

Urban citizenship and legitimate governance: the case of the Greater Warwick Avenue and Grey Street Urban Renewal Project, Durban¹

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Introduction

This paper examines the process of local government reform in Durban. It addresses general questions about the capacity of the state at the local level to formulate and implement sustainable social and economic development. It does this through a focus on issues of urban citizenship and legitimate governance within a specific locale close to the central city. The case study method is used to illustrate some aspects of the changing nature of urban life in a post-apartheid city, and the challenges faced by urban managers in developing more effective and participative forms of regulation. The main question providing the focus of this paper is *What are the relationships between urban practices, urban citizenship and legitimate governance?*

Nation-building is high on the post-apartheid political agenda in South Africa. Nationhood and citizenship are very closely related concepts. Citizenship is widely held to be the dominant, and modern, identity which should subordinate and coordinate all others, based on the principle of the equality of rights for all citizens (Holston and Appadurai 1996:187-204). South Africa's cities are, in many ways, the strategic arenas for the development of a new citizenship based on a new social contract between citizens and the state.

The unification of our cities politically and spatially is a major goal for post-apartheid city managers and planners. The aim is to break down inherited spatial segregation and to create more functional urban spaces where all citizens can belong and a new citizenship can develop – where the city is more open and a sense of ownership and citizenship can increasingly coincide. However, these cities are themselves the most intense zones for

the contestation of new forms and practices of citizenship. The notion of citizenship implies a compact between the state and its citizens, involving rights and obligations on each side. The compact is formally defined in modern terms through the constitution and the legal system. At the city level the compact is being shaped on a daily basis through the practices of citizens as they pursue a multitude of activities associated with production and reproduction, with the 'informal' economy increasingly visible and 'conquering' spaces formerly denied to it. The former oppressive regulatory framework of apartheid urban management is being replaced by new democratic forms of governance where the emphasis is increasingly placed on developmentalism, but within a context where the resources available are constrained by the government's macro-economic policies and restrictions on state spending.

The challenges of forging a new urban citizenship are multiple. The concrete meanings of urban citizenship are being defined by the daily practices of citizens, by their interactions with each other, whether organised or unorganised, and with the state in its various forms at the local level. Councillors, planners and managers attempt to engage creatively with a multitude of new citizens in an attempt to 'civilise' and render more functional their presence in the city, whilst at the same time acknowledging their right to be there and the economic importance of the activities in which they engage. For them the challenge is to achieve meaningful public involvement balanced with effective city management. Concurrently, the interests of other, middle class, citizens have to be accommodated if the economic viability of the city is not to be compromised fundamentally. Decentralisation and flight from the central city by established businesses threaten the rates base of local government and undermine its capacity to engage in redistributive spending aimed at meeting the basic needs of its citizens. The need to make the city 'globally competitive' implies the provision of the requisite services to a modern sector whilst at the same time creating a safe and clean urban environment consonant with the emphasis on opening up the city to the world as an attractive tourist destination.

It seems impossible to talk about a single urban citizenship in this context, as an abstract, neutral and placeless phenomenon. The research explores the relationship between the emerging official and unofficial versions of citizenship in Durban, in the context of the continued negotiation and contestation of urban spaces. There is evidently a considerable gap

between the various ideas of urban citizenship held out by modernising elites such as councillors, administrators and planners and the conceptions and practices of the newly enfranchised majority in Durban, many of whom are recently arrived in the city. The research explores this gap through an examination of the official discourses of planning and governance relating to urban citizenship and the efforts being made to socialise Durban's citizenry into new ways of living and participating in the city, as well as to creatively engage with it in an attempt to negotiate some ground rules for urban management and regulation.² This paper aims to document the development of new urban practices as evidenced in the interactions of various social actors in one precinct of the city, the Warwick Avenue Triangle. The area was chosen for a number of reasons:

- it is a major transport node bringing over 400 000 commuters into and out of the city each day;
- it functions as a 'formal' City Market Area, surrounded by a rapid growth of informal trade;
- it is very close to the heart of the Central Business District;
- it is, residually, a residential area – one of the few which remained 'mixed' during the apartheid era;
- and finally, it is a clearly demarcated locale and the subject of a local authority urban renewal project.

These features combine to produce a terrain of study which is both the very specific outcome of its own historical development, and which also contains elements more central to an examination of broader social processes within Durban. This paper aims to examine urban citizenship and local governance within the precinct and on that basis to ask more general questions about citizenship and governance in Durban. The specificity of the area is outlined below, and the question of generalisation dealt with in the conclusion.

