

THE BLACK SASH

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Title:

SQUATTING IN THE PERI-URBAN
AREAS OF METROPOLITAN
CAPE TOWN

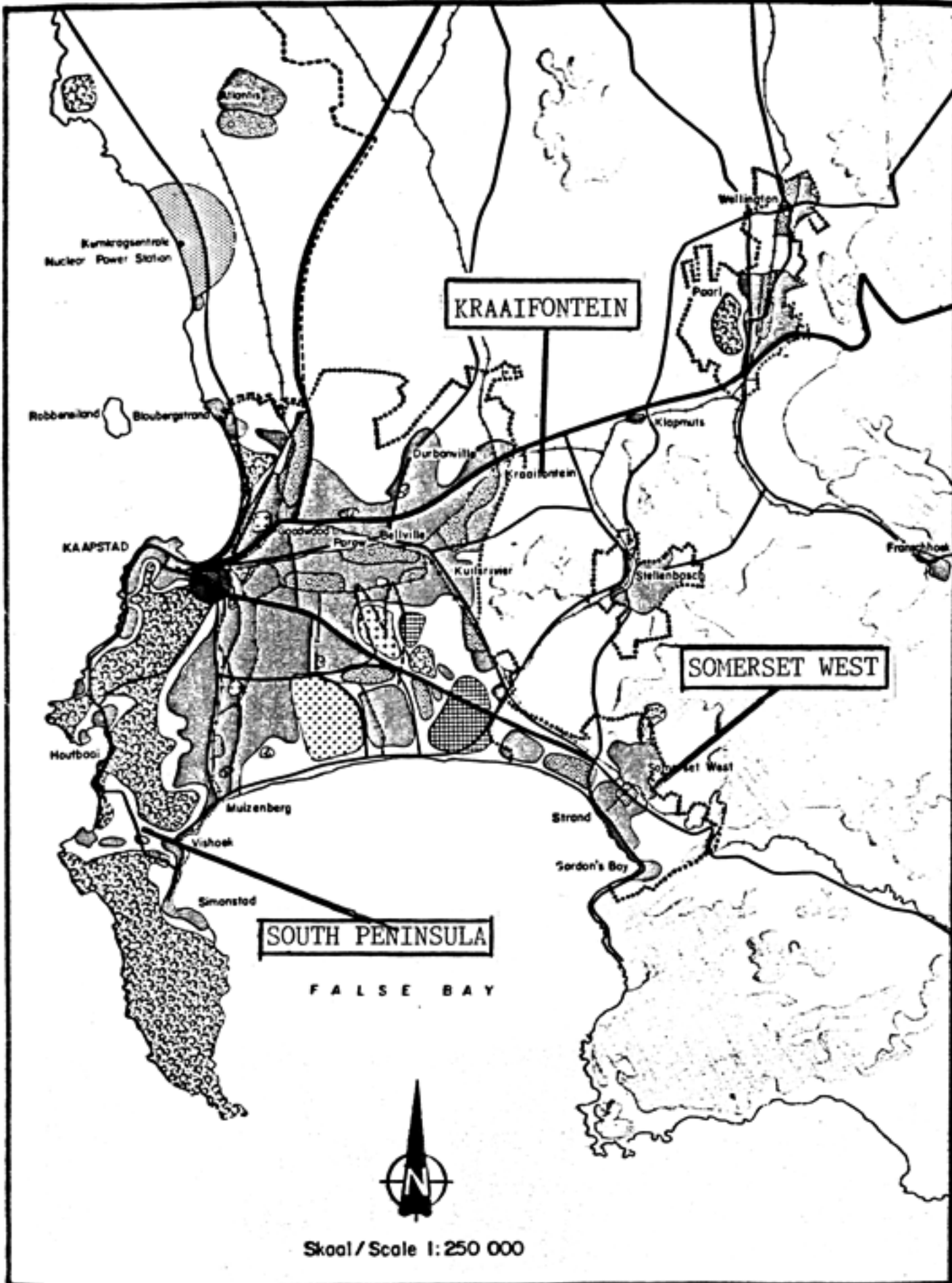
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Abstract:

