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THE TRAMWAY ROAD REMOVALS, 1959-61

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Forced removals, resettlement, relocation - whatever term or euphemism one chooses - these words conjure up a very significant part of the black historical experience in South Africa. Dating back to colonial times in Natal, the Governor as Supreme Chief over Africans, could order the removal of troublesome individuals or even parts of communities from one part of a location to any other place.¹ The 1913 Land Act and the Urban Areas Act of 1923 gave legislative sanction to removals and exclusion. However, it was after 1948, as Baldwin has noted, that by far the most comprehensive programme of removals was systematized by the Nationalist government in legislation such as the Group Areas Act of 1950 (GAA), the Natives Resettlement Act of 1954, the Native Trust and Land Administration Act of 1954 and the Native (later Bantu) Laws Amendment Acts of 1952, 1963, 1965 and 1970.² Between 1960 and 1983, three and a half million black people had been affected by removals - a figure that does not incorporate influx control removals or those due to betterment schemes. Put another way, one in five South Africans were likely victims of forced removals.³

Mass removals are as central to the policy of apartheid as is the migrant labour system - ensuring white dominance and cheap labour for an industrialising white South Africa. Removals fall into several categories⁴ and individual and community experiences vary significantly. Rural Africans have been affected by the policy of evicting labour tenants from white farms; by "black spot" clearances whereby African-owned and occupied land in areas deemed to be white have been targeted; by the consolidation of the homelands which has led to the maps being redrawn; and by betterment schemes. In the urban areas, those Africans regarded as unproductive have been endorsed out while others have been removed from the locations of the white towns to the towns of the homelands. In the Western Cape, Africans have been excluded in accordance with the coloured labour preference policy. Coloureds and Indians have been the particular targets of the GAA.

While in common with the rest of the world, removals have taken place in South Africa for strategic reasons such as the establishment of military sites or border clearances or for the construction of dams, roads and other infra-structural schemes, by far the majority of removals have taken place as a result of the policy of separate development. The Surplus Peoples Project has established that group area removals constitute the second largest single category of removals, the largest being farm evictions⁵ By the end of 1983, 2 331 white families, 82 859 coloured families and 39 892 Indian families had been group area victims.⁶

1. See S. Marks, *Reluctant Rebellion : the 1906-8 Disturbances in Natal* (Oxford, 1970), 39. This provision was retained in Native Administration Acts in modern South Africa. See G. Mare, *African Population Relocation in South Africa: An Overview of the 1970s* (South African Institute of Race Relations: Johannesburg, 1980), 43.
2. A. Baldwin, 'Mass Removals and Separate Development', *Journal of Southern African Studies*, 1, 2, (April 1975), 215.
3. L. Platky and C. Walker, *The Surplus People : Forced Removals in South Africa* (Johannesburg, 1985), 7, 10.
4. See *Ibid.*, 7ff., Baldwin, 'Mass Removals', 221-6 and Mare, *African Population Relocation*, 1ff.

Studies on removals need to grapple with basic questions: Why did they take place? How were they effected? What were the responses of those removed? How does one explain the different responses? What consequences did the removals bring? There is room for studies that focus on the state as well as on the people. There are numerous works which have grappled with these questions by focusing on the African experience of removals.⁷ In comparison, while glimpses have been provided in several works on group area removals⁸, there are large gaps in our knowledge about how these removals took place, about the intentions, actions and reactions of the state as well as the response of the people. This article hopes to contribute to some understanding about group area removals by focusing specifically on the removal of coloured and Indian residents from the Tramway Road area in Sea Point, one of the earliest removals in Cape Town. Its focus is exclusively on the process of removals rather than on the process that preceded this - that of demarcating the different group areas in Cape Town.