The social and political context of the paper is framed by the multiple transitions in process nationally and locally which have accompanied the ending of apartheid. The focus on citizenship and governance derives from an assessment of the major challenges facing South Africa's cities today; the building of viable and legitimate forms of management, and the creation of new forms of citizenship which are sustainable and respectful of the diversity which is increasingly their foundation.

The notion of citizenship is both complex and contested, and its practice, especially in the context of the local arena which is the focus of our

discussion, is equally so. Citizenship is one of the key ideas of contemporary South African politics. Its development holds out the promise of a better life for South Africans denied citizenship under the apartheid regime and is the subject of the daily struggles of millions for a fuller life. It has also become a major marker of inclusion and exclusion, with 'foreigners' being the subject of what seems to be a growing xenophobia on the part of many South Africans.

Citizenship is both a status, derived from membership of a collectivity, (which is the modern state), and a system of rights and obligations that incorporates the ideas of justice, equality and community. All of these ideas become important in a consideration of citizenship, which also manifests itself in a series of practices. Citizenship and its rights provide the legitimization of life in the political system. To be fully effective, citizenship needs supporting procedures, institutions and arenas in which it can be acted out in practice. At the local level, local government does not determine citizen status, but it does provide the arena in which many of its rights are exercised or denied. Local Government, with its local political mandate, has considerable discretion over decisions which may affect the substantive practice of citizenship within the city (Hill 1994). In the South African context, the levels of poverty and unemployment currently experienced by large numbers of urban citizens make local government a crucial arena for enabling new forms of economic citizenship through policies which foster the development of the informal economy.

Warwick Avenue: citizenship, governance and apartheid

Historical background

The history of the area has been fairly well documented.³ It is one of the few urban areas in South Africa which remained racially 'mixed' during the apartheid period. It developed as a thriving working class area from around 1900 until the second world war, favoured for its proximity to the central city and the Indian market areas. The local authorities attempted in the 1930s to move against Indian property owners in the area, using the provisions of the Slums Act. In the early 1940s there were commissions of inquiry into 'Indian Penetration' in the Warwick Avenue area, probably the result of complaints by white residents. In the 1950s many white residents moved upmarket to the Berea, and by 1963 when the Triangle was declared a white area under the Group Areas Act the proportion of whites in the area had dropped to around 20 per cent.

The Group Areas Act of 1950 introduced enormous uncertainty into the lives of residents, with which they have lived ever since. The effects of the legislation on families in the area and their struggles to manage uncertainty over many years are a dominant narrative of the minority who have stayed on in the area until the present day. The fabric of the community was further destroyed in the late 1960s by the development of a major freeway into the city which cut the area in half. In the 1970s forced removals were implemented and some municipal services were discontinued. The political reforms of the 1980s created the necessary space for the reemergence in the Triangle of anti-apartheid community organisations linked to the United Democratic Front and pledged to combat the continuing effects of the Group Areas Act such as forced removals and urban degradation in the form of lack of services, physical decay of buildings, gangsterism and crime. The Durban Central Residents Association was linked to the larger anti-apartheid movement, and several of its leaders were, or became, important national political figures. Thus resistance to apartheid was the dominant motif of citizenship, with an emphasis on the harmonious, 'mixed' non-racial character of the area.

The political transition: governance and citizenship

The ending of apartheid brought with it many new uncertainties for residents. With its abandonment and the transition towards more inclusive local government, a range of new opportunities for citizen participation opened up, as well as a new set of challenges attendant on the collapse of the social control mechanisms held in place by the former system. Informal traders began to move into the market area in Warwick avenue en masse. Mini-bus taxis also began to 'invade' the area, as more and more people, previously denied access to the city, began to stake a claim to the CBD. The area became a site of intense informal trade and of competition between taxi operators. Levels of crime and conflict intensified in the early 1990s, including attacks by Africans on Indians during peak periods of commuter movement. Formal traders in the nearby Grey Street area complained against the occupation of the streets by informal traders who began to position themselves on the pavements outside their businesses. Informal traders were blamed for a drop in formal business and for the increase in crime levels, as well as for the increase in litter and rubbish on the streets. Residents of the triangle confronted taxi operators using their streets as illegal ranks, claiming that their activities in the area threatened the safety and security of residents, particularly school children and pedestrians.