THIS PAPER SETS OUT TO DESCRIBE THE CIRCUMSTANCES AND DETAIL THE EXPERIENCES OF SOME OF THE SQUATTER COMMUNITIES THAT LIVE IN 3 OF THE PERI-URBAN AREAS OF METROPOLITAN CAPE TOWN, NAMELY THE SOUTH PENINSULA, THE KRAAIFONTEIN AREA AND THE SOMERSET WEST AREA. THEY ARE ALL COMPELLING TALES OF PEOPLE IN SEARCH OF A PLACE TO LIVE, AND OF THE AUTHORITIES DETERMINATION NOT TO ALLOW THEM TO SETTLE IN "THEIR" AREAS. WHAT IS CLEARLY NEEDED IN SOUTH AFRICA IS A POSITIVE ATTITUDE TOWARDS URBANISATION, WITH THE EMPHASIS BEING ON ENSURING ALL SOUTH AFRICANS THE GREATEST CHANCE OF SURVIVAL AND THE GREATEST ACCESS TO THE RESOURCES OF THE COUNTRY.

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







CAPE METROPOLITAN AREA

BESTAANDE RUIMTELIKE
ONTWIKKELINGSPATROON

EXISTING SPATIAL DEVELOPMENT
PATTERN 1983

Kaart / Map 2

-  Sentrale Sakekern
Central Business District
-  Glasandwinning en landbou
Mining of glass sand and agriculture
-  Bestaande dorpsontwikkeling
Existing township development
-  Hoofnywerheidsgebied
Main industrial area
-  Lughawe en vliegveld
Airport and peridrome
-  Staatsgrond gebruik vir ekstensiewe stedelike funksies
Public land used for extensive urban functions
-  Natuurreservaat en natuurgebied
Nature reserve and nature area
-  70 NI Geroaakontour : DF Malanlughawe
70 NI Noise contour : DF Malan airport
-  Atlantis en Omgewing gidsplangrens
Atlantis and Environs guide plan boundary
-  Kaapse Metropolitaanse gidsplangrens
Cape Metropolitan Area guide plan boundary
-  Hoofpadstelsel
Main road system
-  Spoorlynne
Railway lines

SQUATTING IN THE PERI-URBAN AREAS OF METROPOLITAN CAPE TOWN

INTRODUCTION

South African cities are urbanising at a rapid rate. Metropolitan Cape Town is projected to double its population in 20 years; from 1.8 million in 1980 to 3.6 million in the year 2000. Since influx control broke down in the early 1980s, and the Coloured Labour Preference Policy was officially ended in 1984/5, it is the poor and the black who are coming to Cape Town seeking work and a chance for the survival of their families not afforded by the rural areas, and the "homelands". The black population of Cape Town is projected to increase from 210 000 in 1980 to 1.4 million in 2000. In other words black people constituted about 11.6% of the city's population in 1980, and are projected to comprise 36% of the city's population in 2000.

Like all of South Africa's cities, Cape Town is burdened with the historic legacy of negative attitudes and negative legislation towards the urbanisation of people who were not white. This coupled with substantial destruction of the residential urban fabric wreaked on Cape Town by Group Areas removals, has left Cape Town with a substantial lack of residential land (not to mention housing) set aside for those who are not white, especially the poor.

In recent years much land, in most cases farmland has been rezoned for housing. A large area called Khayelitsha, destined to house 250 000 people, has been declared for black people and is the place to which all black people in search of a place to live are expected to go. There is a problem however and that is that the very poor need to be closest to job opportunities, and Khayelitsha is far from most job opportunities. It is thus that groups of people have chosen to squat on land more suitable to their needs, closer to amenities and work.

