Informal land delivery processes and access to land for the poor in six African cities: towards a conceptual framework. *Working Paper No.1.University of Birmingham & DFID*. Birmingham,U.K.
- Rammala, S.1987. Practical problems of Black Local Authorities. Paper delivered at the *29th Conference of the Institute of Town Clerks of Southern Africa*. 3,4 & 5 June 1997.Cape Town.
- Rassool, C.1984. Housing, control and working class struggles. Independent research paper. 19 September 1984. Cape Town
- Rassool, E.1992. Inguqulelo. Manual of Local Government. Produced for the Foundation for Contemporary Research. University of Cape Town.
- Republic of South Africa.1971. Black Affairs Administration Act, No. 45 of 1971. Pretoria: Government Printer.
- Republic of South Africa.1977. Community Councils Act, No. 125 of 1977. Pretoria: Government Printer.
- Republic of South Africa.1979. Riekert Commission. Pretoria: Government Printer.
- Republic of South Africa. 1982. Black Local Authorities Act No. 102,1982. Pretoria: Government Printer.
- Republic of South Africa. 1984. Black Community Development Act. Pretoria: Government Printer.
- Republic of South Africa. 1986. Conversion of Certain Rights to leasehold Act. Pretoria: Government Printer.
- Republic of South Africa.1988. Black Community Development Amendment Act. No. 46 of 1988. Government Printer, Pretoria.
- Republic of South Africa. 1991. Upgrading of Land Tenure Rights Act, 1991. Pretoria: Government Printer.
- Republic of South Africa. 1993. Local Government Transition Act. Pretoria: Government Printer.
- Republic of South Africa.1997. Housing Act, No. 107 of 1997. Pretoria: Government Printer.
- Riekert, P.J. 1983. Black local government in South Africa. In *Change in South Africa*. Van Vuuren, D.J., Wichahn, N.E. and others (eds). Pretoria: Butterworths. 144-166.

- Robins, K. and Askoy, A.1995. Istanbul rising: returning the repressed to urban culture. In *European Urban & Regional Studies* 2(3): 223 -235.
- Royston, L.1998. Urban land issues in contemporary South Africa: Land tenure regularisation and infrastructure services provision. *Working paper No. 87. Report for Development Planning Unit, University College London.* London.
- Royston, L.2002. Security of urban tenure in South Africa: Overview of policy and practice. In *Holding their ground: secure land tenure for the urban poor in developing countries.* Durand-Lasserve, A. and Royston, L. (eds). London: Earthscan.165 - 181.
- Russell, M. 2003. Understanding Black households: the problem. In *Social Dynamics* 29(2). 5-47.
- Sarakinsky, I. 1989. State, strategy and extra-parliamentary opposition in South Africa, 1983-1988. In *Politikon* 16 (1): 69-82.
- Seekings, J. 1986. The anvil and the politics of township conflict 1976-1986. Master's thesis. Department of Political Studies. University of Witwatersrand, Johannesburg.
- Seekings, J.1988a. Political mobilisation in the Black townships of the Transvaal. In *State, resistance and change in South Africa.* Frankel, P., Swilling, M. and Pine, N. (eds). Johannesburg: Southern Book Publisher. 197-228.
- Seekings, J.1990. Quiescence and the transition to confrontation: South African townships 1978 - 1984. PhD Thesis. Department of Political Studies. Oxford University.
- Seekings, J.1991. Township resistance in the 1980s. In *Apartheid city in transition.* Swilling, M., Humphries, R. and Shubane, K. (eds). Cape Town: Oxford University Press. 290-308.
- Seekings, J.1992. The United Democratic Front in Cape Town, 1983-1986. *Africa Seminar.* Centre for African Studies.
- Shubane, K. and Madiba, P.1992. The struggle continues?: Civic associations in the transition. Report for the Centre for Policy Studies, Johannesburg.
- Shubane, K.1991. Black local authorities: a contraction of control. In *Apartheid city in transition.* Swilling, M., Humphries, R. and Shubane, K. (eds). Cape Town: Oxford University Press. 64-77.
- Shubane, K.1993. Civics as building grounds for democratic civil society. *Die Zuid Afrikaan*, 43:35-37.
- Solomon, D.1988. The financial and fiscal aspects of local govt restructuring. In *Government by the people.* Heymans, C. and Totemeyer, G. (eds). Cape Town: Juta. 77-94.