Several standoffs took place in which violence was narrowly averted.⁴

At the level of citizen engagement, the transition saw an uneasy shift for leaders of the community organisation from an adversarial politics which denied the legitimacy of all government structures towards conditional participation in transitional structures whose legitimacy was still in doubt and needing to be proved. Key local level activists moved into the national political arena to participate in the negotiation process, whilst others began to direct their political activities to participation in the wider metropolitan level of local politics. In 1994 the Durban Central Residents' Association changed its name to the Organisation for Civic Rights (OCR), and made a shift from being a struggle-based community organisation to a registered civil rights NGO. At the same time it expanded its area of operation beyond the Warwick Triangle to include other areas of central Durban and communities to the South.

In 1995 a rival community organisation emerged in the Triangle, headed by an individual not linked in any way to the OCR and its pedigree of anti-apartheid activism. The Warwick Avenue Triangle Ratepayers' Association (WATRA) developed on the basis of intensive street-level activism concerning the new challenges faced by residents, and engagement with the local authorities on the unresolved issue of the future planning and rehabilitation of the area. The involvement of struggle-based community leaders in broader issues and their consequent detachment from the grass roots in the Triangle may have left residents feeling abandoned and looking for an organisation to defend their immediate concerns in a period of rapid change. Parts of the area were also experiencing considerable residential flux as longer-established inhabitants moved out and new residents took their place. Relations between the OCR and WATRA became openly hostile as the leadership clashed over rival claims of authenticity and the right to be sole legitimate representative of 'the community'.

Both organisations claimed a community mandate to negotiate with the city council. The divisions which emerged would seem to be based on a range of complex social and political factors, including possibly the class, ethnic and political orientations of the leadership, and the constituencies they drew from.⁵ The struggle, which developed into a political turf war, translated itself into conflicts over the planning and implementation of improvements to the Warwick Triangle area. Protracted negotiations through a facilitator hired by the council ensued, and in the end the implementation of planning changes may well have been delayed by the effects of the

hostility between the organisations.⁶ Uncertainty over the transition process may also have led officials to adopt a wait and see attitude towards the area.

The political outcome of the conflict was that WATRA's leadership aligned itself with the National Party in a 1998 Ward by-election, and won the seat, having been approached by the party following the death of their incumbent councillor. The OCR candidate who stood for the seat was defeated, even though the organisation had dismissed WATRA as of no consequence and without the necessary anti-apartheid credentials to claim legitimacy. The OCR, however, retained Metropolitan Council level representation, which was maintained with the transition to the Unicity structure in 2001. The WATRA leader still holds the ward seat, although the councillor concerned abandoned the Democratic Alliance in 2001 and moved over to the IFP.⁷ One conclusion that can be drawn from an observation of the emergence of a rival community organisation in the 1990s, and its success in maintaining a local voice on the Unicity Council is that the anti-apartheid construction of 'the community' of the 1980s needs some more critical reassessment. It is also the case that 'the community' has been undergoing considerable recomposition, with a high proportion of residents of relatively recent origin, and of those a growing number of immigrants. Under these circumstances the notion of community needs careful interrogation.

The Warwick Junction Project and urban governance

Local Governance and Legitimacy: institutional architecture⁸

The former Durban City Council initiated a number of studies into land use, urban design, informal trade and health and sanitation issues in the late 1980s. In 1993 a private sector initiative, 'Operation Jumpstart', produced a report on the Triangle, as part of a wider initiative to develop a growth strategy for the region.⁹ The main problem faced by the City Council in implementing any planning changes during the final phases of apartheid related to its lack of legitimacy, and the justifiable hostility and suspicion with which it was regarded by leaders of the communities whose interests had been so adversely affected by its past actions.

A political agreement between the Durban City Council, the ANC and the IFP led to the creation of two special committees within the Council structure: the *Projects Committee* and the *Housing Think Tank*, which sat as Council Committees during an interim phase of about a year. Representation was on the basis of one third City Council members plus a

further one third each ANC and IFP members on a non-statutory, unelected basis. These committees raised questions on issues such as the future of Block AK¹⁰ and the Warwick Triangle. In November 1994 the Projects Committee tasked the Department of the Physical Environment with taking forward the work done by Operation Jumpstart on the Warwick Triangle, and to include Grey Street within the terms of reference.

In 1995 the Department of Physical Environment appointed a consultant to work on a *Consultation, Participation and Community Building Strategy* for the Warwick Triangle with the task of identifying and involving all the relevant interests in the planning process, in order to deal with the serious issue of the Council's lack of legitimacy. It was decided that consultation would take place at three levels:

- The *operations* level: this was the lowest level and was essentially concerned with city management issues at street level, involving the line function departments such as City Health, City Police and Durban Solid Waste, where consultation would be on an ad hoc basis with those most directly affected.
- The second level involved dealing with particular *issues* or *interest groups* or *areas* – eg the Grey Street area 'stakeholders', or the herbal traders, or the Warwick Triangle residents.
- The highest level of consultation was to be the *District Working Group* which would involve representatives of interest groups with a stake in the use of the area as well as officials of the Council and its elected representatives.