I have accepted that the term "squatter" in the South African context, is a person, usually black, who has no LEGAL access to either land or housing in a particular area. He/she is therefore forced, usually through economic survival, to put up rudimentary shelters on whatever unoccupied land is available. In some cases the land is privately owned, in others it belongs to the local authority. In all cases the people live under constant threat of being arrested for "illegal" squatting or "trespass". Once discovered, they are subjected to harassment, police raids, imprisonment, or forced removal.

This paper sets out to do no more than describe the circumstances and detail the experiences of some squatters communities in 3 of the peri-urban areas of Metropolitan Cape Town, namely the South Peninsula, Kraaifontein area and Somerset West area. They are all compelling tales of people in search of a place to live and of the authorities determination not to have them settle in THEIR areas. What is consistent in their stories is the negative attitude toward their right to shelter and work on behalf of the local authorities involved. This is further exacerbated by the new legislation (the Prevention of Illegal Squatting Amendment Act) which allows squatters to be removed off land, without having anywhere else to go. What is also consistent in their stories is that despite the enormous harassment that all of these communities have suffered, they continue to search for suitable land to squat on BECAUSE IT IS A MATTER OF SURVIVAL.

THE SOUTH PENINSULA

For the past 2 years the South Peninsula has been the focus of an ongoing struggle for land and housing. Thousands of "black" people work in the "white" areas of Simonstown, Fish Hoek, Noordhoek, Kommetjie and Hout Bay. No residential areas have been set aside in the South Peninsula for people the government classifies as "black", which has resulted in those workers who want (and need) to live near their places of work, being forced to build makeshift homes on whatever piece of land they can find. These families of squatters have been forced to move from bush to bush in search of a place to live. Hundreds of people live in squatter settlements in Simonstown (Red Hill), Fish Hoek, Noordhoek, Kommetjie and Hout Bay.

The roots of the present crisis over land and housing in this part of the Cape Peninsula goes back to the period when local farmers began to sell their chicken and dairy farms to housing developers. Some of the people who now live as squatters originally worked on these farms.

Apart from the Municipalities of Fish Hoek and Simonstown, all of these areas which were formerly under the jurisdiction of the Divisional Council of the Cape, now fall under the Western Cape Regional Services Council. In the October 1988 Municipal elections, none of these areas were able to hold elections, as they had not been delimited as Local Authorities.

NOORDHOEK

By the end of 1986 there were 2 major pockets of "illegal" squatters in the Noordhoek area. The groups were "racially mixed" and had been in the valley for varying lengths of time - some for over 40 years. One group lived on DIVCO land next to the rubbish dump, a larger group lived across the road on a farm called Dassenberg.

In January 1987, DIVCO threatened a number of landowners in the area (including the owner of Dassenberg, Mr de Villiers) with prosecution under the Illegal Squatting Act for allowing squatters to reside on their land. Some landowners were sympathetic to the position of the squatters as were many of the local "white" residents, and a number of local welfare, church and service organisations. Others, like Mr de Villiers and some residents and ratepayers were afraid to break or question the law, and what's more didn't want squatters in "their" valley. Mr de Villiers laid charges of trespass against those on his land, and told them that they had leave Dassenberg by 4th April. Nothing happened on that day, but the DIVCO did announce that the "tip" and Dassenberg squatters would be moved to Khayelitsha on the 16th April.

The Noordhoek squatters asked their lawyers to intervene, but the Divisional Council and Mr de Villiers insisted that the only answer was for them was to move to Khayelitsha.

On 21st April, Mr de Villiers, 3 trucks and officials from DIVCO arrived at the site. The squatters and some supporters were holding a church service. Soon other local ministers and the press had arrived. The SAP arrived and warned the "whites" and press to leave or they would be charged with trespass. The squatters were determined not to go, and after a long argument de Villiers, DIVCO and the police left, not to be heard from again until December.....

THE REMOVAL In the early hours of 2nd December, 1987 a large contingent of armed police and riot police cordoned off a huge area in Noordhoek. Road blocks were set up at either end of the main road.

