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THE GROUP AREAS ACT AND COMMUNITY DESTRUCTION IN SOUTH AFRICA

The Struggle for Cato Manor in Durban

BRUJ MAHARAJ

The last decade has seen an emergence of new geographical literature on South Africa's history by local and overseas scholars (Crush and Rogerson 1983; Crush 1986; Scott 1986; Crush 1991; Robinson 1990). Crush contends (1992:10) that the research output of this group, although small, 'will contribute to historical geography becoming one of the most vibrant and productive areas of inquiry within the geographical discipline in South Africa'. One of the main aims of the new historical geography has been to examine the connection between the spatial, social, and racial divisions within South African society. This literature was profoundly influenced by the social historians (Rogerson and Browett 1986). However, the question arose as to whether geographers were making a distinctive contribution to the study of social history (Mabin 1986). The challenge to geographers, according to Rogerson and Browett (1986:234), was to break away from their parasitic tendencies - 'not merely to hang on to the coat-tails of the social historians but to supplement and extend their work'.

There is evidence, however, that historians have been influenced by geographers, especially with regard to the interaction between social relations and space, as well as by a consideration of specific localities. The historian Cooper (1983:23) emphasised that 'social relations exist in space; even as society shapes space, space shapes society'. Most recently, social historians Bonner and Lodge (1989:1), cited the French geographer Paul Claval, who stated that '[s]ocial life is inscribed in space and time'. According to Bonner and Lodge (1989:1) this was especially evident in South Africa, where

the policy of segregation has made the contestation of space one of the central political struggles ... A central theme in the history of black urban communities in South Africa was ... their attempts to create and defend illegal space. A central thrust of state urban policy was equally to close down such communities and to quarantine them in localities selected by the state where they could be more effectively regimented and controlled.

A specifically geographic contribution to the social history movement could comprise an analysis of state actions in specific localities (Crush, 1992). Specific localities are often symbolic representations of conflicts in the wider society. Harvey (1985) emphasised the importance of particular neighbourhoods as indicators of social tensions at local and central levels. He identified attempts to destroy the Basilica of the Sacred Heart in Paris as a symbolic representation of the conflict between the working class and the bourgeoisie, and between the central and local state in France. To Harvey (1989:13), the Basilica represented 'a product and a symbol of class struggle'.

In South Africa attention has been drawn to the destruction of Sophiatown in Johannesburg (Lodge 1983) and the razing of District Six in Cape Town (Hart 1988). In Durban, the implementation of the Group Areas Act (GAA) of 1950 in Cato Manor similarly reflected, at the micro-level, the conflicts and tensions which were evident in the broader society. The GAA was one of the key instruments used to enforce the ideology of apartheid. It served as a powerful tool for state intervention in controlling the use, occupation, and ownership of land and buildings on a racial basis. In terms of the GAA, separate residential areas, educational services, and other amenities had to be provided for the different race groups. The overriding goal was racial residential segregation (Maharaj 1992c).

This paper examines the struggle to save Cato Manor from the GAA and its consequences. The focus is on the increasing tension and conflict between the central and local state, as well as the failure of compromise and negotiation. The conflicts and compromises which influenced central-local state relations will be analysed. The increasing power and influence of the central state executive (as represented by the Minister of the Interior and the Minister of Community Development) and bureaucracy in the form of the Group Areas Board, will be highlighted. The role of agency as reflected in the protest and resistance organised by Indians to save Cato Manor will also be examined. An analysis of the struggle against residential segregation is important because race played a key structural role in the socio-spatial organisation of South African society. The importance of politics at the local level will be emphasised in this paper. Although space has been structured and patterned by historical and material forces, an overriding factor has been the political influence.

This paper is divided into three sections. The first part examines the historical development of Cato Manor and its proclamation as a white group area. The attempts of the local state to rezone Cato Manor for Indians is discussed in the second section. The white backlash and the compromise solution adopted by the local state in Durban will also be analysed in this section. In the third section the nature of Indian protest and resistance to the zoning of Cato Manor for whites is examined. The empirical data upon which this paper is based were derived from a variety of primary documentary sources, ranging from official government reports, records of the Durban City Council, (DCC) and newspaper articles, to memoranda prepared by extra-parliamentary groups.

CATO MANOR – CONTESTED SPACE

To many thousands of blacks the name Cato Manor has a special emotive ring – for over fifty years, to the African, Indian and coloured families living side by side as a community, this was home. Yet Cato Manors are not unique in our society. Daily, all over South Africa, settled communities, urban and rural, are forcibly removed from areas of their choice ... In the wake of this phenomenon, community life is being destroyed and wholesale dispossession of land is taking place ... Compensation is always hopelessly inadequate, and resettlement a thoroughly traumatic and costly exercise ... the communities throughout South Africa are continually struggling against removal and resettlement ... And the struggle at Cato Manor is precisely that.

(Durban Having Action Committee 1982)

It is evident from the above quotation that Cato Manor is an evocative name in the province of Natal, and has powerful connotations with the history of the dispossession in South Africa. Cato Manor has been referred to as a 'complexity in place' – 'one of those places about which, and around which, controversy has always appeared to rage' (Butler-Adam and Venter 1984:1). In fact, 'relative location, economics, the need for land and houses, and grave moral issues all place Cato Manor in the centre of Durban's urban fabric' (Butler-Adam and Venter 1984:70). Cato Manor is located within five kilometres of the central business district and is also very close to the industrial areas of Durban (Figure 1). It has traditionally been a mixed area, occupied mainly by disenfranchised Indians and Africans.

The history of Cato Manor is inextricably interwoven with the history of Durban. The area was originally owned by George Cato, the first mayor of Durban, and comprised about 4 500 hectares (Edwards 1989; Ladlau 1975). It consisted partly of a marshy, animal-infested jungle, although the land was variable in quality. After completing their period of indenture, many pioneering Indians settled here and built simple houses from their modest earnings and savings, facilitated by pooled incomes from the joint family system. They had purchased or leased their land from wealthy white farmers who had made lucrative profits from transactions with Indians.²

The Indians were mainly market gardeners who ensured that Durban was adequately supplied with fresh fruit and vegetables at reasonable prices. With the passage of time more Indians were attracted to Cato Manor. This was not unrelated to the fact that, being located outside the jurisdiction of the DCC, they were able to erect substandard dwellings at low cost. Schools, temples, mosques, and halls were built and sustained through community initiatives. With the extension of the city's boundaries in 1932, Cato Manor was incorporated into the Borough of Durban. However, it remained a chronically neglected area

in terms of services and facilities for some years after incorporation.

