

## FIELDWORKERS' REPORT BORDER

### REGION: NATIONAL CONFERENCE 1993:

#### The struggle for land and housing in the East London Metropolitan area:

##### INTRODUCTION:

Since the beginning of May, struggles waged by the East London's squatter communities have to some extent shifted from responding to spontaneous shack demolitions, to planned demands for land and houses. Having succeeded in halting City Councils' policy to demolish any shack when it feels so, squatter communities embarked on a campaign to get alternative land if they are removed or resist forced removals. This campaign also included the provision of services where there are no services. To understand this shift it will be important to look at what has been happening in each squatter area around the City.

##### BERLIN SQUATTERS:

These are approximately 200 families residing in the surrounding farms of the Berlin District. The majority of the farms in which they are squatting are no longer farmed, and as a result most of them are either on sale or under the ownership of lawyers. From the past two years a number of families have been evicted from these farms, and some of them have reported these incidents to our office. In all the cases that have been reported it has been difficult to stop or prevent further evictions due to legal constraints. The only solution to this crisis was to organise the victims of eviction and those awaiting eviction at any time. A sense of community was built through the establishment of Berlin Residents Association.

It was through this association that six evicted families were led to occupy the nearest East London municipal land. As usual Prevention of illegal squatting act was used to demolish the shacks. However, the East London City Council was from that day engaged to take responsibility about issues that affects its subjects. As a local governing body which owns land it was challenged to provide alternative land for its subjects. Research was done to gather more information about families who reside on the Berlin farms. A list of about 200 families on the farms and a number of evictions that have taken place in the area was handed to the Council. This kind of work supported the legitimate demand for alternative land.

After a series of negotiations between the City Council and the Berlin Residents Association, Black Sash, Sanco subregion, and Corplan land was identified for the development of site and service scheme to accommodate people from the surrounding farms. This was a major victory for Berlin former farmworkers whose

survival now depends on getting jobs in the nearby white owned businesses and houses. The East London City Council was not only called upon to give land but it was also given the responsibility of negotiating with the local farmowners Association, and White ratepayers to suspend evictions until the service scheme is complete.

Development of the scheme was further delayed by the Councils' refusal to start it closer to town. It was felt that starting away from the town centre would be to maintain the old apartheid town planning style. However, due to organisational problem affecting the community, they were ultimately forced to accept the offer made by the Council. Following this there was also another disagreement about the services the Council is prepared to provide. Again the Community was faced with the problem of take or leave it. The councils' argument in refusing better services was based on the fact that they don't have money.

However, with all the problems and compromises that faced the community, development of 150 sites has been completed, and site allocation has started. The site is made up of pitlatrines and communal water standpipes and gravel roads. The Council was also requested to provide a site office which could be used by the Residents Association in future. The Council contacted Everite company and Everite has promised to provide it to the community.

In the meantime negotiations are at the level of service charges. The Council is pushing for R60 per month. They say R30 would be for administration costs and R30 for refuse removal, water, maintenance of road, and emptying the pit-latrines when necessary.

The community is presently negotiating for R20 per month. To them this is what they can afford given their poor financial situation, and unemployment. Besides the service charges the Council requires R250.00 for one to occupy, and own the site. The community was informed about the calculation of costs in a workshop conducted by the East London Municipality. Black Sash and Corplan were present in this workshop, as advisers to the community. In a followup community meeting the community also proposed that the Council should allow those who cannot afford to pay the R250.00 at once to pay it in three months instalment. This request has been accepted and the Councils' Berlin town manager is working on the issue of opening account for all those that would qualify for sites.

On the issue of dropping the service charge to R20.00, we will have to continue negotiating. Taking the Cambridge situation where there is deadlock over service charge it is most likely that Berlin will reach yet another deadlock with the Council. If no other tactics to be used the community would find itself continue leaving an uncertain farm life. It would be of their advantage to occupy the sites and thereafter, continue engaging the Council in dropping the charges.