- Survey of Race Relations. 1981. *Race Relations Survey*. Johannesburg: South African Institute of Race Relations.
- Survey of Race Relations. 1982. *Race Relations Survey*. Johannesburg: South African Institute of Race Relations.
- Survey of Race Relations. 1983. *Race Relations Survey*. Johannesburg: South African Institute of Race Relations. 252-71; 276-81.
- Survey of race relations. 1985. *Race Relations Survey*. Johannesburg: South African Institute of Race Relations.
- Survey of Race Relations. 1986. *Race Relations Survey*. Johannesburg: South African Institute of Race Relations.
- Survey of Race Relations. 1987. *Race Relations Survey*. Johannesburg: South African Institute of Race Relations.
- Survey of Race Relations. 1988/9. *Race Relations Survey*. Johannesburg: South African Institute of Race Relations.
- Swilling, M., Cobbett, W. and Hunter, R. 1991. Finance, electricity costs, and the rent boycott. In *Apartheid city in transition*. Swilling, M., Humphries, R. and Shubane, K. (eds). Cape Town: Oxford University Press. 174-197.
- Swilling, M. 1987. The United Democratic Front and township revolt. Paper delivered at the 18th Annual Congress of ASSA. University of Cape Town.
- Swilling, M. 1988a. Reform, security and white power: Rethinking state strategies in the 1980s. Paper delivered at the Africa Seminar. 20 June 1988. Centre for African Studies. University of Cape Town.
- Swilling, M. 1988b. Taking power from below: local government restructuring and the search for community participation. In *Government by the people: the politics of local government in South Africa*. Heymans, C. and Totemeyer, G. (eds). Cape Town: Juta, 182-202.
- Tambo, O. 1986. Message of the National Executive Council of the ANC. Speech given on the 8th January 1986 at the Annual General Meeting of the ANC, Lusaka.
- Todes, A., Watson, V. and Wilkinson, P. 1986. Local government restructuring in South Africa: the case of the Western Cape. In *Social Dynamics*, 12(1): 49-68.
- Todes, A. and Walker, N. 1991. Women and housing policy: analysing the past, debating the future. Paper delivered at the Conference on women and gender in Southern Africa. 30 January - 2 February 1991. University of Natal.

- Totemeyer, G.1984. Local government and the new constitutional and political dispensation: Issues and trends evolving from it. Conference paper. Other reference details unknown.
- University of the Western Cape.1989. Facing the challenges of the 1990s: Organising for democracy in the Western Cape. Mackenzie, L. (ed), Collection of conference papers from Conference of the same name. University of the Western Cape.
- Van Eck J. 1990. Time to scrap black local councils. In *Democracy in Action*. December 1990. 5.
- Vansina, J.1985. *Oral tradition as history*, University of Wisconsin Press, Madison.
- Watson, V. and McCarthy, J.1998. Rental housing policy and the role of the household rental sector: evidence from South Africa. In *Habitat International*, 22(1). 49-59.
- Wentzel, J.1991. History of attacks on Black Local Authorities. No. 2 in Spotlight Series for the South African Institute of Race Relations. August 1991.
- Werge, J.1992. Civic associations in the Cape Metropolitan area: the geography of an urban social movement. Honours Thesis. Department of Geography, Stellenbosch.
- Wilkinson, P.1984. The sale of the century? A critical review of developments in African housing policy in South Africa. Paper delivered at the Second Carnegie inquiry into poverty and Development in Southern Africa. 13-19 April 1984.University of Cape Town.
- Wilkinson, P.1998. Housing policy in South Africa. In *Habitat International*, 22(3). 215-229.
- Wolfson, T.1991. Access to urban land. In *Apartheid city in transition*. Swilling, M., Humphries, R and Shubane, K. (eds). Cape Town: Oxford University Press. 231-257.

INTERVIEWS

- Mr. E. Fry – Ex-Town Clerk of Fish Hoek
He drafted a report on Ikapa finances and corruption
At his home.....20 July 2004
- Mr. J.J. Brink – Attorney. Ikapa legal advisor for many years
At his office in Bellville.....17 August 2004
- Mr. V. Dyantyis – Deeds Office official
At the Deeds Office.....5 August 2004
- Mr. B. Hinter – Ikapa official
At Fezeka offices.....17 December 2004
- Mr. E. Batt – ex-Ikapa official
Telephone conversation2004
- Mr. D. Landu – Retired legal clerk for Vivivan Malan attorneys
Telephone conversation.....2004
- Mr. I. Morape – retired Township Manager of Guguletu
At his home in Guguletu.....5 April 2005
- Ms. P. Centane – Resident in New Crossroads
At her home in New Crossroads.....6 April 2005
- Mr. D. Lobi – Ex Ikapa Town Councillor
At his home in Guguletu.....6 April 2005
- Mr. M. Fadana – Founding member of Guguletu Resident’s
Association, WCCA and WECCO.
Currently a member of Contralessa and chairman of WECCO
At his office in cape Town.....8 April 2005
- Mr. N. – Street Committee leader in New Crossroads
and a founding father of Old Crossroads
At home in New Crossroads.....23 April 2005
- Mr. G. Nqaqu – Housing official at Nyanga Housing Office
Currently housing official in Khayelitsha
At his office in Khayelitsha.....4 May 2005
- Mrs. Mene – Member of the Crossroads Women’s Committee,
founding member of the Housing Committee in New Crossroads
At her home in New Crossroads.....9 May 2005
Telephone conversations.....27 June & 16 July 2005

- Mr. W. Sidina – Founding member of WCCA and
later SANCO in the Western Cape
At his office in Guguletu.....11 May 2005
- Mr. Veto – Retired Nyanga Township Manager.
At his home in Ottery.....11 May 2005
- Mr. G. Lawrence – Retired Director of Housing
for the Community Services Division, Western Cape
At his home in Bergvliet.....20 May 2005
- Ms. J. Cole – Community worker with Veritas in Old Crossroads,
founder of the Surplus People’s Project
Currently director of the Mandlovu Development Institute
At her home in Woodstock.....20 May 2005
- Thandi Mpambo– Resident of Guguletu in 1980s
At her home in Wynberg..... Various times 2004/5