Putting the District Working Group in place took nearly two years. Work began in 1995 with the preparation of the Consultation Strategy. Consultation began on operational issues such as buses, taxis and informal trade. A Consultative Workshop was held at the end of 1995, following which a report was submitted to the City Council. On the basis of the report, money was made available by the Council for further planning studies and a Task Team then become operational.

At the end of 1995 the political struggle developed between the rival community organisations OCR and WATRA, with the Project effectively caught in the middle of the dispute over authentic representativity. The result was an impasse in 1996, since money was available to initiate work on projects in the area such as the Canongate Road Taxi rank and the Park and Playing Field, but no agreement on implementation could be reached.

A *Greater Grey Street and Warwick Avenue Development Forum* was set up independently of the Council in early 1997, by ANC – aligned community interests. This initiative failed to produce many concrete results, principally because it was not working with the Council structures charged with implementation, largely due to the suspicion in which the City Council was held by the influential group of Grey Street businessmen who supported the Development Forum.¹¹

A *Warwick Avenue Coordinating Committee* was also set up within the departmental structures of the Durban City Council. This committee was tasked to the Executive Director of Markets, and began its work in 1995 during the tenure of the Transitional Council. The Committee was a mix of operations personnel and planners employed by the Council, with some private sector individuals participating. It held meetings, and arranged site visits to look at operational issues, as well as making contact with the Organisation for Civic Rights and other interest groups. A major question which had to be negotiated was the credibility of the committee. The strategy adopted was to commission planning studies for the renewal of the area, and to make immediate improvements at the same time, such as improving the cleanliness and safety of the area.¹²

By the end of 1995 it had become clear that the WACC structure was not really working effectively as a planning and implementation structure because of the complex nature of the tasks it had been assigned and because the institutional matrix was not appropriate. The WACC was involved in an extensive process of consultations aimed at creating legitimacy. In addition it had both planning and operations functions which necessitated having separate teams to deal with each. The dynamics of administrative hierarchies within the technical Departments of the Council meant that some preferred to operate one structure only, rather than both. Inter and intra-departmental politics effectively created disjunctures between planning and operations for the area. The WACC made its report to Council at the end of 1995, and at that point a limited budget was assigned to an upgrading project. The need then arose in 1996 for a Project Implementation Team. The Project Implementation Team fell under the management of the Department of Physical Environment, where it ran for about a year, after which it was taken over and run on an agency basis by the Department of Architectural Services, from the end of 1996. The Project was structured into three teams; Operations, Implementation and Planning. What the preceding story demonstrates is the complexities of managing the cross currents of local

political interests, the institutional structures with their bureaucratic and career power configurations, and the needs of citizens for service delivery, all of which played themselves out with the backdrop of the political transitions at national and local levels.

The form of local management taken on by the Project is significant and warrants some discussion. Traditionally in Durban local government has been structured around the division between different line function departments which are responsible for management or service provision. These departments perform specialised functions, such as the City Police, City Health, Traffic and Transportation etc, and have their own internal management and professional hierarchies. The innovation in local governance for the Warwick Avenue area is derived from the format which the Project has taken. A defined locale or precinct has been made the subject of an urban renewal project, and an area-based management structure has been created. The Project format has been more conducive to problem solving at all levels: there is a dedicated management structure on the ground, able to tackle a range of operational and planning issues holistically. When a specific problem manifests itself the management is able to draw directly upon the capacities of the various line function departments into whose sphere the problem falls, and obtain rapid and effective solutions through much more direct communication with the officials concerned. In addition, the Project has managed to have representatives of key line-function departments physically located within its premises, so that their personnel are permanently on hand.

There has been a very real and notable transition in the form of governance practiced by the Project. Whereas the former apartheid-style local government sought to regulate, control and exclude, the Project through its practices, aims to create cooperative governance through negotiation with the various 'stakeholders' through their officials or elected representatives. The City Council set out to identify precisely which groups and organisations it needed to consult with in the planning process.¹³ To do this it hired a community consultant/facilitator chosen for his acceptability within the communities involved. The outcome of this process was the creation of a *District Working Group*, with a consultative status, which brings together community representatives, business interests, formal and informal traders, taxi and bus operators, trade union representatives, project officials and the elected representatives of the local Councils. The Committee meets once a month to consider proposals

for the redevelopment of the area and to debate them, working as far as possible on the basis of creating consensus over decisions taken. This Committee performs a vital legitimisation function; its recommendations are passed on to the Council. In addition the Project has an *Operations Work Group*, which comprises representatives of the various technical Departments of the Council involved in the daily management of the area, and includes the South African Police Services as a crucial component, as well as Durban Solid Waste, Traffic and Transportation, and the Health Department.