#### **DUCATS OUTSPAN/THULANI SQUATTER CAMP:**

Ducats, renamed Thulani by the community, is a newly established squatter camp about 5km from Beacon Bay. The inhabitants of this

camp are former Waterfall farmworkers, who were evicted at the beginning of last year. This community is made up of about 32 families, mostly old age pensioners and unemployed youth. The land that they are settled on belongs to the Amatola RSC, and is close to a rubbish tip which belongs to the Beacon Bay municipality. Negotiations which ultimately led to their settlement in this area took place between the Black Sash and the Cape provincial Administration.

Finally the Amatola Regional Service Council accommodate them. Although the settlement according to the RSC is a temporary one, the way these farm people have built their shacks or huts raises some reservations as to whether the local authorities would be able to demolish their shacks and resettle them somewhere in future. However, there are rumours that the RSC is planning to remove the community in future. So far negotiations over the provision of temporary services such as water tanks, chemical toilets have been successful. The last time we had negotiations over the quantitative and qualitative improvement of services with the RSC, and CPA the issue of paying service charges cropped up. However it was finally left to the community to discuss what they can afford. In our last meeting we decided to suspend negotiations until we meet at the beginning of this year. We have so far not discussed the issue of charges but the RSC is still providing some services.

Besides the issue of services an informal Pre school with 23 children is operating. The Independent Teachers Enrichment Centre has been useful in facilitating this move. At the same time negotiations are on for the use of a nearby former white Thornpark school for elder children who were forced by eviction to travel daily to and from the Waterfall farm. Also request has been made to the Cape Provincial administration to look for land in the vicinity of Macleantown for the building of a school to accommodate children belonging to other farms. This request was done to avoid a situation where the owner of Waterfall farm decides to close the school in his farm, and children are left with no alternative.

#### **BEACON BAY SQUATTER CAMP:**

Beacon Bay is a squatter camp in the area of Beacon Bay. The community consists of mostly people evicted from the farms and some are from the surrounding rural areas. Some of these people have come to settle there because the area is not far from town and from their workplace. Most of them are working as general labourers and domestic workers. The land they have occupied is a private farm land erf no.5216 belonging to Howurtz Trust. The owner is selling the land. For more than three years these squatters have been threatened with forced removals by the Amatola Regional Service Council. The ARSC has been claiming to be pressurised by the surrounding white ratepayers to remove the squatter camp next to their valuable properties. However, in the negotiations that have been going on to stop the removals, it is not only the ratepayers that are against the squatters but, also all the local Authorities in the East London area.

As a result of on going negotiations between the Beacon Bay

Residents Association, Sanco, Corplan and Black Sash and the Local Authorities the Squatter camp was declared a transit camp under the jurisdiction of the Amatola Regional Service Council. This was followed by the provision of some services, such as water pumps, toilets (bucket system), and upgrading of road. The community was asked to pay R15 service charge, and they agreed on that.

Towards the end of last year conflict brokeout amongst the squatters. The conflict arose out of the payment of service charges. Some of the residents stopped paying rent which was collected by the chairperson of the Residents Association on behalf of the Amatola RSC. Reasons put forward by a newly established Joint forum (ANC Youth League, and some former members of the Residents Association) were that the charges are high and were never unanimously agreed, the services were not sufficient, some people who have payed were not given receipts and others had forged receipts.

While the conflict was going on, the Amatola RSC called upon the community to pay the charges failing which services would be terminated, and the whole mediation process on their permanency stopped. It also called upon the community to demolish newly built shacks.

At the negotiation table we called upon the Amatola RSC to investigate the corruption around the collection of service charges, and to improve the services, before the community could start paying service charges again. The Amatola RSC agreed to the demands, but the Joint forum insisted that they are not going to pay rent until investigation is complete. This position was obviously broadening the gap between the RSC, and the community.