These were patrolled by prison trucks, police vans with dogs, riot police and traffic police. The police code-named the removal "Operation Dassenberg". It involved 200 men, 10 police trucks, 2 patrol vans, and 10 ordinary trucks, as well as a bulldozer. Frightened by this armed contingent, the people began to demolish their homes and stack their possessions on the trucks. There were 4 or 5 families on each truck that set off for Khayelitsha. This carried on all day. The final load of people and possessions arrived in Khayelitsha by nightfall. 5 families who were classified "coloured" were eventually taken to nearby Mountainview, a site and service scheme next to Oceanview.

KHAYELITSHA: The 700 people from Noordhoek were taken to a piece of flat white sand at Khayelitsha. On it were 120 green plastic tents in 4 rows, 20 tin toilets and 2 taps. The tired, hungry, confused and disoriented people had to unload their possessions and begin rebuilding their lives in this alien desert-like environment.

In Noordhoek the people had worked as domestic workers, gardeners and casual labourers - to retain these jobs they were faced with huge transportation costs and long hours of commuting. Quite a large number of people lost their jobs because of the move to Khayelitsha. Some families were split up because men were forced to live in Simonstown or Noordhoek to retain their jobs. Some of the unemployed, who had made a living by cutting wood and selling it by the roadside, lost their means of a living. In Khayelitsha, people struggled to find work, and had to live off the soup-kitchen to survive. Day by day they became increasingly more demoralised and depressed and as a result of this social dislocation, insecurity and the general disruption in their lives, tensions began to emerge in the community.

LEGAL ACTION: After discussion with their lawyers, the Noordhoek squatters decided to take the government and authorities concerned to court and challenge their forced removal to Khayelitsha. On 21st December they brought an application for a spoliation order to the Supreme Court which was heard in March, 1988. On 15th April, Justice Howie found that the Noordhoek residents were moved "against their will" and ordered the Administrator of the Cape, the Minister of Law and Order, and the owners of the land to return the squatters to Noordhoek.

RETURN: The legal victory gave the Noordhoek people the courage to return to the area and by early May most of the people had trickled back. This time they settled on land across the road from Dassenberg, owned by the RSC. They were originally harassed by the municipal police who camped on the road that lead to the settlement, but nobody was arrested. The people have built shelters of black plastic, and begun to reconstruct a sense of community. They are happier, but life is still difficult with no water, no proper toilets and the constant threat of fear and harrassment.

In an attempt to find a solution to the problems that they face, the Noordhoek squatter committee wrote letters to Gene Louw, the Administrator of the Cape and to Chris Heunis, the Minister of Constitutional Development and Planning, and they have written to ask for meetings with the CPA and RSC. They have not received a reply to their letters, but Mr Heunis has publicly announced that there is no prospect of land being set aside for black people in the South Peninsula.

Information supplied by Josette Cole, Surplus People's project.

KRAAIFONTEIN

This municipality has recently gained notoriety for having cut off the water and lights of a "coloured" family when they moved into a rented home on the border of Kraaifontein and the "coloured" suburb of Scottsdene. The Conservative Party-held council has vowed to keep Kraaifontein "white". The Mayor has said that his municipality will not tolerate squatters. Kraaifontein Municipality seems set to be the first to apply the newly-approved Prevention of Illegal Squatting Amendment Act (see Bloekombos below)

BLOEKOMBOS

This community is situated next to the CPA road camp on the Old Paarl road, approximately 3 kilometers from Kraaifontein. The land was purchased from the Department of Public Works and Land by the Kraaifontein Municipality in 1987. The community consists of about 153 people, living in 17 households, most of whom have lived in Bloekombos for the past 3 - 6 year. Most of the men and many of the women are employed in the area.

On the 1st December, 1986 9 shacks were burnt by police during a raid on the settlement. The community was constantly harrassed by the security police with major raids taking place on 16th, 23rd and 28th December, when the majority of people were arrested for trespassing. Some were able to pay R20 admission of guilt fines. others were sentenced to R40 or 20 days jail. On 20th February 1987 a furthur raid took place, 27 were arrested on trespass charges, and were later released on R20 bail. A trial was set for 19th March, but charges were later dropped.