The Legislative Provisions

While the GAA of 1950 had detailed provisions on how the control of ownership and occupation of land should be accomplished before group areas were declared and it also established the machinery by which group areas could be declared, it had far less to say about how people were to be removed. This was to some extent because removals were not so much a central concern of the bureaucracy in 1950 as was the desire to peg the status quo and to then demarcate areas. As I have argued elsewhere group areas legislation was an evolving process with the state in a reactive role as situations arose.⁹ The legislation was not by any means a reflection of a well-thought out plan to accomplish the desired aim of effecting group areas.

The GAA of 1950 simply provided the title of “disqualified person” and “disqualified company” for those who found themselves in areas demarcated for other groups. Disqualified individuals could retain ownership of their property in their lifetime but their heirs would have to dispose of such property to a member of the right group. Disqualified companies would be given ten years from the

5. Platzky and Walker, *Surplus People*, 9.

6. *Race Relations Survey* (SAIRR, 1985), 468.

7. These are far too numerous to list but see particularly Platzky and Walker, *Surplus People*; C. Desmond, *The Discarded People : an Account of African Resettlement in South Africa* (Harmondsworth, 1970); D.P. van Tonder, ‘Sophiatown : Removals and Protest 1940-55’ (M.A. thesis, Unisa, 1991); T. Lodge, ‘The Destruction of Sophiatown’ in B. Bozzoli (ed.), *Town and Countryside in the Transvaal : Capitalist Penetration and Popular Response* (Johannesburg, 1983), 337-64. Areas such as Dimbaza, Glenmore, Sada and Doornkop to mention a few have been the subject of detailed study in several works.

8. See for instance, G. Maasdorp and N. Pillay, *Urban Relocation and Racial Segregation : the Case of Indian South Africans* (University of Natal, Durban, 1977); F. Meer, *The Ghetto People : a Study of the Effects of the Uprooting of the Indian People of South Africa* (London, 1975); P. Randall, *From Coolie Location to Group Area* (SAIRR, Johannesburg, 1973); J. Western, *Outcast Cape Town* (London, 1981); H. Adams and H. Suttner, *William Street. District Six* (Diep River, 1988); D. Innes, *Disqualified : a Study of the Uprooting of the Coloured People in South Africa* (London, 1975); S. Jeppie and C. Soudien (eds), *The Struggle for District Six : Past and Present* (Cape Town, 1990) and United Women’s Organisation, *Claremont : a Peoples’ History* (Athlone, n.d.); B. Maharaj, ‘The Group Areas Act and Community Destruction : the Struggle for Cato Manor’, Paper presented at Conference of the Society for Geography, University of Port Elizabeth, July 1993.

9. U.S. Mesthrie, ‘Tinkering and Tampering : a Decade of the Group Areas Act (1950-1960)’, *South African Historical Journal*, 28 (May 1993), 177-202.

date an area was proclaimed to dispose of their property. The notice proclaiming an area would provide the date by which disqualified persons living in the area would have to vacate - a minimum of at least one year's notice was guaranteed. Disqualified persons could obtain permits to acquire or occupy property in a group area if the minister was of the opinion that refusal of such permit would result in 'undue hardship'. A permit could also be issued if it was in the interest of the group for whom the area was declared, e.g. a disqualified doctor might be allowed to continue occupying his/her surgery as it was an essential service to the people of the area.

The Act said nothing about compensation or about providing alternative accommodation for the disqualified. When the Land Tenure Advisory Board (LTAB) (later known as the Group Areas Board [GAB]) drew up the report recommending the proclamation of an area it had to consider whether or not the disqualified would be able to find suitable alternative accommodation. Beyond this, the state clearly envisaged taking no responsibility for the resettlement of people. Violation of the group areas proclamation carried a penalty of a maximum of L200 or a maximum of two years in prison or both.