The Warwick Junction Project on the street

The aims of the project as articulated in its public information pamphlets are:

- **Safety:** to improve safety and security in the area.
- **Transport:** to enhance public transport facilities and improve their efficiency.
- **Trading and employment:** to increase trading and employment opportunities.
- **Environment:** to upgrade the cleanliness and quality of the environment.
- **Services and facilities:** to expand the range of services and facilities available in the area.
- **Housing:** to improve the quality of residential zones and facilitate the development of low cost temporary and permanent accommodation.
- **Integration:** to improve the inter-connection between this and other areas by facilitating easier and more pleasant pedestrian walkways and more efficient public transport.
- **Investment:** to create opportunities for private companies to invest in the area.

The Project has deliberately developed a public profile which aims to express the spirit of the area and its vision for it as open, flexible, dynamic and democratic. The project is marketed through the name, *Warwick Junction*, and an identifiable logo, and through the use of modern 'funky' urban art design techniques. Staff members wear striking T-shirts which make them readily identifiable on the streets, where a visible presence is maintained through the 'walkabout' as a means of examining and negotiating specific issues in situ with the various users of the area.

The nature of the physical space occupied by the project administration

has been a very important factor in establishing the viability of the project itself. Situated in an old restored warehouse in the heart of the area it has combined office and boardroom space with a community hall which has become a venue for the various groups involved in the area to use as a meeting place. Having such a venue has enabled the project management both physically to draw the community into the project and more easily to engage in the negotiation process which has been so central to building community participation, creating legitimacy for the project and developing a sense of ownership within the various groups which use the area. The design of the building itself emphasises flexibility, openness and accessibility, but within the framework of a secure perimeter.

In the process of negotiation and establishing legitimacy with important sections of the street traders, such as the *umuthi* sellers, the Project was able to tap into a sophisticated system of street organisation which was based on networks created during the resistance politics of the 1980s and which was able to mobilise and organise community participation, as well as to ensure a measure of accountability of community leaders. Through the new practices of governance new social capital is being built incrementally on the streets, and new forms of conflict management are emerging. The regulative dimension of local governance is based as far as possible on the principles of negotiation and self-regulation, with community education as an important component.

The Project has become a focal point for negotiating new forms of citizenship in a key area of central Durban. It is engaged with residents over housing plans, since much of the vacant land is owned by the Council, with formal traders and ratepayers associations, with informal traders and their representatives and with the transport industry, both the bus operators and the volatile taxi associations. In addition it is actively seeking out employment creation opportunities and investment for the various components of the redevelopment plans.¹⁴ In other words, the Project has, through consultation and negotiation, identified representatives of the various interests at play in the area, incorporated them into a consultative structure, and through this has invited them to buy into the vision of the area and actively participate in its regulation and governance.

The former North Central and South Central Local Councils developed a new policy for the informal economy which was accepted by the Development and Planning Committee in October 2000, and put to the full Unicity Council a full year later.¹⁵ The Policy process was undertaken by

a Technical Task Team (TTT) which began its work in November 1999. The Team was an interdepartmental body which drew on the skills of specialist researchers, and was ultimately responsible to the Development and Planning Committee.¹⁶ The aim of the Team was to produce a policy framework which would recognise the interlinked nature of the formal and informal parts of the city's economy, and would simplify the institutional mechanisms governing informal trade and integrate them as far as possible with those dealing with the formal economy (TTT Report 2000a:17). The Technical Task Team consulted extensively with 'interested and affected parties', specifically including the Informal Traders' Management Board, in an attempt to obtain the participation necessary in order to negotiate a workable policy which clearly specified the rights and obligations of all parties.¹⁷

The experience of negotiations in the Warwick Avenue area was beneficial to the work of the TTT in the sense that the parties involved had a history of previous engagement which brought clear outcomes. A key question bearing on the issue of citizenship which remains unanswered relates to the ability of the representative institutions to 'deliver' their constituency on a wider basis.¹⁸ The form of consultation and negotiation presupposed a 'modern' institutional structure on both sides, with clearly defined structures of accountability. It is by no means clear that the ITMB is in fact such an institution. Rather than building citizenship, the outcome of the negotiations between the city and the ITMB may be the reinforcement of a patrimonial gatekeeping local power with limited democratic accountability and low levels of organisational transparency.¹⁹