University of Cape Town

IKAPA ARCHIVE FILES QUOTED

2/2/2	Delegation of powers by Council
2/3/1	Meetings of branch heads: Agenda and Minutes
4/2/3	Grading of Council
6/5/2/1	National Housing Committee
7/3/1/8	Agendas, Minutes and reports, Organisations and Institutions: Regional Services Board
7/3/1/11	Agendas, Minutes and reports, Organisations and Institutions: Urban Councils Association of South Africa
7/3/1/25	Agendas, Minutes and reports, Organisations and Institutions: Cape Provincial Administration
7/3/1/28	Agendas, Minutes and reports, Organisations and Institutions: Ikamva Elihle
7/3/1/63	Agendas, Minutes and reports, Organisations and Institutions: Lakhagunya Action Committee
7/3/1/70	Agendas, Minutes and reports, Organisations and Institutions: Western Cape Civic Association
7/3/1/102	Agendas, Minutes and reports, Organisations and Institutions: SANCO
7/3/1/104	Agendas, Minutes and reports, Organisations and Institutions: Local Government Negotiating Forum
12/1/02	Press and Radio Files
12/1/2/2	Press and Radio Files
12/1/2/2	Press and Radio Files
12/1/22	Press and Radio Files
14/3/1/1	Routine Enquiries
14/4/P	Right of leasehold policy

18/7/P Housing: Administration & Control: Policy

Ikapa Minutes of General Meetings – various

Ikapa Housing Allocation Committee - Agenda & Minutes March 1988

Ikapa Housing Allocation Committee - Agenda & Minutes June 1988

Ikapa Housing Allocation Committee - Agenda & Minutes September 1988

Ikapa Housing Allocation Committee - Agenda & Minutes December 1988

Ikapa Housing Allocation Committee - Agenda & Minutes March 1989

Ikapa Housing Allocation Committee - Agenda & Minutes August 1989

Ikapa Housing Allocation Committee - Agenda & Minutes September 1990

Ikapa Housing Allocation Committee - Agenda & Minutes March 1991

Ikapa Executive Committee Minutes – various

University of Cape Town

PRESS REPORTS AND SUNDRY CASE FILES

- Cape Argus** 28/5/84 "Critics slam government plan to move township blacks".
- 26/2/85
- 22/7/85
- 30/10/93 Staff reporter. "Claim: Job secured by kick-back".
- 24/2/94 Stefaans Brummer. "Springbok's father tells how he 'helped' Ikapa man".
- Cape Times** 25/11/82
- 9/1/85 Staff reporter. "200 protest over higher rents"
- 18/1/85 Staff reporter. "Councillors to quit over rent".
- 22/1/85 Riaan de Villiers & Chris Bateman. . "Violence after 169 women are held".
- 24/1/85 Riaan de Villiers. "Khayelitsha for homeless leaders".
- 24/4/85
- 13/9/85 "PC hits out at local system".
- 27/4/86 Pottinger. "The BLA Act of 1982 failed to give economic viability to the authorities".
- 21/9/89 "New homes misery".
- 16/10/89 Staff reporter. "Armed men prevent meeting in school".
- 19/3/91 Chris Bateman. "Squatters agree to move to new site".
- 16/7/91 DAG. ""Hut squads" and the 24 hour hotline to eliminate squatting"
- 16/10/93 Crime reporter. "Police give warning on township safety today"
- 28/5/93 Ramotena Mabote. "President F.W. de Klerk has agreed to the request for the appointment of an in-depth commission of enquiry".

31/11/93

25/1/94 Staff reporter. "Huge Ikapa bank 'scam'.

24/5/94 Clive Sawyer. "City Council limit role in Ikapa Labour crisis".

Die Burger 13/11/93 Christo Van Staden. "Ikapa-onderzoek:Kommissie hoor van uitsoek-whisky"

Grassroots October 1983 "Councils built on lies"

November 1983 Vol. 4. No. 9.

February 1985 Vol.6 No. 1. "We won't pay".

April 1988 Vol. 9. No. 2.

South 29/11/92 Sabata Ngcaj. "AWB Bullies command township security – claim".

Weekend Argus 26/11/83 Pippa Green & David Breier. "Apartheid gets heave-to in this week's Community Council poll

3/7/93 Vuyo Bavuma. "Ikapa's sweet revolution".

25/1/94

15/10/94 Andre Weiss, Municipal reporter. "Township time".

Umkhanyiseli No.42.1987

Black Sash Case Files

Black Sash Advice Office Annual Report 1984

BC 1090 Athlone Advice Office Annual Reports 1980 –1989

BC 668 E. Special Projects, 1988

Development Action Group Case Files - various

APPENDIX A – Time lines

This appendix contains a series of timelines that provide a quick reference to the Black Local Authority period. The timelines aid in contextualising the Ikapa history against a background of contemporary political events as well as legislative and institutional changes. They are not conclusive making reference mainly to information mentioned in this thesis.

Contents

1. Timelines preceding the Black Local Authorities
2. Timelines from 1982 and the establishment of Black Local Authorities
3. Timelines from 1988 until 1995.