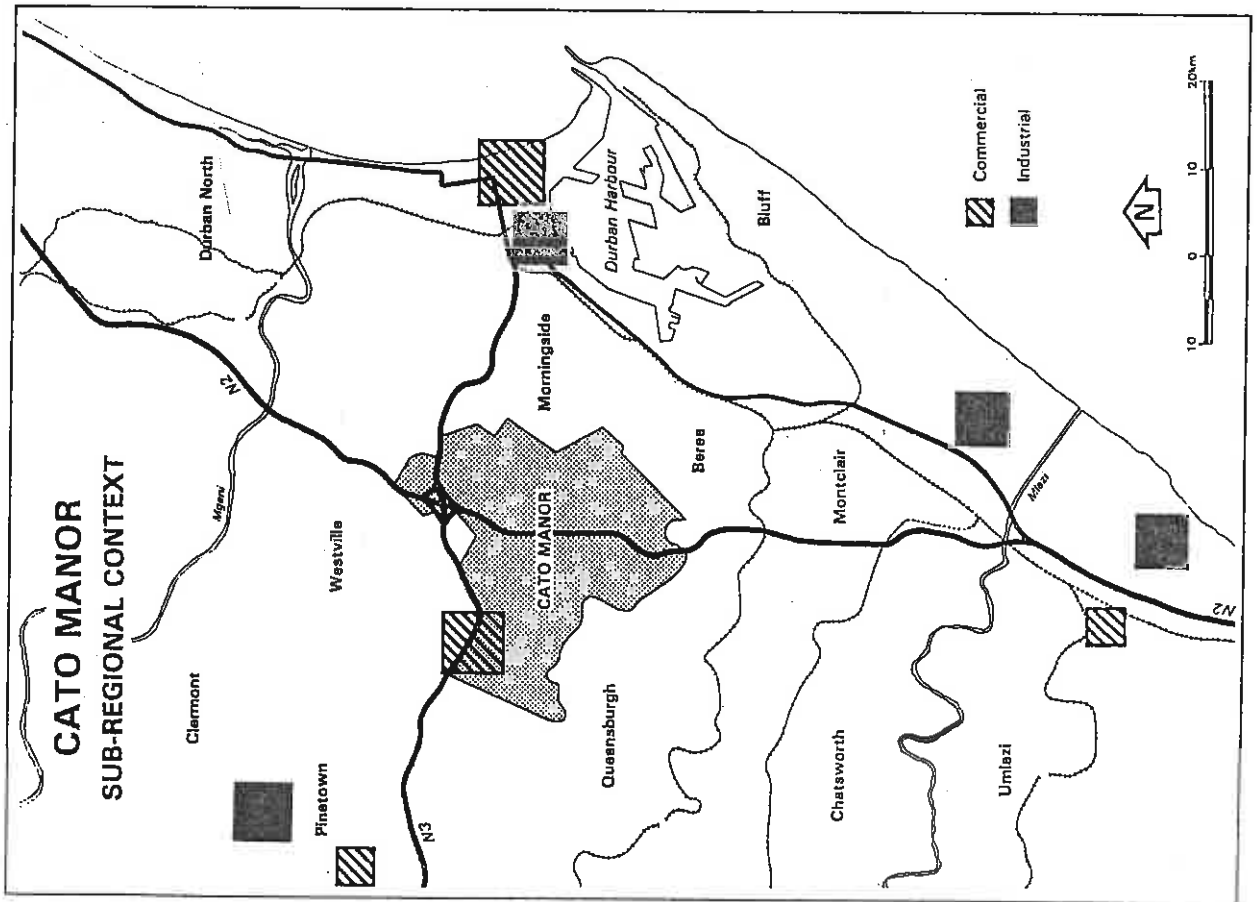
In addition to Indians, the area had a large African population. Africans began to move into Cato Manor in the early 1940s as they were ejected from areas like Overport and Puntans Hill by the DCC. Many Indian farmers realised that they could make more profits by allowing Africans to build shacks on their lands, and many of them became 'shacklords' (Edwards 1983:4). This arrangement was accepted by the DCC mainly because it was unable to provide alternative accommodation (Ladlau 1975). Often an Indian would let a huge plot of land to an African for a nominal site rent. The tenant would then sub-lease to hundreds of others, who would build shacks and pay rent. As a result a large class of African 'tenant-landlords' came into being, which had a vested interest in the continued existence of Cato Manor. This group also operated 'shackshops' in Cato Manor, but experienced a great deal of insecurity and competition. They were harassed by the authorities and had to compete with Indian traders, and these conditions formed 'the social soil for the anti-Indian attitudes' in the area (Fighting Talk Aug. 1959:3). Although the interaction between African workers and the Indian petty bourgeoisie was primarily exploitative, Indian businesses in Cato Manor provided opportunities for African workers and their families to escape from the austerities of direct local state control. According to Hemson (1977, p.103),

Indian traders provided the basic infrastructure of the squatters' slums: the bus services and retail outlets – the services which could be provided because of the particular position of Indian people as a 'buffer group' in the racial hierarchy of urban segregation.

The incipient conflict between Africans and Indians in Cato Manor, however, burst into the open with the 1949 riots.³ The state viewed the violence as a racial conflict between Indians and Africans (Reports of the Commission of Enquiry into the Riots in Durban 1949). However, while there was Indian-African tension, the riot was a 'complex phenomenon, fed by white prejudice and Government policy as well as by the aspirations of an embryonic African bourgeoisie' (Ladlau 1975: 19). The riots were also attributed to the poor socio-economic and housing circumstances of Africans in Durban.⁴

It is therefore evident that Cato Manor represented 'contested space in which various parties claimed authority ... it was also an area which became ever more central within the state's plans to control the spatial and social features of Durban' (Edwards 1989: 192). In terms of the Asiatic Land Tenure Act (Ghetto Act) of 1946, Cato Manor was zoned for Indian ownership and occupation. By 1950 some City Councillors and officials of the Native Administration Department expressed concern about the future of Africans in Cato Manor. While recognising that the area was primarily owned and occupied by Indians, the Native Administration Committee of the DCC suggested that separate zones for Indians and Africans should be set aside in Cato Manor (Durban City Council Minutes

Figure 1
Location of Cato Manor in Durban
(Day & Chetty 1933:2)



1950). However, the Committee recognised that 'Cato Manor is ultimately to become an Indian area, and that permanent accommodation will have to be found for the Natives put there under a temporary controlled shack scheme' (Durban Housing Survey 1952:380).

The DCC subsequently obtained central state consent to expropriate 450 acres of land in Cato Manor, as well as a loan of £ 153 000 towards the costs (*Daily News* 24 Oct. 1951). The main purpose of this gesture was to ensure that the shacklands of Cato Manor were cleared. However, the Minister of Native Affairs, Dr Verwoerd, emphasised that the central state would never support permanent African housing in Cato Manor as the area would be zoned white in terms of the GAA (*Daily News* 24 April 1951). In terms of the DCC's final group area proposals Cato Manor was zoned white, in spite of vociferous opposition from Indians.⁵ In terms of the group area proclamations of 6 June 1958, Cato Manor was zoned for future white ownership and occupation (Figure 2). The struggle to save Cato Manor for Indian ownership and occupation dominated Indian politics in Durban for almost thirty years. The increasing tension between the central and local states over the racial zoning of Cato Manor is discussed in the next section.