It was only in 1955 that the state reluctantly took on some responsibility for resettling individuals. Its hand was forced by the Durban City Council which gave more serious thought to how group areas could be effected than the framers of the 1950 Act did. In the Council's opinion the removal process could be seriously hindered or made impossible if the disqualified group was unable to dispose of its property. The market could, for instance, be flooded with property being placed on the market and the disqualified would be unable to obtain a satisfactory price to enable them to purchase property in the area demarcated for them. The qualified group also might not be interested in purchasing the property of the disqualified.¹⁰

To deal with this problem the state took on limited responsibility for effecting group areas by passing the Group Areas Development Act of 1955 (GADA) which dealt with how the property of the disqualified - now termed "affected property" - could be disposed of or acquired. This Act could be made applicable to any group area but its application was not mandatory. Once it became applicable all affected property would first have to be offered to the Group Areas Development Board (GADB) for sale. Only when it had waived its right could a private sale take place. While the state refused to acknowledge that disqualified owners could be entitled to any compensation, it did provide that if properties were sold below a basic value that would be pre-determined it would pay out a depreciation contribution.¹¹ Apart from receiving wide powers to buy and sell property, the GADB could also take on the task of developing group areas e.g. by providing housing. The GADB was thus to play a central role in the

10. Central Archives Depot, Pretoria (hereinafter CAD), Land Tenure Advisory Board Series (ARG) Vol. 7, memorandum on depreciation and appreciation of property prices as a result of the GAA, 7 Apr. 1951; Cape Archives, T.E. Donges Papers A1646 Vol. 135, Mayor of Durban to Donges, 16 May 1951 and extract from memorandum by technical sub-committee.

11. If the property was sold below the basic value, the board would pay the owner 80 % of the difference between the basic value and the selling price. An appreciation contribution was payable to the GADB by the seller if the sale price was higher than the basic value. T.E. Donges who was Minister of the Interior specifically denied that compensation was contemplated. The provision was simply to avoid speculation in property, he argued. *Debates of the House of Assembly*, (1955), Vol. 90, cols 8250, 8344.

removal process. If the GADA was not applied to an area the disqualified would be unfettered by the state in disposing of their property. While the GADA had detailed provisions on the disposal of affected property, the actual process of removing disqualified persons (especially tenants) was left unlegislated. The process would develop as the state gained experience in its first attempts at removals.

Proclamation 190 of 1957

Seven years after the GAA had been passed, the first proclamations for the Cape Peninsula were made. Among the areas proclaimed (see Table 1) was the Table Mountain area. This covered a fairly large territory including mountainous and wooded terrain as well as the residential areas of Three Anchor Bay, Sea Point, Clifton, Camps Bay, Bakoven, Tamboers Kloof, Oranjezicht, parts of Gardens and parts of Newlands. Proclaimed for whites only, its black residents had two years in which to vacate their homes.

Area	Group	Applica- tion of GADB	Time Given for Evacuation	Expiry Date
Athlone	coloured	Yes	3 years	5.7.60
Bishop Lavis	coloured	No	1 year	5.7.58
Boston Estate	white	No	1 year	5.7.58
Elsies River	coloured	Yes	3 years	5.7.60
Matroos- fontein	coloured	No	1 year	5.7.58
Pinelands	white	No	1 year	5.7.58
Rylands	Indian	Yes	3 years	5.7.60
Schotsche Kloof	Malay	Yes	5 years	5.7.62
Table Mountain Area	white	No	2 years	5.7.59
Thornton	white	No	1 year	5.7.58
Duine- fontein	coloured (including Malay)	Yes	3 years	5.7.60

Proclamation 190 of 1957 : the First Group Area Proclamations in Cape Town (Source : Compiled from GGR Vol. 144 79/2 Part 1 and GGR Vol. 146 80/4)

One may well ask why should this article focus on the Table Mountain area and the plight of the Tramway Road residents in Sea Point in particular when the first proclamations affected so many others? Firstly, the number of disqualified people in areas such as Pinelands, Thornton or Boston Estate - where the evacuation date was set at one year's notice - was negligible. These areas were already almost exclusively white. Bishop Lavis and Matroosfontein were similarly already coloured areas. Athlone, Rylands and Schotschekloof had numerous disqualified people but they were given more time to vacate than the residents of the Table Mountain area.