The Kraaifontein Municipality numbered the Bloekombos shacks, and thereafter kept a constant check on the settlement. On 6th October, Kraaifontein Municipal officials, police and workforce, accompanied by members of the Riot Squad, destroyed shacks that they deemed to be "illegal", using the front-end loader method. People's possessions had simply been dumped in the bush and blankets, items of clothing and utensils were strewn around. Jasper Walsh M.P. witnessed the assault and brutal kicking of one of the women by P. duPreez, the head of the Municipal Police. He subsequently laid a complaint with the Town Clerk. On the 19th October more shacks, including some "numbered" ones were demolished, and those from UMAC who responded to a (delayed) phone call for help, were barred from the site. The phone call was delayed because local phone booths were under guard of the municipal police.

On 27th October, 1987 a meeting was held between the Mayor, Town Clerk a Councillor and the legal representative of the Kraaifontein Municipality and 5 members of the Bloekombos squatter settlement their legal representative and members of UMAC and SPP. It was resolved that the Cuncil would adopt a holding stance with regard to the 17 numbered shacks and 153 people until the issue of alternate land was settled.

In February 1989, the Kraaifontein has lodged papers at the Magistrates Court applying for an eviction order. Their papers are very thorough with accompanying allegations against the community of theft, spoiling of the land etc. The Municipality seems determined to be the first in the Western Cape to use the newly-passed Prevention of Illegal Squatting Amendment Act in order to get rid of the Bloekombos community.

UITKYK SQUATTER GROUP.

This is a "mixed" community consisting of 200+ who have stayed in the Kraaifontein area for many years. They have been living on farms in the district, many of them on the farm Uitkyk which is adjacent to the area that they presently occupy, hence the name of the settlement. a large percentage of the group were originally from rural towns and villages in the Western Cape who were drawn to the area in the hope of obtaining employment which was virtually non-existent or very seasonal in their hometowns. The "black" people in the group were either migrant workers in the days of influx control or have moved in from the homelands since the lifting of influx control.

The community is presently settled on land that they have occupied for about a year. This land is privately owned by a Cape Town property developer. In August a letter from a city estate agent, who was acting for the owner, was delivered informing the community that they were illegally occupying the land. On 28th October each household received written notice to vacate the land by the 30th October. The lawyer acting for the community requested additional time from the owners agent, which was agreed to. However, on the 31st October a squad of the agents employees systematically demolished the shacks under the surveillance of the agent himself and members of the Kraaifontein police and the Bellville Reaction Unit.

A court order was applied for and obtained, enabling the people to rebuild their shacks. Agreement was later reached between the squatters legal representatives and the owner of the land whereby they were allowed to remain on the land until 5th January, 1989, after which time they agreed to leave. In early January some of the Uitkyk people attempted to move to another piece of ground called Bonnie Brook, on which about 40 squatters already lived. No sooner had they begun to settle in, than they were informed by the municipal police (at times accompanied by the SAP) that they were trespassing and should move. On 6th January, 52 men and women from Bonnie Brook were arrested on a charge of trespassing and shacks were demolished. The squatters, who were legally represented were not asked to plead and were released without bail. The case was postponed to the 27th Jan. The people then went to the municipal yard to retrieve some of their possessions. There they were met by the Kraaifontein SAP who threatened arrest them again if they dared to move back to the "Uitkyk" land. The community's lawyer was eventually able to convince the police that the land owner had granted an extension.

"It was a tragic sight that met everybody, as the people's possessions had simply been dumped off the lorries in one large confused pile. There was furniture, clothing bedding, cooking utensils etc, and the people were faced with the daunting task of trying to locate and identify their own belongings from this chaotic situation. Many women were in tears when they found items of furniture that had been broken by simply being lifted on to the lorry by a front end loader. Cupboards that had contained breakables had not been unpacked, but received the same treatment with the result that the contents were all smashed. Suitcases that had contained the people's best clothing, other valuables and treasured possessions had been slashed open and the contents removed. Many people lost everything of value that they owned, from money and personal documents such as ID books, UIF cards, birth and marriage certificates, to cooking utensils which were evidently brand new."