LOCAL STATE VACILLATION

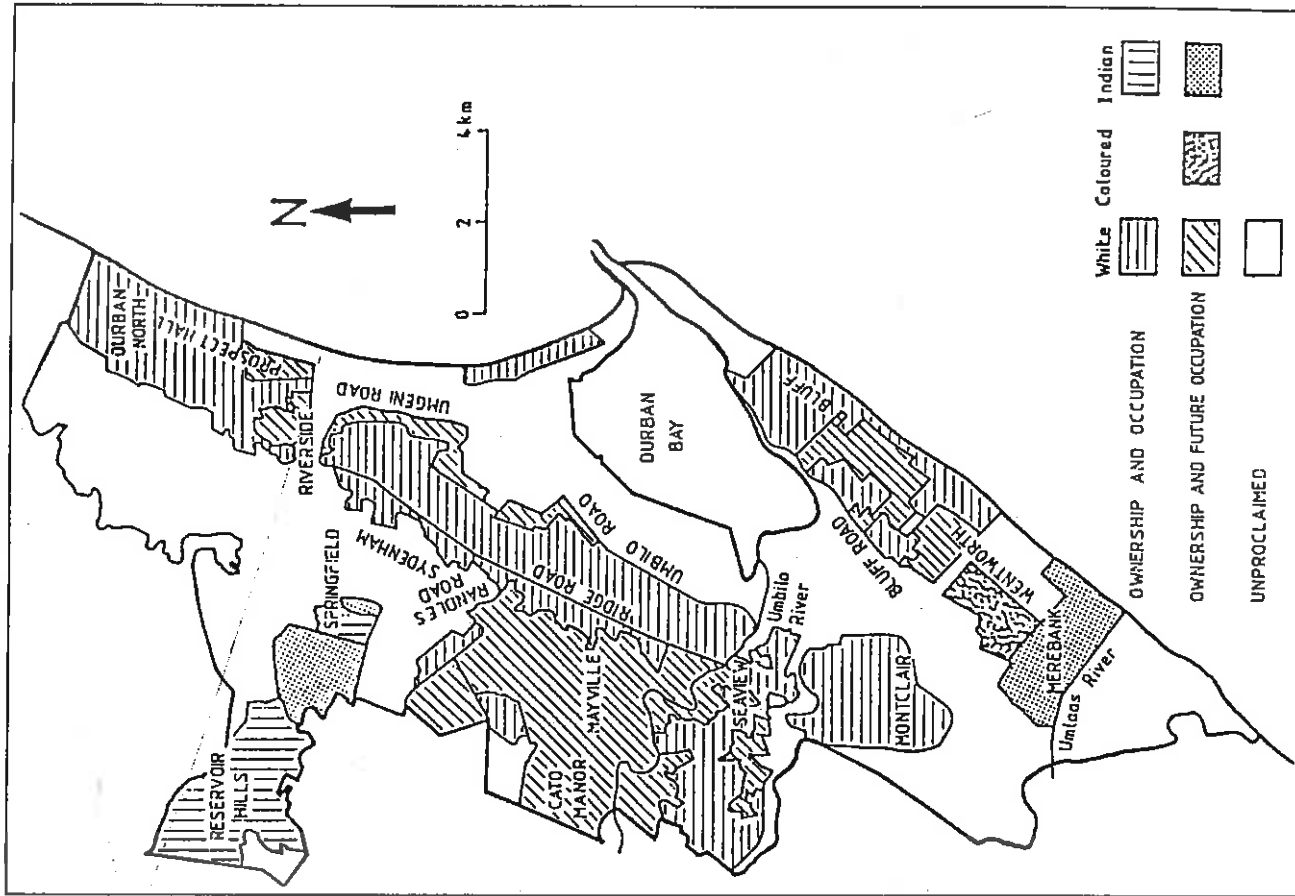
The Re-zoning of Cato Manor

As early as 1955 Durban City Councillors, in their individual capacities, voiced serious doubts about the Council's group area proposals. In May 1955 the Mayor, R.A. Carte, stated: 'The Group Areas just cannot work. I may probably be treading on dangerous ground, but, however, this is my personal view' (*Graphic* 7 May 1955). In 1957 the DCC's Planning and Development Control Committee (PDCC) suggested that the zoning of Cato Manor for Indians would not affect white interests in any way whatsoever (*Natal Mercury* 20 March 1958). According to the City Valuator and Estates Manager, A.E. Mallinson, the allocation of Cato Manor to Indians would contribute significantly to the solution of their housing problem in the city (*Natal Mercury* 18 May 1957). Councillor Williamson contended that the Cato Manor problem had arisen because the DCC had 'worked hand-in-glove with the Government in the implementation of the GAA, while cities like Cape Town had fought valiantly' (*Natal Mercury* 18 May 1957). Percy Osborn, who was Mayor in 1957, replied that the DCC had given the Government an undertaking that it 'would co-operate in making Cato Manor an all white area and nothing can stop its proclamation as such' (*Natal Mercury* 18 May 1957).

However, in October 1957 Councillor Jackson was elected as Mayor of Durban, and he was regarded as more liberal, compared to his predecessor. He assured Indians that the DCC would carefully consider all the representations which were made to it, and that every endeavour would be made to ensure that the

Figure 2

The 1958 group area proclamations in Durban



GAA was applied fairly, in order to keep any hardship to a minimum. Major Jackson conceded that this would be possible only if the DCC received financial assistance from the Government (Mayor's Minutes, 1957-58).

At a Council-in-Committee meeting held on 27 May 1958, the DCC agreed in principle to revoke its previous zoning proposals, and to draft a new plan which ensured minimum disruption of the existing population distribution (*Daily News* 28 May 1958). The DCC also resolved that 'the City be zoned on the basis of obtaining Government approval of the Council's desire to allocate Cato Manor for Indian ownership and occupation (DCC Minutes, 5 June 1958).

Local State Capitulation

Whites in Durban began immediately to clamour for Cato Manor to be retained as a white group area.⁶ They had the support of the central state. The Minister of the Interior told Parliament on 10 Sept. 1958 that at the 1953 group areas hearings it was emphasised that Cato Manor 'was the main gateway to Durban from the inland and that it had to be kept in white ownership' (Hansard, 10 Sept. 1958, col. 3473). Tensions between the local state and its constituency as well as the central state had increased markedly, and the municipal elections were due in October 1958.

On 1 October 1958 the composition of the DCC was drastically altered by the white electorate. Eleven of the twelve Councillors standing for re-election lost their seats. Almost all the Councillors who were supporting the call for a revision of the June proclamations lost their seats. Many Indians were satisfied that it was their support for the re-zoning of Cato Manor that had sealed their fate at the polls (*Leader* 24 Oct. 1958).

There was also a total change in the composition of the PDCC, which was directly involved in making recommendations with regard to group areas. Percy Osborn was appointed as Chairman of the PDCC, and he strongly supported Cato Manor being zoned for whites. He argued that it was not suitable for Indian occupation as it was surrounded by 'European' areas, and problems could arise if the Indian population expanded to the extent that the area would be unable to contain it. The PDCC almost unanimously accepted Councillor Osborn's resolution that Cato Manor be proclaimed for white occupation (*Leader* 24 Oct. 1958).