The policy is in many ways highly innovative and progressive in its approach, and puts Durban in the forefront of the urban citizenship building process in South Africa. It aims actively to support organisations in the informal economy, and is moving to put in place sector specialists able to intervene in a much more informed manner. The emphasis on the negotiation of solutions with informal economy actors has also led to more attention being given to support mechanisms for informal economy organisations such as legal and mediation services. In general terms, the policy aims to use development assistance to informal organisations as a reward for compliance with the new regulative framework to be introduced. The caveats which need to be noted are that good policies need implementation, and that the process of transforming the attitudes of councillors and officials towards the informal economy towards a fuller

appreciation of its significance will be a long and arduous one.

The project has managed an impressive range of achievements in the relatively short space of time it has been running. It has put in place an effective operations structure for the regulation and servicing of the area, utilising the capacity of the Council's line function departments and enhancing this through a determined and sustained process of negotiation with the key users of the areas in order to obtain negotiated compliance with cleansing, traffic and health regulations, amongst others. It has initiated a number of key Planning Studies, and has spent over R31 million on capital projects since July 1997, with further action planned for the trade and transport area, the Grey Street Precinct and the Warwick Triangle area in a number of fields relating to security, trading, traffic and parking, housing and the environment as well as creating a specific identity for the areas involved.²⁰

The project has been in a growth phase, with a total sum of over R50 million having been spent up to the year 2000 on planning and development. However, the funding priorities outlined by the North and South Central Councils for the Central Business District prior to the inception of the Unicity structure indicated that future spending would be very limited, and that the Warwick Junction Project would be competing with nine other areas for funds. The limitations on spending by local government create strong pressures for the creation of more private involvement and for the District Working Group to assume a much more active role in the governance of the area, effectively converting itself from a consultative forum into an active lobby group with Council and business, actively seeking local and foreign funding for development and preparing to take over more of the management tasks currently performed by the Project team. The progressive withdrawal of the state from the management of the project will place a premium on more active and participative citizenship roles by the organised representatives of the users of the area. Citizenship will need to translate itself from use of the area to its 'ownership'.

Conclusion

The Warwick Junction Project represents an evolving form of local governance based on a physical precinct rather than the usual line function model. It is able to draw on the substantial operations capacity of the various Council service departments through effective liaison, and to employ them in a cost-effective manner due to the physical presence of the

Project administration team in the area. It is formulating a creative developmental strategy for the area, actively seeking public/private partnerships and developing ideas for employment generation through craftwork, tourism and security. The latter remains a prime consideration for any future development.

The ability of the Project to carry out its governance and development functions effectively has been dependent upon a creative strategy for engagement with the various 'stakeholders' in the area. This engagement in turn has been dependent upon clear council regulations for the management of the area, particularly regarding the critical issues of informal trade and traffic management. In some instances these are still in the process of formulation, and the governance practices being developed in the Project area may well serve as models for future development on a wider scale within the city.

The Project has been in many ways a pilot for the development of new, more flexible and more effective forms of governance for the rest of the CBD, where precinct-type management structures are being introduced, based on public-private partnerships.²¹ In some respects the project represents the most coherent and creative current local governance attempt to negotiate citizen compliance in Durban. It is based on the premise of creating legitimacy through the mutual recognition of interests, with its regulative thrust being aimed at the domestication of the area through education and negotiation with its citizens. The questions that remain concern the corporatist strategy of citizen engagement being pursued by the city in the area, and its potential for the creation of something more than an effective and legitimate form of regulation.

The state still has substantial capacities at the local level, and the idea that it can and will structure social relations is a powerful holdover from the strong state of the apartheid era and the expectations of social redress generated during the transition. Expectations of new urban citizens that the state will deliver are also high, and may be being encouraged by the development of the corporatist types of local governance described in this paper. The question remains how long this capacity at the local level will endure. There is a greater sophistication in the mode of urban governance; in the new model urban citizens become more active participants, in theory, of local management processes. But the contradiction remains at a broader level between the demands of the local population, the demands placed on the local authorities by the central government, and the global context in

which the city has to operate. These include the demands for a more investor-friendly environment, for world class tourist and conference facilities etc. The project has to work within the context of increasingly market-driven national policy, which may well mean that urban citizenship in the fuller sense, of not only having rights, but being able to exercise them meaningfully, remains denied to a substantial proportion of the poorest in the city. The introduction of private-public partnerships for service delivery will probably work for the better resourced areas such as the inner city, but it is not clear how it will work out in practice in the peripheral areas where the ability to pay for services is much in question.