Val Rose Christie, UMAC

On the 27th January, when the people appeared in the Bellville Magistrates Court, the charges were simply withdrawn. A support group has been formed consisting of lawyers, representatives of various organisations who have been involved with this group of squatters, plus members of civic associations of both Scottsville and Scottsdene. They have been meeting regularly and are attempting to address the various critical issues affecting this little community.

Information on Kraaifontein supplied by Val Rose-Christie of the Unrest Monitoring Action Committee.

SOMERSET WEST AREA

Somerset West is reputed to have one of the highest per-capita incomes in the country. What was a sleepy village, has become a rapidly built up municipality. In the recent local authority election, the council which was somewhat "liberal" became "Nat"-dominated. This is partially explained by the influx to the area of ex-Rhodesians and ex-South West Africans.

SUN CITY

Sun City is situated on land owned by the RSC, in the vicinity of Sir Lowry's Pass Village approximately 8 kilometers from Somerset West. The first shacks were erected in Sun City over 2 years ago. There are 43 dwellings with approximately 200 inhabitants; this includes 90 children, 38 of them school-going age. 84% of the households have a breadwinner employed in the area.

The people of Sun City settled in that area because:

- * there is a drastic housing shortage in the Hottentots Holland district, and therefore no alternate housing available at present.
- * some of the community were born and bred in the area and most have been in the area for more than 10 years.
- * a large percentage of the community are employed in the area and will lose their jobs if they are forced to move too far away.
- * there are children in the community who are attending the Sir Lowry's Pass Village school, which is adjacent to Sun City (and from whom they obtain water)

This cohesive, motivated community are "racially mixed" is threatened with removal, which they are determined to resist. Eviction notices were served on community members ordering them to demolish their shelters and to get off the land by the 18th November, 1988. An urgent interdict was granted in the Supreme Court, Cape Town on the 18th November, restraining the Western Cape Regional Services Council from removing this community. The current deadline for eviction is the 14th April, 1989.

AMBULANSPARK

A group of 11 structures is located on the Lourens river in the Somerset West municipality right next to the Ambulance Station. The land is owned by the National Transport Commission, and is wanted for a golf course. Between 30 and 40 people are housed in this area, 10 of them minor children. The people have been in this specific area for times ranging from a few months to 21 years. More than 50% of the adults work in the area, giving a lie to the allegations of the authorities that the community are vagrants.

On the 10th January, 1989 some of the structures were demolished by the Somerset West Municipality - all of the shelter materials and some of their possessions were taken to the local dump. The community was told that they must remove all of their possessions to "the other side of the fence" (which happens to be in the Strand Municipality) before the 11th January or these too would be removed to the dump. A telephone call to the municipality confirmed that they were intent in removing the squatters because they were trespassing, they were a health hazard and there had been public pressure. On 11th January municipal officials (in the presence of the SAP) began clearing the site. Negotiation between the legal representative of the squatters and the municipality secured a moratorium on the removal. The municipality wished to keep the matter out of the courts and would look into the "problem". Recently a contractor has been hired to clear all of the bush and trees surrounding the squatter settlement, and water which the squatters had obtained from the Ambulance Station is no longer available.

Information on Somerset West area supplied by Kathy Ricketts of the Helderberg Advice Office.

CONCLUSION

WHAT IS CLEARLY NEEDED IN SOUTH AFRICA IS A POSITIVE ATTITUDE TOWARDS URBANISATION, WITH THE EMPHASIS BEING ON AFFORDING ALL SOUTH AFRICANS THE GREATEST CHANCE OF SURVIVAL AND GREATEST ACCESS TO THE RESOURCES OF THE COUNTRY.