The Stirring of White Conscience

Significantly, there was strong white opposition to the recommendation that Cato Manor should be zoned for 'Europeans'. Led by Roman Catholic Archbishop Hurley, concerned whites formed a 'Citizens' Committee', which convened a mass meeting that was attended by more than 2 300 whites on 23 Feb. 1959. In his address to the meeting, Archbishop Hurley stated that the removal of Indians from Cato Manor was morally indefensible, and was tantamount to 'legalised

pillage' (*Daily News* 24 Feb. 1959). R.A. Carte, a former Mayor of Durban, argued that Cato Manor should be allocated to Indians for the following reasons:

- i. It was occupied predominantly by Indians.
- ii. The area had been promised to Indians.
- iii. Cato Manor was ideally suited for an Indian township, without in any way being detrimental to 'European interests'.
- iv. The ratepayers of Durban could not afford to pay for the displacement of Indians from Cato Manor.
- v. It was impossible to provide alternative accommodation for the Indians who would be displaced. (*Daily News* 24 Feb. 1959)

The meeting unanimously resolved that the displacement of Indians from Cato Manor was morally indefensible, was beyond the financial capacity of the city, and urged the DCC to stop this serious injustice (*Natal Mercury* 24 Feb. 1959).

The protest, organised by the Citizen's Committee, had an impact on Councillor Osborn and the DCC.⁷ He said that it was gratifying to see the interest expressed by citizens 'in the operation of the GAA and with particular reference to Cato Manor'. He emphasised that what Councillors had voted against was the whole of Cato Manor being zoned for Indians, and implied that there would be no objection to part of the area being allocated to this group (*Natal Mercury* 21 Feb. 1959). As a compromise, the DCC considered the possibility of dividing Cato Manor amongst Indians and whites.

Local Compromise versus Central Power

On 26 May 1959, the PDCC recommended that Cato Manor be divided amongst Indians and whites. In terms of this decision, about a quarter of Cato Manor (1 300 acres out of 5 000) was set aside for, and expected to accommodate, 48 000 Indians (*Graphic* 5 June 1959). However, the proposals were advanced by the Committee 'without the publication of any figures concerning population, land ownership, population displacement, or community amenities affected by the proposal' (SAIRR 1959).

The proposed Indian zone of 1 300 acres constituted less than half of the Indian-owned land in Cato Manor. The area was densely populated, with little room for further development and expansion. Furthermore, a vast section of Indian-owned property which was capable of providing for future needs was excluded from the proposals. In addition to the population dislocation and the loss of land and homes, the Indian community would also lose important business and community amenities, such as schools, places of worship, factories, and welfare organisations (Table 1). There was no financial formula which could compensate communities for loss of these important amenities. According to the DCC the Indian population of Cato Manor was 25 000, and the latest plan would displace about 10 000 people. These figures, however, were outdated,

and unofficial estimates indicated that the population was about 40 000, in terms of which 20 000 Indians would be displaced. These facts proved that the proposal of the PDCC was unrealistic, unfair, and inadequate (*Daily News* 30 June 1959). The plan was opposed by the Indians of Cato Manor, the Citizens Committee, as well as the central state.

Table 1. Community Amenities in Cato Manor (SAIRR 1959)

Amenities	Number
Schools	11
Places of Worship	16
Sports Grounds	1
Cemeteries	4
Crematorium	2
Business Establishments	115
Factories	15
Garages	4
Welfare Organisations	120
TOTAL	288

The Cato Manor Co-ordinating Committee (CMCC), which comprised the Mayville, Cato Manor, Second River and Stella Hill, Ratepayers Associations, maintained that Indians were always called upon to make sacrifices in terms of the GAA, and that it was callous to demand further sacrifice from them as envisaged in the new plan. It appealed to the Mayor to reject the recommendation, and argued that it would be sinful for the DCC to consider such a vital issue without giving the Indian ratepayers a chance to place their case before the Council (*Graphic* 4 Sept. 1959).

The Mayville Indian Ratepayers' Association (MIRA) made a similar call to the DCC to give the affected community an opportunity to present its case. It maintained that City Councillors should make decisions on the basis of fair play and justice, and not support proposals which would increase social strife and conflict. MIRA maintained that ultimately it was the DCC's responsibility to alleviate the problem. It emphasised the attachment of people to place, and the social and economic consequences of relocation:

People form deep and lasting attachments to the places in which they live and such attachments are rooted in emotional association with homes, temples, churches, mosques, schools, burial places and with neighbours - years of friendship, the passing on of homes from generation to generation. Such are worthwhile values which cannot be set aside lightly. Is it fair to ask people, now advanced in years,

to break up old associations and homes, businesses, etc. and to start afresh. Besides, can monetary compensation, even though seemingly adequate, take the place of homes, businesses, etc.? Enforced removal must necessarily bring *resentment* and resentment can so very easily smoulder into *hate*.

The life savings of people is often invested in their areas. Callous dispossession of property must cause ill-health. Businesses small and large will be ruined. Farm holdings, small and large, cannot be transposed, economically over a period of 20 years ... To our Association, the Race Zoning Plans are an unrealisable dream from an economic standpoint. Residential segregation in our case spells economic strangulation and therefore *ruination*. (Mayville Indian Ratepayers' Association 1958)

The Citizens' Committee was disappointed with the proposal to divide Cato Manor because the proposal did not offer sufficient relief or security to Indians. Furthermore, it was unlikely that the plan would be accepted by the GAB,⁸ because the limited size of the area might have led the Board to regard it as an 'Indian pocket' in what might have been an area of substantial development (Citizens' Committee on Cato Manor 1959). The Citizens' Committee urged the DCC to give serious consideration to its policy of 'minimum disturbance of settled communities', and to increase the area for Indian ownership and occupation in Cato Manor.

On 2 June 1959 the DCC accepted the proposal of the PDCC that a portion of Cato Manor which was predominantly Indian owned and occupied be zoned for this group. This would require an amendment of the proclamations of June 1958. The DCC agreed that representatives of the City Council meet with the GAB in order to discuss the amendment (DCC Minutes, 2 June 1959). However, Percy Osborn believed that the GAB was unlikely to accept the DCC's proposal because the Board had sat for months and considered comprehensive evidence. Hence, it would be difficult to prove to the Board that it was wrong in accepting those original proposals' (*Daily News* 7 July 1959). Furthermore, the Minister of Bantu Affairs stated that the Government had not changed its position since 1953: Cato Manor must remain white (*Daily News* 9 Sept. 1959).

The Resurgence of Local Liberalism and Central Intransigence

In October 1959 there was a further change in the local politics of Durban. Councillor C.A. Milne, a progressive, was elected as Mayor of Durban. This was welcomed in Indian circles, and it was viewed as a 'sign of the resurgence of liberalism in the DCC' (*Leader* 23 Oct. 1959). At his induction ceremony, Mayor Milne gave the assurance that the DCC would 'never be a party to the displacement of settled communities without suitable, and possibly better, accommodation being made available' (*Graphic* 23 Nov. 1959).