The situation became worse when members of the Joint Forum dismissed the mediation process as something that was imposed on the community. This brought confusion in the community, and also to community advisors (Corplan, and Black Sash)

It was during this state of confusion that some members of the community begin to disagree with the positions adopted by the Joint Forum. Attempts to advise the community on these issues were sabotaged by the outbreak of fighting between members of the community and particularly those who were leading the Joint Forum. During this conflict some people were injured and a number of shacks were completely destroyed by fire. Members of the Forum fled away from the community, and seven of them were later arrested by the police. They were charged with public intimidation, and asorn. They were released on bail of R300.00 each.

A forum which includes mainly the African National Congress, Sanco, and ANC Youth League was established to handle the crisis at Beacon Bay. Black Sash was asked to organise legal reps for the seven charged people whilst the Forum was looking at building reconciliation and unity between the groups. The Legal Resource Centre felt unable to intervene in such a situation.

On the other hand former Chairperson of the Beacon Bay Residents

Association returned to the camp after some weeks he had fled. The community has again begin to collect rent and the Amatola RSC has upgraded the road. Another incident that took place in the squatter camp was a police raid which led to the confiscation of stolen property, and some people being charged. Police claimed that the raid was aimed at crime prevention.

However, presently the situation is calm and the mediation process conducted by Independence service of South Africa is back on track.

#### **BLUE ROCK SQUATTERS:**

It is unbelievable to the authorities that former Blue Rock people who were forcefully removed from Blue Rock by both the South African and Ciskei government in 1983, have now again reoccupy their land. The squatters which then constituted about 600 families were moved from Blue Rock to Potsdam near Mdantsane. Another group of these families are now settled at Eluxolweni, the other group has been in Postdam for long time, after being promised houses in Mdantsane by the Ciskei government.

Members of the Blue Rock Residents Association visited our office to inform us that they are going to leave Potsdam and reoccupy Blue Rock. Reasons they put forward were that they originally belong to that land. They were removed without their will. Thirdly, promises made by Ciskei government to provide houses were never fulfilled. Fourthly, Potsdam is far away from East London where they work and do their shopping. There are presently about 30 family shacks that have been completely built and occupied. The community gave us the task of finding out as to who is responsible to provide them with services. We discovered that the land they have occupied still belong to the Ciskei government. The community felt that it is much more better because of its closeness to the city. So far we are still working towards getting the Ciskei government responsible in providing houses. The community is presently helped in a nearby house in getting water.

#### **INDEPENDENT DEVELOPMENT TRUST AND SOUTHERN BORDER PRE SCHOOL:**

The other area that I have worked in this year was to assist the Southern border sub region in facilitating the funding of their pre-school by IDT. Working together with Early Learning Centre, we have been co-ordinating the surrounding pre-school applications for funding and holding pre-school meetings to facilitate the process. There are about 69 out of 79 applicants who will be funded in this sub region for year 1993. Allocation of funds to pre-schools has been completed. Besides co-ordination, I have been elected to represent the Southern Border sub region to the regional meetings where all Eastern Cape sub regions are represented. The regional office called Regional Educare Council is based in Bisho has recently started functioning after the employment of a regional Co-ordinator and administrator. Sub regional fieldworkers\ co-ordinators have been recently employed to visit and assist all pre-school.

The other area of my work has been to represent Black Sash in the

Network of Independent Monitors, which is a newly established structure monitoring violence in the region. From time to time we are called upon to monitor certain incidents together with the United Nations and other international observers.

The other area of my work has been around voter education. Together with Lotte we have been requested called by residents associations, and communities to come and teach them how to vote. With Lotte leaving us in March I will have to take this task as a priority. We also working together with other independent service organisation concerned more about education for democracy (voter education rather than election campaigning. My task within this structure is to link up with Home Affairs department chasing it around I.D problems. Together with other office workers we worked on the translation of Sash booklet You and the Vote.

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East London

I apologise for sending this report late!!