University of Cape Town

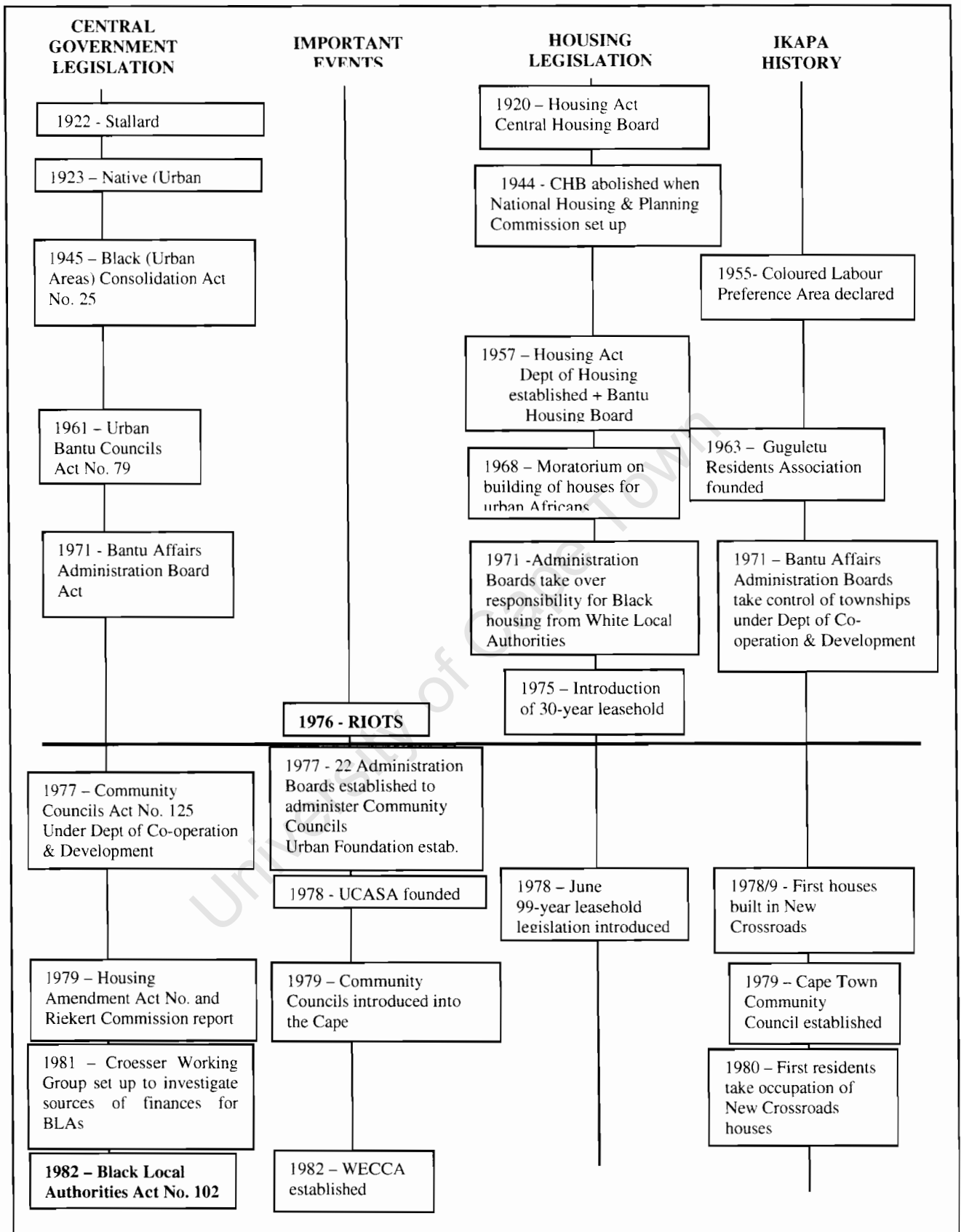


Figure 8. Timelines preceding the Black Local Authorities

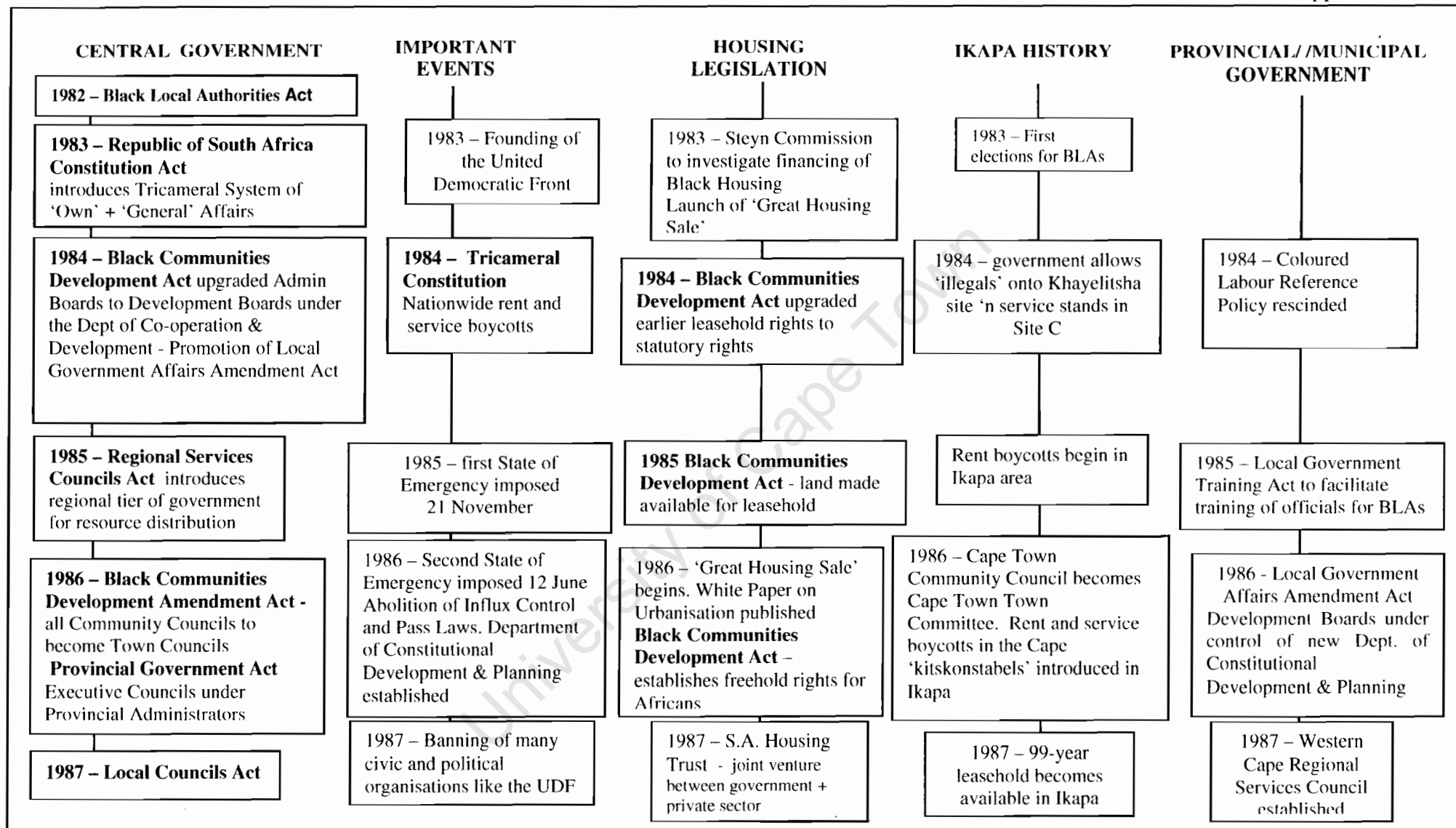


Figure 9. Time lines from 1982 and the establishment of the Black Local Authorities