On 15 January 1960 Mayor Milne led a DCC deputation to meet with the GAB in Pretoria to discuss the deproclamation of a portion of Cato Manor for Indian occupation (*Leader* 22 Jan. 1960). However, the GAB rejected the DCC's appeal. According to the SAIRR, the 'Board's decision was made in complete disregard of the views and wishes of all sections of the citizens of Durban and despite the earnest plea of the DCC' (*Leader* 12 Feb. 1960).

In its response, the PDCC suggested that, since the recommendations for the re-zoning of a portion of the area for Indians had been rejected by the GAB, the Council should 'discontinue formulating recommendations to the Natal Committee of the GAB on applications in respect of properties situated in the proclaimed group area of Cato Manor' (DCC Minutes, 18 Feb. 1960). The proposal was not accepted by the DCC. The PDCC maintained that further representations should be made to the Minister of the Interior with regard to the Cato Manor issue (DCC Minutes, 18 Feb. 1960).

The DCC's meeting with the Minister of the Interior, Mr Naude, was unsuccessful. The Council had confidently anticipated a serious discussion on the re-zoning of Cato Manor. Mr Naude summarily dismissed the meeting by saying that he was not prepared to discuss the re-zoning of Cato Manor. He argued that the GAB was a competent body which had considered residential, business, religious, and other factors before making its decision (*Graphic* 5 Aug. 1960). The Minister maintained that the deproclamation of Cato Manor would create a precedent, as he would then be inundated with requests for deproclamations throughout the country (*Daily News* 28 July 1960).

Mayor Milne expressed deep disappointment at the Minister's response, especially as the DCC's compromise proposals had not been considered at all. He maintained that it was impractical to move so many people from settled communities. It appeared that the DCC would not be able to do anything further about Cato Manor as the Minister had emphasised that his decision was final. The only recourse was an appeal to the GAB, which had the power to review proclamations (*Daily News* 29 June 1960).

In spite of Minister Naude's categorical ruling, in December 1960 the DCC again asked the GAB for an amendment to the Cato Manor proclamation. The Board replied that the Minister's decision of July had been final (*Daily News* 31 Jan. 1961). Running out of options, the DCC next sought legal opinion to determine whether it could challenge the proclamation of Cato Manor in court, but was again disappointed when legal counsel maintained that it was very unlikely that such action would be successful (*Daily News* 29 March 1961). On 15 May 1961 the DCC agreed that a delegation led by Mayor Milne should make further representations to the Minister of the Interior and the GAB to ensure that the GAA was implemented sympathetically (DCC Minutes, 15 May 1961).

The Government replied that the Minister of Community Development, his predecessors and the GAB had always desired and sought the co-operation of the DCC, and it appreciated the co-operation of the Council in the 'very difficult matter of group areas'. The DCC had always been afforded the opportunity to

present its views at public inquiries conducted by the GAB. However, the Government could not guarantee that the DCC's recommendations would always be accepted (*Leader* 1 Sept. 1961). Minister Naude's cursory dismissal of the DCC delegation in July 1960 galvanised Indian protest and resistance.

THE PERSISTENCE AND FAILURE OF PROTEST

Appeals, Mass Meetings, and Memoranda

Indians in Cato Manor vociferously resisted attempts by the state to dispossess them. As a disenfranchised and voiceless group, their aspirations were articulated by political and civic organisations. P.R. Pather of the Natal Indian Organisation (NIO)⁹ maintained that the Minister's response lacked any sense of justice, and was an intimation of what was in store for the Indian people of South Africa (*Leader* 5 Aug. 1960). The NIC¹⁰ called upon its branches in the Indian areas of Durban to mobilise their constituencies to protest against the uprooting of thousands from Cato Manor. It also called on all 'organisations who believe in democracy and fair play to voice their protest to the Minister of the Interior and to support the Congress call to the Government to keep their hands off Cato Manor' (*Graphic* 5 Aug. 1960). In a letter to the Secretary General of the United Nations, the NIC called for international intervention in the Cato Manor debacle (*Leader* 26 Aug. 1960). The NIC also rejected the compromise proposals of the DCC. It called upon the DCC and the Government 'to leave the people of Mayville and Cato Manor in their homes and in their businesses and to provide civic amenities without discrimination as to race or colour' (*Daily News* 12 May 1959). However, rhetoric dominated the NIC's opposition to the GAA.¹¹

The CMCC appealed to Indians not to engage in recreation or entertainment, but to observe 'Cato Manor Day' on 23 October 1960 in silent protest against the GAB's decision to declare the area for white ownership and occupation. A mass meeting of all Cato Manor residents was held on this day to decide on a plan of action to fight for the deproclamation of the area (*Leader* 14 Oct. 1960).

In his address to the prayer and protest meeting convened by the CMCC, Archbishop Denis Hurley said that all the citizens of Durban, including whites and City Councillors, would rejoice if the Cato Manor problem were resolved in such a manner that it did not hurt and humiliate so many people. Dr A. Baboolall, President of the Durban Combined Indian Ratepayers' Association (DCIRA),¹² urged the Government to hold a referendum of the people living in Cato Manor to determine their attitude towards the proclamation. Dr G.M. Naicker, President of the South African Indian Congress,¹³ said that Cato Manor reflected the devastation that Indians faced throughout the country (*Leader* 28 Oct. 1960).

MIRA subsequently appealed to the Prime Minister, Dr Verwoerd, to review the zoning of Cato Manor. Failing this, the Association urged the Prime Minister to arrange a new hearing for the zoning of Cato Manor. Indians would then

have an opportunity to present their case to the GAB. The Prime Minister replied that he could not intervene as the matter was within the jurisdiction of the Minister of the Interior (*Leader* 5 Aug. 1960). The *Leader* (19 Aug. 1960) argued, however, that this was a lame excuse, and contended that the Prime Minister agreed with Naude that Cato Manor should be zoned for whites.

On 11 Feb. 1961 delegates from the DCIRA and CMCC held a forty-five minute meeting with the Chairman of the Natal Committee of the GAB, G.P. Nel, in order to persuade him of the necessity of having a re-hearing of the zoning of Cato Manor in view of the changing circumstances (*Graphic* 10 Feb. 1961). The delegation emphasised the social and economic consequences of displacing settled communities. It was pointed out that the GAB had the prerogative to decide on a re-hearing, and examples of deproclamations were cited from the Transvaal and Cape Province. Nel requested the delegation to submit a comprehensive memorandum to the Natal Committee, who would comment on it, and thereafter to submit it to the GAB in Pretoria for final consideration (*Graphic* 10 Feb. 1961).

In a memorandum submitted to the Natal Committee of the GAB, the DCIRA argued that whites were not keen to move into Cato Manor.¹⁴ This was partly attributed to the fact that there were adequate areas suitable for white residential development. The DCIRA maintained that whites had not invested in Cato Manor, and were not likely to incur losses if the area were deproclaimed. On the contrary, if whites sold properties to Indians they were likely to make profits. The 1958 proclamation had stifled development and initiative in Cato Manor, leading to stagnation and decline. Indian-owned properties were being sold at public auctions, at a fraction of their market values. Deproclamation would change the picture overnight. Under the circumstances, the DCIRA urgently appealed to the GAB and the Minister of the Interior to agree to the call for a rehearing of the zoning of Cato Manor (*Leader* 28 April 1961).