In particular, land needs to be set aside in many areas for the accommodation of the poor. Large racial ghettos such as Khayelitsha only address one aspect of people's needs i.e. a place to settle.

While the White Paper on Urbanisation did espouse many important values, the reality is that the country's future (urban) development is organised according to a hierarchy of plans. The most important of these at the metropolitan level are the Metropolitan Guide Plans, which are approved and given legal status by the Minister of Constitutional Development and Planning. The recently released Guide Plan for the Cape Metropolitan Area: Peninsula puts forward an attitude and a strategy towards urbanisation that will perpetuate the problems experienced by squatters and by other blacks by:

- restricting the physical extent of the city, i.e. limiting the supply of land for new housing, and
- regulating and controlling the supply of industrial land, i.e. job opportunities.

At this point in our history one is forced to ask, who is making decisions for whom and with what motivation. One wonders just who is setting policy and co-ordinating action on squatting both nationally and in the region. Two newspaper cuttings (marked A and B) are of interest because they point to the workings of a committee on squatting (strongly rumoured to be a JMC) which meets in secret, has no black people serving on it, and has made recommendations, but these are "not for public knowledge". All part of the endemic trend of centralised decision-making by unelected bodies.

Jenny de Tolly
28th February, 1989.

Peninsula municipalities agree on squatter problem

C. Times Oct, 88.

MUNICIPALITIES throughout the Peninsula have agreed that a common policy on squatters is required, and that all local authorities should contribute towards the cost of solving the problem. Previously, squatters driven out of one municipality have often simply set up camp in another.

The municipalities reached the agreement at a meeting under the chairmanship of Deputy Minister of Law and Order Mr Roelf Meyer on September 29, according to a Cape Town City Council executive committee report tabled yesterday.

According to the report, it became clear that the issue central to the possible solution of the squatter problem would be the provision of land with certain essential minimum services.

The Western Cape Regional Squat-

ter Co-ordinating Committee should investigate the practical problems of identifying and setting aside land for squatters, the meeting decided.

A report-back to the full meeting of local authorities is due to be held on November 25.

At a housing meeting last week, deputy city planner Mr Neville Riley said that 33ha of SATS land near Acre Road, Kensington, could possibly be used for 1 600 temporary housing sites of 100m² each for a transit camp.

Some of this land was low-lying and some was a tip site, and about R8m would be required to make it suitable for conventional housing. This was prohibitively expensive, so he recommended it could be graded, covered with a suitable substance and provided with services.

Secret govt committee 'no answer' to housing crisis

C. Times. By BARRY STREEK Political Staff 23/2/89.

A GOVERNMENT committee on squatting in the Western Cape which met in secret and had no black people serving on it, was no answer to the serious housing problem, the PFP MP for Pinelands, Mr Jasper Walsh, said yesterday.

He was commenting on a statement by Mr Chris Heunis, who said the committee consisted of the regional representative for community services in the Western Cape and representatives of the three own affairs departments.

The committee, which met 11 times between May 1987 and November 1988, had made recommendations but these were "not for public knowledge".

The minutes of this committee were not available to members of the public, Mr Heunis said.

Mr Walsh said the absence of suitable land for informal housing development was "the most serious issue facing local government".

Expansion plan for West Coast

By PETER DENNEHY

GUIDE plans for land use and the future expansion of the Cape metropolitan area, Stellenbosch and the Hottentots Holland basin were gazetted yesterday and are now legally binding.

The Minister of Constitutional Development and Planning, Mr Chris Heunis, said in a press release that he had decided to approve the draft plans with minor changes, mainly relating to population numbers.

One of the major provisions of the plan is that linear development should take place "along the West Coast north of Milnerton" with a growth point for coloured people at Atlantis.

"The government has deemed it to be in the national interest for industrial development, especially in respect of coloured labour, to take place by means of deconcentration in order to relieve pressure on the Peninsula," the plan says.

A senior lecturer in the Department of Urban and Regional Planning, Ms Vanessa Watson, commented that it was "highly negative" to continue to locate the lowest income people furthest from incomes and places of work, such as in Khayelitsha or up the West Coast.