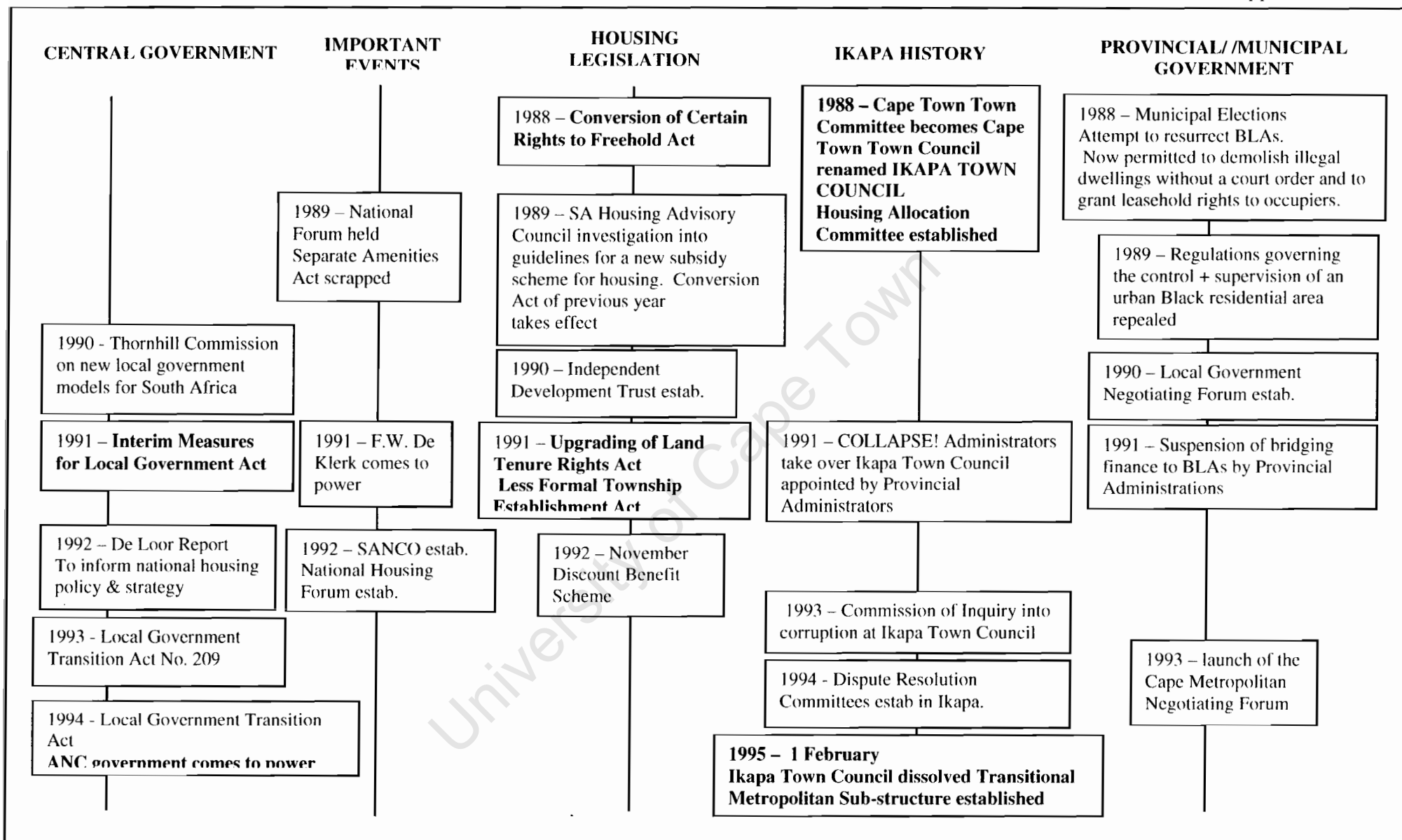


Figure 10. Time lines from 1988 until 1995

APPENDIX B - Legislation pertaining to Ikapa history

The following is a list of legislation that is relevant to this thesis. The Acts appear in chronological order with a brief explanation of the nature of each.

Native (Urban Areas) Act, No. 21 of 1923

Africans required to live in locations.

Black (Urban Areas) Consolidation Act, No. 25 of 1945

For the registration and better control of contracts of service and the regulation of housing for Africans. Introduced Section 10 regulations for urban Africans.

Group Areas Act, No. 41 of 1950

Forced physical separation between races by creating different residential areas for different races. Led to forced removals of people living in "wrong" areas, for example Coloureds living in District Six in Cape Town.

Prevention of Illegal Squatting Act, No. 52 of 1951

Gave the Minister of native Affairs the power to remove Africans from public or privately owned land and to establish resettlement camps to house the displaced people

Bantu Authorities Act, No. 68 of 1951

Provided for the establishment of black homelands and regional authorities and, with the aim of creating greater self-government in the homelands, abolished the Native Representative Council.

Black Laws Amendment Act, No. 54 of 1952

Narrowed the definition of the category of Africans who had the right to permanent residence in towns.

Urban Bantu Councils Act, No. 79 of 1961

Created African councils in urban areas that were supposed to be tied to the authorities running the related ethnic homelands.

Black Affairs Administration Act, No. 45 of 1971

Bantu Affairs Administration Boards were established by the state in 1972 and 1973 to control and manage the African population in the townships. Created by the state to co-ordinate more efficiently the influx of labour and management of this labour force in the townships, BAABS took over from about 450 local municipal authorities as the central pivots of township control (Bloch, 1982).

Security Intelligence and State Security Act, No. 64 of 1972

Established a State Security Council to advise government on the formulation of national policy and strategy in relation to the security of the country and the manner of implementation, and to advise on a policy to combat any threat to the security of South Africa and determine intelligence priorities.

Community Councils Act, No. 125 of 1977

Official acknowledgement of permanent urban Africans
 Established African Community Councils. Administration Boards established
 All African residential areas belonging to white municipalities vested in the boards

Black Local Authorities Act, No. 102 of 1982

Provides for the establishment of local committees, village councils and town councils for African persons in certain areas