In December 1961 the CMCC submitted a twelve-page memorandum to the Prime Minister, H.F. Verwoerd, making a 'solemn and urgent appeal' to him to intercede on behalf of Indians living in Cato Manor. The CMCC also emphasised that neither the DCC nor the Government had the financial capacity to relocate forty thousand people (CMCC 1961). The Prime Minister replied that he was unable to pass judgement on the matter, and the memorandum was accordingly submitted to the Minister of Community Development, who had all the information and dealt with such matters. In a written response to Verwoerd, the CMCC expressed its disappointment at his attitude, as well as the fact that he had not given any indication as to whether he supported the legitimate demands of the Indians (*Leader* 22 Dec. 1961).

In a seventeen-page memorandum, the CMCC made a similar plea to the Minister of Community Development and Housing, P.W. Botha, highlighting the difficulties Indians had experienced in terms of the GAA. Botha replied that he was not prepared to repeal the proclamation which declared Cato Manor a white area, and declared that it would be in the interest of the Indian community

to co-operate with his Department.¹⁵ The CMCC resolved not to accept the Minister's decision as final, and to continue to make further representations for a re-hearing (*Daily News* 15 Jan. 1962). It also agreed to pursue a more vigorous and determined opposition to the re-zoning of Cato Manor, as 'peaceful and humble means' had been ignored by the Government (*Leader* 22 Sept. 1961). This included taking the Cato Manor issue to the United Nations. The CMCC also called upon whites not to purchase Indian-owned property in Cato Manor.

There was, however, concern about the effectiveness of the *modus operandi* of Indian organisations in opposing the GAA in Cato Manor. The *Leader* (12 Feb. 1960) lamented the futility of protests, appeals, and deputations, as well as the dearth of responsible leadership in the Indian community:

Protests, appeals and deputations have failed to soften the Government. There are to be further protests and meetings ... But the fate of the Indian people has been sealed so far as group areas go. It is the task of responsible leadership to devise ways and means of stopping this rank injustice from coming to pass.

The Death Knell

The death knell for Cato Manor as an Indian area was approaching rapidly. On 30 March 1962 the Chairman of the GAB announced that the Board would be enquiring into the desirability of proclaiming Cato Manor as well as the other areas, which in terms of the 1958 proclamations were zoned for future 'European' occupation, for immediate white ownership and occupation. Any representations and objections had to be lodged with the regional branch of the Department of Community Development in Pietermaritzburg by 30 April 1962 (*Natal Mercury* 30 March 1962).

On 6 May 1962 the NIC convened a mass meeting, attended by four thousand people, to protest against the proclamation of Cato Manor. In his address to the meeting, Alam Baboolall stated that only the GAB was buying properties in Cato Manor from sales in which Indians were forced to settle rates arrears. He maintained that the GAB and the Minister of Community Development would be forced to accept the reality of the situation. However, he warned that the community could not afford to be apathetic (*Leader* 11 May 1962). The meeting resolved that the proclamations should be repealed so that people would have the right to live in their own homes. The possibility of legal action would also be considered (*Daily News* 7 May 1962).

Many in the hierarchy of the NIC, including its President, Dr G.M. Naicker, were facing trial for high treason during this period. The leadership vacuum in the NIC, resulting from the State of Emergency imposed by the central state, led to rhetorical statements without any plans for effective action. One such statement read:

Just as the Government was determined to implement its policy of total apartheid, the Indian people had to re-dedicate themselves to work with the same determination as the Nationalists to win full freedom and democracy for all in South Africa. The task of opposing the latest move in Cato Manor was a major one, but by standing firm, united and determined, the victory could be won. (*Leader* 4 May 1962)

The failure of mass mobilisation against the GAA at grassroots level was due, in part, to the fact that it was the property owners who would experience the greatest losses as a result of the legislation. It was possible that low-income groups would benefit by moving into public housing in the relocated areas, which provided a marked contrast to their present slums. In the mid-1950s about 33 per cent of Indian families lived in one room, and 42 per cent in overcrowded houses in Durban (*Century of Indians* 1960:180).

Furthermore, there was also a high level of unemployment among Indians. Councillor J.J. Higginson, Chairman of the DCC's Housing Committee, drew attention to the 'unemployment, poverty and shocking living conditions' which were the plight of over 125 000 Indians living in and around Durban. He estimated that 25 per cent of Indians were unemployed (*Graphic* 7 July 1961). It was estimated that 70 per cent of Indians lived below the poverty datum line. According to the Social and Economic Planning Council the income of 50 per cent of Indian households was too low to enable them to purchase low cost diets (*Century of Indians* 1960:180).

Moreover, there was also a decline in the active membership of the NIC.¹⁶ Indian activists in political organisations were under constant surveillance by the security apparatus of the state, and were frequently arrested and harassed by the police (South African Police Re. 1948). The majority of Indians were low-income labourers who were afraid of being arrested, and feared the consequent loss of jobs, earnings, and family support associated with political activism. Under these circumstances, Indians were less likely to support militant mass action.

In a letter to the Department of Community Development, the NIO argued that the immediate proclamation of Cato Manor for whites would displace 46 000 Indians, who would require 8 000 houses, and that such a mammoth undertaking was beyond the capacity of any local authority. Forced removals would impose incalculable hardships which, the NIO believed, were not the intention of the Government. Under the circumstances, the NIO argued that there was no need for an inquiry. Failing this, the NIO called for any enquiry to be postponed to Feb. 1963 so that there would be sufficient time to gather relevant information.

The CMCC and its affiliates made a concerted effort to mobilise people to make written objections to the zoning of Cato Manor for whites on specially printed forms. An urgent appeal was also made to 'Europeans' and their

organisations to launch their objections before the 30 April deadline (*Daily News* 24 April 1962). About 11 500 objections were submitted to the GAB. Their potential impact was summarised by the *Natal Mercury* (28 April 1962):

Their appeal is couched in terms that no humanist can ignore. If the plan is carried out more than 40 000 Indians will be uprooted from a settled community ... Is Durban satisfied that there is either equity or humanity in these proposals? The ordinary citizen who feels that there is not should assert his right to say so. If the Government decides to go ahead with its plan, as seems probable, further vigilance will be necessary to see that no one is moved unless he has a place to go to and that fair compensation is paid to those who stand to lose by the enforced move.