Of urban citizenship, it could be said that some urban space has been won by the new citizens since the ending of apartheid, and that the new forms of management are attempts creatively to channel the energies unleashed into some sort of modernist direction, with varying degrees of success. The active role in the creation of organisations by the City in an attempt to have bodies with which to negotiate urban governance has only met with partial success, since the nature of the bodies remains a key question. There are many questions at the moment about the Informal Traders Management Board as a modern agent of local governance – questions about its constitution, composition and accountability to a constituency which need clearer answers than we have at present. Likewise the taxi associations which currently vie with each other for space and routes are a highly volatile element and not necessarily susceptible to the strategies of corporatist engagement and cooptation being pursued by the city. In the Warwick Triangle and Grey Street area the working out of a sustainable *modus vivendi* between the formal traders and the street traders, an issue not addressed in this paper, remains a critical aspect of the development of new forms of citizenship and of viable urban governance.

In the final analysis, citizenship for urban administrators and planners is about governance and regulation; about how to balance the newfound exercise of rights by citizens with the as yet uninstitutionalised notions of civic responsibility and acceptable and sustainable modes of urban behaviour. For Durban's new citizens, it is highly unlikely that any modern sense of urban citizenship exists. There are undoubtedly many other strongly articulated identities and practices related to the use of the space in and around the Warwick triangle, but none of these would involve a sense of belonging to an established community with common interests and goals revolving around a strongly developed politics of place in the

Triangle. Whether this is a possibility in an area of such great transience remains to be seen.²²

Notes

1. I would like to thank my colleagues in the Social Anthropology Cluster of the Three Cities Project for the dialogue, and all those officials, residents and fellow researchers who generously assisted me in this work and commented on earlier drafts of this paper.
2. Research began in 1999 with intensive interviewing of residents, activists, officials and planners, the collection of documentation and observation of District Working Group meetings. The work on which this paper is based was largely completed in 2000. See Grest (2002:169-182) for further research on regulation and citizenship in Warwick Junction.
3. See Maharaj (1999:245-262).
4. Material from newscuttings covering the period 1984-1998 generously made available by the Organisation for Civic Rights.
5. Generalisations are dangerous, but the leadership of OCR had strong NIC/UDF/ANC roots with a professional orientation, whilst the WATRA leadership was perhaps more working class, with links to street level activists whose sphere of operations was non-political, and perhaps also on the margins of the law at times.
6. The siting of a playground in the area would be a case in point.
7. One of the reasons given was the perceived tendency of the DA to snipe at the ANC without getting down to local hands-on issues.
8. Material for this section is drawn from interviews with Project personnel. Factual errors and questionable interpretations are the author's responsibility.
9. See Seneque, Smit and Maughan-Brown (1993).
10. An area of land abutting Greyville where Indian owners were affected by Group Areas Act determinations in the 1960s.
11. This initiative was sponsored by some influential former Durban Central Residents' Association leaders who had moved into national level ANC and Government structures and who brought their political muscle to bear on the local authority.
12. The Council owned numerous vacant pieces of land in the area, which it had acquired from the Department of Community Development in the 1970s following their earlier expropriation under the Group Areas Act. These were cleared and fenced, having become overgrown and a haven for criminals..
13. In the mid-1990s there was a lot of stress placed on public participation by the local authorities, probably due to sensitivity over lack of legitimacy. The high

levels of consultation were not matched by delivery however. Today the emphasis within the Warwick Junction Project is on consultation at the level appropriate to the issue under consideration; general policy issues are discussed with broader groups and specific implementation issues with those directly affected.

14. Examples would be the development of an Information Centre attached to the Muthi Market as part of a tourism development plan, and the idea of 'branding' the ten different markets in the area and packaging them as a tourism feature.
15. The policy was to have been put to the Unicity Council once this body officially came into existence after the December 2000 local government elections. The delay seems to have been mainly due to administrative overload of key officials, rather than to any political resistance.
16. The Departments represented are: Development and Planning, Informal Trade and Small Business Opportunities, City Health, City Police, the Metro CBD Strategic Planning Team, the Warwick Junction Project, and the Beachfront Project.
17. The Council, through DITSBO, was instrumental in creating the ITMB in 1995 as an umbrella for numerous street trader organisations. It needed a body with which to negotiate the implementation of new street trading regulations.
18. More research is needed on the institutional dynamics of groups such as the Informal Traders' Management Board.
19. The ITMB changed its name to the Metropolitan Informal Traders Management Board at its AGM in 2001, indicating a clear desire to expand from its central city base and to hegemonise informal traders groups throughout the Metro area.
20. See North & South Central Local Council, Durban (nd) Warwick Junction Urban Renewal Project.
21. The iTRUMP (inner Tekwini Renewal and Urban Management Project) was initiated in 2000. It is an inner city revitalisation project which is based on the delineation of Urban Improvement Precincts and their management through public-private partnerships.
22. As a major transport node, it is estimated that every day over 400 000 commuters pass through the Warwick Triangle on their way into and out of the city.