Republic of South Africa Constitution Act, No. 110 of 1983

Introduced the tricameral government giving Coloured and Indians representation in parliament. Large amount of executive power vested in the State president

Black Communities Development Act, No. 4 of 1984

Administration Boards replaced by Development Boards who thereby acquired the land on which African residential areas were situated
 Development Boards were to develop local authorities until they could operate autonomously. Administrators were to transfer all land owned by them to local authorities of area concerned. Boards were still under the control of the Department of Co-operation & Development

Black Communities Development Amendment Act, No. 52 of 1985

Local authorities could make land available for leasehold
 Exemption of registration of leasehold rights from transfer duties

Regional Services Councils Act, No. 109 of 1985

Provides for the joint exercise and carrying out of powers and duties in certain areas by certain bodies and for the delimitation of regions.
 The establishment of Regional Services Councils

Promotion of Local Government Affairs Amendment Act, No. 45 of 1985

Broadened the statutory definition of local authorities to include BLAs, Community Councils and Development Boards.
 UCASA recognised as the official mouthpiece of the BLAs

Local Government Affairs Amendment Act, No 110 of 1985

Development Boards transferred to the control of the more reformist DCDP to help improve their legitimacy

Black Local Authorities Amendment Act, No. 58 of 1986

To amend the Black Local Authorities Act, 102/82
 Provide for the establishment of town committees
 To provide that all community councils be deemed to be town committees
 Now 5 different forms of BLAs: Greater City Councils, City Councils, Town Councils, Town Committees, Local Authority Committees

Abolition of Influx Control Act, No. 68 of 1986

As a result of the White paper on urbanization. Repealed Black (Urban Areas) Consolidation Act of 1945. Africans regarded as citizens of South Africa
 Removed the major reason for development Boards, namely Influx Control

Black Communities Development Amendment Act, No. 74 of 1986

Gave freehold property rights to Blacks

Existing Deed of Grant and Right of Leasehold could be retained or replaced with full title and 99-year leasehold retained as an alternative form of tenure

Made provision for property owned by Development Boards transferred to BLAs

Provided for developers and employers to become more involved in housing schemes

Abolition of Development Bodies Act, No. 75 of 1986

Provides for the abolition of the development Boards and for the transfer of their powers, assets, liabilities, rights, and staff to a public authority.