A 'Trial of Life and Death'

The Regional Under-Secretary of the Department of Community Development officially announced that a Committee of the GAB would inquire into the desirability of proclaiming Cato Manor as a white group area on 12 December 1962 in Durban. The hearing was regarded as a 'trial of life and death' for Indians (*Daily News* 20 Dec. 1962). If Cato Manor were proclaimed for immediate white occupation, Indian residents would be given three months' notice to vacate the area. The NIO, NIC, CMCC, DCIRA, SAIRR and DCC were represented at the hearing, and were in agreement that Cato Manor was a natural group area for Indians. However, F.P. Rousseau, appearing for the state, argued that the purpose of the inquiry was not to determine whether Cato Manor should be zoned for Indians. He maintained that the state's intention was to proclaim the area for immediate white occupation. He advanced the following reasons for this action:

- i. The Act, which was supported by the white electorate, made it clear that group areas must be proclaimed within a reasonable time.
- ii. Group areas proclaimed for future occupation had a negative effect on property values and development in general.
- iii. There was rapid provision of housing for Indians displaced by the GAA, and it would be uneconomical for these dwellings to remain empty. (*Daily News* 19 Dec. 1962)

Mr Rousseau argued that the GAA was a 'slum clearing Act', which, when implemented, would move Indians from unsatisfactory conditions in Cato Manor to superior facilities in Chatsworth (located to the south of Durban). Land was also available for Indians who could afford it. Also, landowners would be compensated for up to 80 per cent of the value of their property. He gave the assurance that no one would be moved without the provision of suitable alternative accommodation (*Daily News* 19 Dec. 1962).

The DCC argued that the GAA was not designed for slum clearance and it should not be used for this purpose. The Council was unable to provide housing for Indians who would be displaced from Cato Manor if the area were zoned for immediate white occupation. It could not accept Rousseau's assurance that no one would be removed without alternative accommodation being provided as the Government could change its policy. There was no urgency for the area to be occupied by whites, who were not experiencing a housing shortage. Under the circumstances, the Council maintained that 'the time was not ripe for the proposed proclamation because alternative accommodation was not available for those who would be displaced' (*Daily News* 19 Dec. 1962).

Mr J.N. Singh, representing the CMCC, requested the GAB to recommend a new hearing which would lead to a deproclamation of Cato Manor. Such a move was taken because circumstances had changed dramatically since the 1958 proclamations. Even the DCC did not support the GAB's proposals for Cato Manor. Indeed, according to the *Daily News* (19 Dec. 1962), 'no group of organised opinion in Durban had asked for the removal of the Indians from Cato Manor'. There was, thus, overwhelming support from diverse groups in Durban for the zoning of Cato Manor for Indians. Indians were hopeful that a deproclamation in their favour would finally resolve the problem.

However, in terms of Proclamation No. 272 released on 4 October 1963, Cato Manor was zoned for immediate occupation by whites (*Government Gazette* 4 Oct. 1963). The statement continued that it was evident since 1958 that Cato Manor would inevitably become white: 'Disqualified persons were in consequence for the past five years not unaware that they would have to evacuate this area' (*Daily News* 4 Oct. 1963). The Minister of Community Development attempted to justify his decision by alluding to white prejudices in Durban (*Hansard*, 9 June 1964, cols. 7568-7569).

The NIO asserted that the group area proclamations in Durban were contrary to the recommendations of the DCC, the Durban Chamber of Commerce¹⁷ and other responsible organisations. Such proclamations also went against the assurances of previous Prime Ministers and Ministers responsible for administering the Act, that it would be implemented with 'fairness, justice, equity and with proportionate sacrifice by all race groups'.¹⁸ In an appeal to the Prime Minister, H.F. Verwoerd, the NIO maintained that it had always approached the GAA problem in a practical, realistic and moderate manner, but its efforts had been in vain. The NIO requested a meeting with Verwoerd, in order to draw his attention to more detailed information about how the administration of the GAA was jeopardising Indians. The NIO received a scathing reply from the Ministry of Indian Affairs, which was not prepared to recommend that the Prime Minister meet with its delegation, and which questioned its constituency. The letter urged the NIO to accept the Government's policy of apartheid, which would be in the best interests of the Indian community (Ministry of Indian Affairs 1963). It was evident that the apartheid rulers were so 'power-drunk' at this stage that they

were insensitive to the most moderate opinion, which they treated with contempt.

After numerous requests the Minister of Community Development, P.W. Botha, agreed to meet a four-man delegation from the CMCC on 21 November 1963 to discuss the proclamation of Cato Manor. The meeting was interpreted as a hopeful sign for the Indians of Cato Manor. The delegation handed Botha a memorandum requesting him to deproclaim Cato Manor and to initiate a new hearing 'affording fresh and proper opportunities to all the Indians of Cato Manor to present their case in support of their claims to retain their property and occupational rights in the area' (*Daily News* 22 Nov. 1963). However, the CMCC's appeal was turned down by the Minister, who was not prepared to review any proclamations, but was interested only in the practical implementation of the GAA (*Daily News* 15 Dec. 1963).

In spite of this setback, Indian organisations, particularly the CMCC, continued to make representations to the DCC and the Government to deproclaim Cato Manor. The DCC maintained that it had done everything in its power to influence the Government to review its decision (*Daily News* 14 Jan. 1965). In November 1964 the Minister of Indian Affairs said that a review of the Cato Manor decision was not possible, and referred to the poor housing and slum conditions in the area. He said the earlier the people moved out of the area, the more likely they were to receive state assistance (*Daily News* 14 Nov. 1964).

The final blow came on 1 June 1965 when a triumvirate of Government Ministers - Masee of Indian Affairs, Botha of Community Development, and Haak of Planning - made a joint final statement that the Cato Manor proclamation was irrevocable (*Daily News* 1 June 1965).

Almost twenty-five years later, a newspaper described Cato Manor as follows:

Once home to a vibrant, cosmopolitan community ... Cato Manor is today virtually a ghost town, with a sprinkling of dilapidated buildings among the vegetation. More than that, Cato Manor is a living monument to the heart break and destruction wreaked by the Group Areas Act (*Herald* 27 Nov. 1988).

CONCLUSION

Specific localities are often symbolic representations of conflicts in the wider society. Recently, Clarke and Kirby (1990:395) have emphasised the need for a 'bottom up' approach which considers the influence of social, cultural, economic, and political factors in shaping localities. This is possible only through intensive historical analysis, in which neither the central nor local state, or political or economic factors, are accorded the privilege of a single unit of analysis. In Durban, Cato Manor reflected at the micro-level the conflicts and tensions which were evident in the broader society.

This paper, by focusing on the historical struggle to save Cato Manor, contributes towards an understanding of the community experience of the dispossessed classes in South Africa in the struggle to save home and hearth from the havoc wreaked by apartheid. As Bozzoli (1987:27) notes, 'community' suggests a spatial component in which 'the group is formed and reproduced'. She suggests that the 'spatial dimension ... lends the term "community" its timelessness, its sense of coherence and its claims to specificity' (Bozzoli 1987:27).

The implementation of central state policies in localities is the outcome of conflict between and within classes, as well as between different government tiers. In South Africa the development of racial residential segregation has been conventionally associated with the central state. Very often the state has been viewed as a 'peculiarly homogeneous structure that passes and enacts policies according to some grand design or at the bidding of some powerful interest group' (Crush 1992:19). However, Posel (1991:5) has questioned the notion of a 'grand plan' in terms of which apartheid has been systematically implemented since 1948. This paper, by focusing on the struggle to save Cato Manor for Indian ownership and occupation, highlights the changing relations between the central and local states in the implementation of apartheid.