"The notion of 'deconcentration points' is problematic," she added.

"Many people in Atlantis have to commute between there and Cape Town."

Regarding blacks, the guide plan said the Cape Provincial Administration had estimated in November 1986 that the Cape Metropolitan area's urban black population was 600 000.

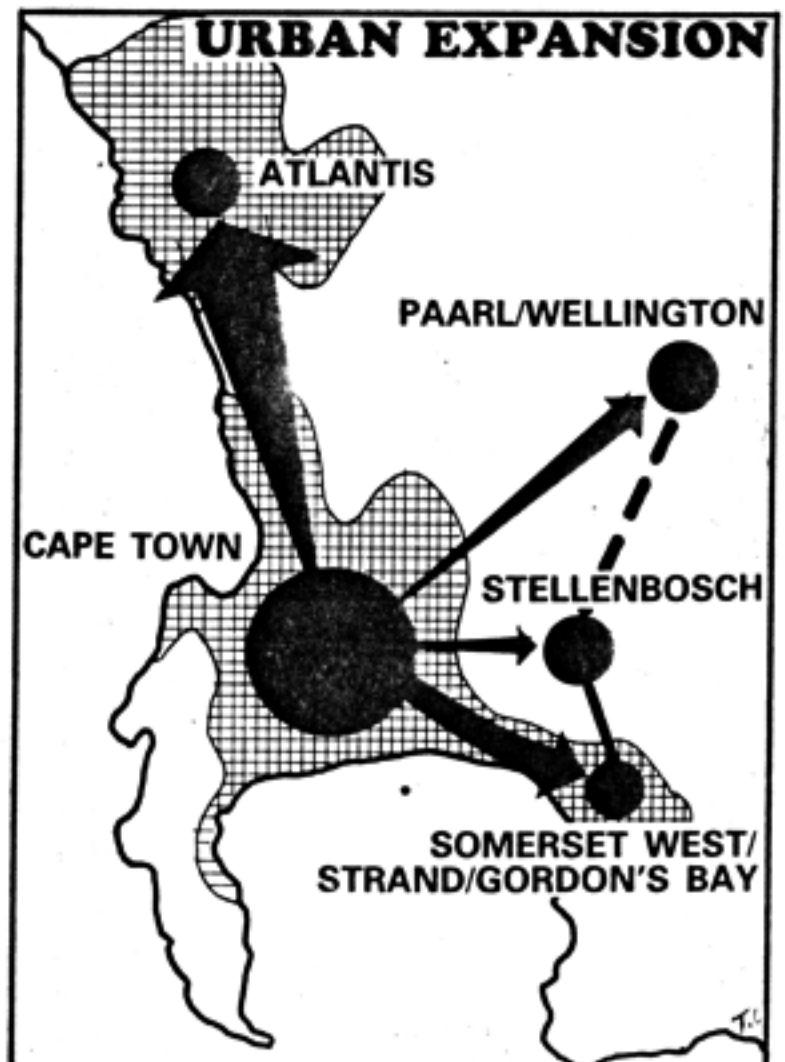
In this decade, greater Cape Town's black population increased at a rate of 13,8% a year, and the number of blacks was expected to "increase further by approximately 780 000 up to the year 2 000".

In the long term, a solution would have to be found "in all probability outside the present guide area". Meanwhile, Langa, Nyanga, Guguletu and Crossroads may be upgraded. A freeze on development in those areas has been lifted.

Attention will be given to higher residential densities in Khayelitsha to make optimal use of the limited land, according to the plan.

Ms Watson agreed that higher residential densities were necessary, but not with confining black residential development to Khayelitsha and the existing black townships.

"The uncontrolled influx of blacks to the Cape Metropolitan area must be prevented as far as possible by the effective creation of employment opportunities in ... the Transkei, Ciskei and eastern Cape," the guide plan said.



THE PLAN ... A guide plan showing major expansion up the West Coast.