Provincial Government Act, No. 69 of 1986

All four Provincial Councils ceased to exist and replaced by Provincial Administrators and Executive Committees appointed by State President

New Provincial Authorities would deal with general affairs

Provinces would have responsibility for local government in African communities.

Abolition of Development Bodies Act, No. 75 of 1986

Abolished the Development Boards on 1 July

Their powers, staff and functions transferred to the Provincial Administrations

Amended by Acts 47/88 and 81/90 and 134/92 and 56/93

Black Community Development Amendment Act, No. 46 of 1988

Provided for the simplification of title deeds for African township dwellers and a quicker procedure in the opening of Township Registers

Conversion of Certain Rights into Leasehold or Ownership Act, No. 81 of 1988

Amended by Act No. 108/93. Provided for conversion of certain occupational rights in development areas to leasehold. Increased the powers of BLAs considerably.

Old township regulations were terminated

Upgrading of Land Tenure Rights Act, No. 112 of 1991

Provided for the upgrading and conversion into ownership of certain rights granted in respect of land pending the opening of Township Registers. Title could be registered officially at a Deeds Office Registry

Interim Measures for Local Government Act, No. 128 of 1991

Created an opportunity for local government authorities to work together to prevent the duplication of services

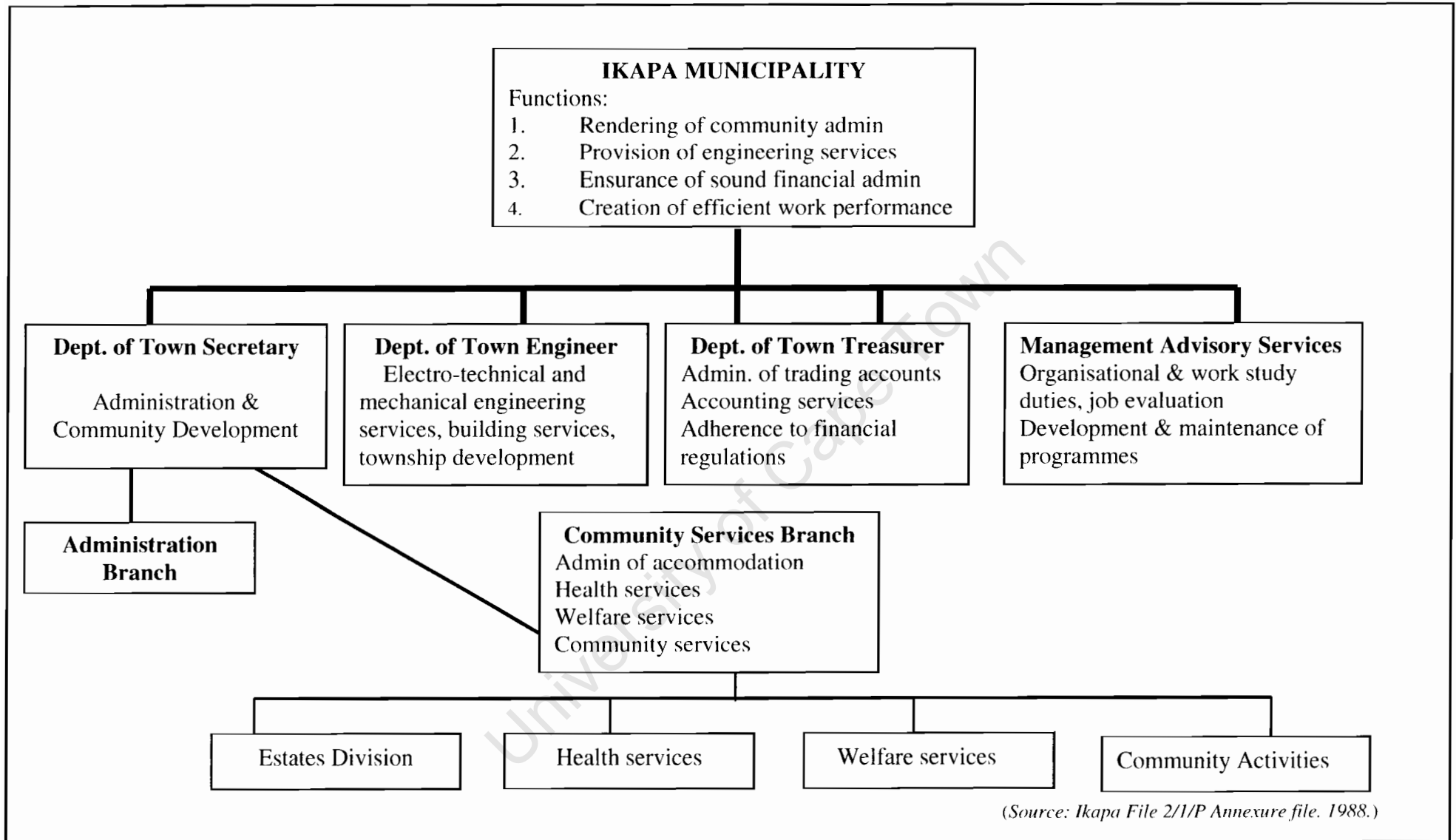
Local Government Transition Act, No. 209 of 1993