With the passage of time, the DCC was forced to review its race zoning plans because of the exorbitant costs of implementing apartheid. The main concession was that Cato Manor would be zoned for Indians. The formation of the Citizen's Committee represented the development of a non-racial alliance that was opposed to the zoning of Cato Manor for whites. However, the central state was adamant that it would impose its version of race zoning upon the local state.

To the apartheid central state, local authorities were the pawns to implement its policy of social segregation. Local state responses were significantly influenced by their constituencies, which led to continuities as well as conflicts between the state tiers. By the early 1960s there was evidence of increased central state control over the local state, and the space for local opposition to central policies was significantly reduced. This was because

- i. the central state had officially reduced the scope of the 'statutory discretion' of the local state in implementing central policies;
- ii. this was accompanied by a reassertion of central authority and an increase in bureaucratic pressure on the local state; and
- iii. the political will to use this bureaucratic apparatus increased the power of the central state to exploit the fiscal vulnerability of the local state, with the latter being forced to acquiesce to the policies of the former (Adler, 1990). This was because the NP grew increasingly more powerful with each election after 1948, and it could therefore afford to 'get tough' with intransigent local authorities like the DCC.

Hence, the extension and consolidation of state administrative power 'only occurred through the actively contested formation of apparatuses which sought

to extend spatial reach and integration in various ways' (Ogborn 1992:218). Against such an onslaught the local state in Durban was increasingly powerless to implement its own policies and decisions with regard to the re-zoning of Cato Manor in terms of the GAA.

This paper has highlighted the role of human agency in opposing the policies of the central and local states. Thus central state policies were actively contested in localities. However, by the end of the 1950s both the NIC's and NIO's opposition to the group areas took the form of rhetorical statements, with very little practical action. The main reason for the failure of resistance to the zoning of Cato Manor for whites was the repressive state apparatus. The leadership vacuum in the Indian community that developed in the struggle to oppose the GAA was filled by civic and ratepayer organisations, a trend which continues to the present time. These organisations tried in vain to oppose relocation through mass protest meetings, petitions, and negotiations, in spite of being berated and humiliated by the Government. The fledgling apartheid state simply refused to acquiesce to the most reasonable demands of a disenfranchised group.

The Cato Manor saga reveals that 'not only do the specificities of local situations influence the actual outcome of more general processes, but those general processes are created by conscious, active individuals ... [and that] particular political events and outcomes are inextricably bound up in historical and spatial specificities' (Duncan and Goodwin 1988:29). The saga drew attention to 'how conscious relations with the state develop through contests over programmes, policies, and procedures' (Chouinard 1990:1296-7). In the process this paper makes a specifically geographical contribution to the social history literature.

In South Africa race and state have portentously shaped socio-spatial structures. The GAA is the most glaring example of the role of the state in the social engineering of space in order to realise ideological and political ends. In the process millions have been uprooted and relocated and communities dismembered. The paper, by focusing on the struggle to save Cato Manor, makes a contribution towards demystifying the structuring of 'black social space'. With the imminent transformation of South African society, an understanding of the implementation and consequences of the GAA is paramount, as this legislation is regarded as one of the pillars of apartheid. Although the GAA was abolished in 1991,¹⁹ the scars and imprints of the Act are still strongly evident in the South African urban landscape. Thus a crucial issue facing any post-apartheid government will be the desegregation of social space, particularly the residential milieu.

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NOTES

1. Racial terminology in apartheid South Africa is a veritable minefield. Any study of the South African social formation cannot avoid reference to race and ethnic divisions. However, the use of such terminology in this paper does not in any way legitimate racist ideology and doctrine.
2. Memorandum of objections against the proposal for the zoning of Mayville, Cato Manor, Manor Gardens, Candella, and Stella Hill for future European occupation under the Group Areas Act, 1950, as amended, submitted to the DCC by the Mayville Indian Ratepayers' Association, 30 April 1958, para. (b).
3. For different views on the riots see Meer (1969); Ladlau (1975); Kuper (1965); Webster (1978).
4. This was supported by evidence submitted to the Riots Commission by the African National Congress and the South African Indian Congress (see Report of the Commission of Enquiry into the Riots in Durban, UG 36-1949:10).
5. The DCC had played a leading role in the development and implementation of the GAA (see Maharaj, 1992a, 1993).
6. The Durban West Co-ordinating Council, which represented four white ratepayers' associations, insisted that Cato Manor remain a white area (*Daily News*, 23 Aug. 1958).
7. All previous protests organised by the Indians had been ignored by the DCC. The Citizen's Committee was comprised of white voters – hence the concern to consider their views.
8. The GAB played a key role in the actual determination of group areas. It consisted of not more than twelve members appointed by the Minister of the Interior. The main function of the GAB was to advise the Minister with regard to the implementation of the GAA (Maharaj 1992b:259).
9. The NIO was formed in 1947 in response to what was perceived to be the more militant strategies of the NIC. Its leader was A.I. Kajee, former President of the NIC. The membership of the NIO consisted largely of businessmen. Although the NIO was more acceptable to, and entered into dialogue with, both the central and local states, it was unable to obtain any major concessions (Maharaj 1992c:9).
10. The NIC was an Indian political organisation which was founded by Mahatma Gandhi in 1894.
11. Agenda Book of the 12th Annual Conference of the NIC, 9-11 Oct. 1959. This rhetorical trend continued, and in a memorandum to the GAB, the NIC referred to group area proposals for Durban as 'fantastic, immoral, iniquitous and unjust'. See Memorandum submitted to the Group Areas Board on proposals for areas in central Durban, as advertised by the GAB on 2 Oct. 1959, para. 23.
12. The DCIRA represented 12 organisations: Riverside-Briardene and District;

- Ward VI; Mayville; Cato Manor; Cato Manor Economic Housing Scheme; Sea Cow Lake; Briardene (Umgeni Heights); South Coast Junction Area; Umhlatuzana; Greenwood Park; Stella Hill; Malacca Road and Ryde Place.
13. The South African Indian Congress was formed in 1923, and comprised the NIC, Transvaal Indian Congress, and the Cape British Indian Council (Mesthrie 1989).
 14. As the *Leader* (12 Feb. 1961) pointed out: 'In actual fact, the Group Areas Development Board purchased practically all properties in Cato Manor during these forced sales.'
 15. Letter from the Secretary of the Minister of Community Development and Housing to the CMCC, *Daily News* 15 Jan. 1962.
 16. The branches considered active by the general secretary of the NIC were reduced by more than half from 28 in 1947 to 12 in 1959 (Johnson 1973:125-26).
 17. Policy adopted at a meeting of the Durban Chamber of Commerce, 7 Feb. 1961.
 18. Resolution adopted at a meeting of the NIO held on 21 Sept. 1963, paras 1; 11.
 19. For an analysis of the demise of the GAA, see Maharaj and Mpungose (1994).

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