References

- Department of Informal Trade and Small Business Opportunities(DITSBO)(1998) 'Developing the managed market city: a planning response to a growing micro retail and service business sector'. (Discussion Draft). Durban.
- Douglass, M and J Friedmann (1998) *Cities for Citizens: planning and the rise of civil society in a global age*. Chichester: Wiley.

- Durban Unicity (2001) 'Resource document: towards an economic strategy for the Durban inner-city prepared by the Economic Development Department and the Department of Development Facilitation for: inner Thekwini Renewal and Urban Management Programme' (iTRUMP).
- Fadane, N (1993) 'Gendered housing needs for informal traders: a case study of Warwick Avenue'. Master's Thesis in Town Planning, University of Natal, Durban.
- Grest, J (2002) 'Urban citizenship: governance, regulation, development and participation. Some thoughts on the Warwick Junction, Durban', in A Bouillon, B Freund, D Hindson and B Lootvoet (Scientific Committee, Durban) *Governance, Urban Dynamics and Economic Development: a comparative analysis of the metropolitan areas of Durban, Abidjan and Marseilles*. Durban: Plumblin Publishing.
- Holston, J and A Appadurai (1996) 'Cities and citizenship', *Public Culture* 8.
- James, S (1998) *The Self Employed Women's Union: 1997 membership survey*. Durban: SEWU.
- Lund, F (1988) 'Women street traders in urban South Africa: a synthesis of selected research findings', CSDS Research Report 15. Centre for Social and Development Studies, University of Natal, Durban.
- Lund, F and C Skinner (1999) 'Promoting the interests of women in the informal economy: an analysis of street trader organisations in South Africa', Research Report 19. School of Development Studies, University of Natal, Durban.
- Maharaj, B (1999) 'The integrated community apartheid could not destroy: the Warwick Avenue Triangle in Durban', *Journal of Southern African Studies* 25.
- Markewicz, English and Peart (1998) *Economic Opportunities Study: greater Warwick Avenue and Grey Street Urban Renewal Project*, parts 1-3. Durban.
- Naidoo, K (1993) 'Work and life of women in the informal sector: a case study of the Warwick Avenue triangle'. Thesis (MSocSci) University of Natal, Durban.
- Nesvag, S (1999) 'D'Urbanised Tradition: the restructuring and development of the Muthi trade in Durban'. Masters in Social Science, Department of Economic History, University of Natal, Durban.
- North & South Central Local Council, Durban (nd) *Warwick Junction Urban Renewal Project*.
- North & South Central Local Council, Durban (2000) 'Warwick Junction District Work Group Minutes of Meetings and various progress reports - implementation and operations - January-May'.
- Sassen, S (1996) 'Whose city is it? globalisation and the formation of new claims', *Public Culture* 8.

- Seneque, Smit and Maughan-Brown (1993) *Concept Proposals for the Warwick Avenue Area*, Vols 1 and 2. Seneque, Smit and Maughan-Brown, P O Box 30106, Mayville, 4058.
- Skinner, C (1999) 'Local government in transition: a gendered analysis of trends in urban policy and practice regarding street trading in five South African cities', Research Report 18. School of Development Studies, University of Natal, Durban.
- Technical Task Team (2000a) 'The Interim Report of the Technical Task Team to develop an effective and inclusive policy on the Informal Economy for the North and South Central Local Councils'. Document presented to the Development and Planning Committee, October 19. Durban.
- Technical Task Team (2000b) 'Issues Document to stimulate discussion about a policy for the informal economy for Durban's North and South Central Local Councils'. Unpublished working document. Durban
- Urban Edge Architects (1998) 'Urban Design Framework: A paradigm for physical renewal of the Greater Warwick Avenue and Grey Street Area'. (Prepared for the Executive Director, Development and Planning, Durban) October.

CBD District Boundaries



- Cdb district shape.shp
- Cdb district polygons.shp
- Bluff Headlands
- Point
- N.E. CBD
- Core CBD
- Albert Park
- Warwick Junction
- Beachfront
- Greater Kings Park
- Umgeni Corridor
- Umgeni Estuary
- Victoria Embankment