Provided for interim measures with a view to restructuring local government

APPENDIX C - Organisational diagrammes of the Ikapa Town Council

The diagrammes on the following pages illustrate the planned hierarchy and departmental layout for the Ikapa authority when it was upgraded to a Town Council in 1988. However, the archival records show that many envisaged posts were never filled, while many others gradually fell away, leaving the Council understaffed and incapacitated.

University of Cape Town



(Source: Ikapa File 2/1/P Annexure file. 1988.)

Figure 11. Organisation of the Ikapa Town Council 1988

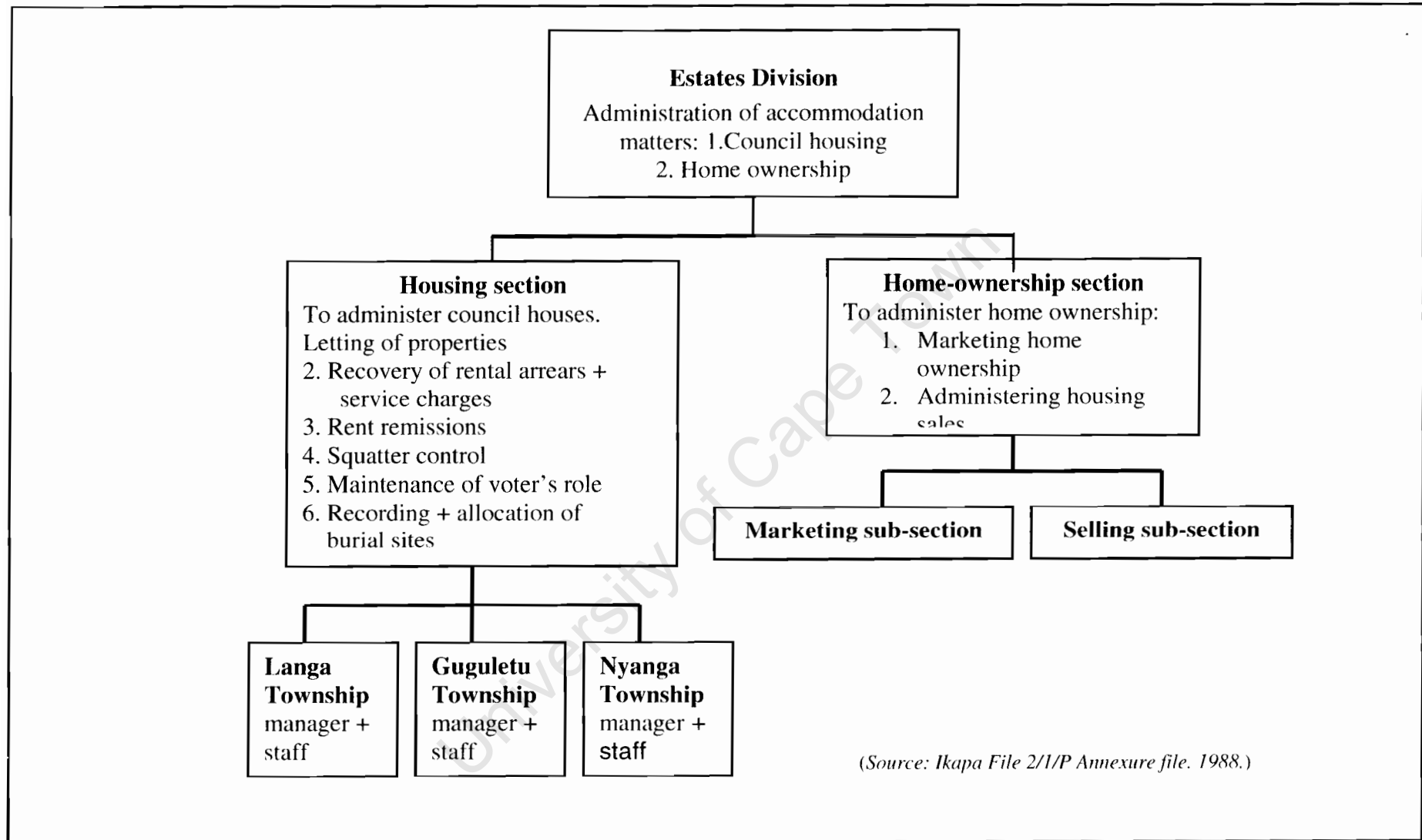


Figure 12. Housing administration of Ikapa Town Council in 1988