Secondly, throughout the Table Mountain area, there were isolated disqualified families but there were three areas in particular where there was a concentrated number of disqualified families: in the Leeuwenhof Road area of Gardens; in Newlands (e.g. at Stoney Place and also the Dean Street area) and finally, the Tramway Road area of Sea Point. The latter constituted one of the largest group of disqualified and they were among the first large stable communities to be moved. Since they were mainly tenants they provide a useful case study in removals both in terms of their's and the state's response.

In 1953 it was estimated that there were 55 coloured families (142 adults and 126 children) and 3 Indian families (7 adults and 11 children) in Tramway Road and the adjoining Ilford Street.¹² Most of the properties were white owned (Ilford Investments being one of the biggest landlords).¹³ Indians owned seven properties which they rented or occupied themselves. The coloured families were all tenants. A survey in 1961 established that of 44 families in the area, 13 had a total income of under R40 a month, 27 earned between R40 and R140 while only four owned more than R140.¹⁴ The significance of these statistics is that the majority of residents fell into the category that would have qualified them for sub-economic and economic housing schemes.¹⁵ This would have significant implications for how they would be moved.

Many of the residents¹⁶ had lived in the area for most of their lives. Of 250 people, 52 had lived in Tramway Road for 30 years or more, 16 had been there for more than 50 years. Mohammed Allie Parker, one of the Indian property-owners in the area, had lived in Tramway Road and later Ilford Street for 60 years. Florence Wepener a 78 year-old widow had lived in Tramway Road for 45 years. There were at least ten other aged residents like Ms. Wepener in the area whose ages ranged between 70 to 86 years. L. Nathoo was a shoemaker while Mr Parker's son, Abbas, ran a general dealer's store at the corner of Ilford Street.

12. CAD, Secretary for Planning (hereinafter BEP) Vol. 329 G7/302/8 Deel 2, racial survey of proposed white group area, Cape Town, by Inspector of the LTAB, 3 Sept. 1953.

13. They rented at least 29 cottages to coloured people. See *Ibid.*

14. *Cape Argus*, 14 Sept. 1961.

15. The maximum income for sub-economic housing was R40 for coloureds and Indians in scheduled areas and R33 in non-scheduled areas. Scheduled areas referred to those areas where the wages of artisans were determined by legislation. The maximum income for economic housing was pegged at R140. In 1963 the maximum for sub-economic housing was put at R50 and R180 for economic housing.

16. This profile has been compiled from *Cape Argus*, 23 Sept. 1959; 14, 15, Sept. 1961; 27 Oct. 1961; 4, 23 Nov. 1961; 7 Dec. 1961; 16 Jan. 1962; 3 Feb. 1962; 5 July 1962 also Jagger Library Manuscript Section, University of Cape Town, O.D. Wollheim Papers BC 627 F.1.4.15 Note on Tramway Road by Wollheim.

Christopher Ramsamy worked at a hotel in Three Anchor Bay. The coloured residents of the area were mainly employed in Sea Point or in neighbouring areas. The women worked as domestic servants, chars or cooks, many took in washing. Frances Jacobs worked as a char for several families in Sea Point also holding a part-time job at a cafe in Bantry Bay. Others like Anne Harrison were dressmakers, some with white clientele. Amongst the men were waiters, chauffeurs, gardeners or artisans. N. Thomas worked for a garage while H. Jacobs was a painter. Florence Wepener's grandson worked for the Cape Town City Council. The children of these families attended the Tramway Road Coloured Primary School. The Lions Club provided a lunch feeding scheme as well as donated clothes to these children. The local dairy provided milk at least three times a week. Now tagged "disqualified people", these residents' lives were to change drastically as a result of Proclamation 190 of 1957.

The Response to Proclamation 190 of 1957

In November 1959, a few months after the expiry of the evacuation date for the Table Mountain area, Frederick Johannes Mitchell a 58 year old resident of Tramway Road was found hanging from a tree in Bakoven. Mitchell had lived in the area for over 30 years and worked as a driver for the Union Castle Company. His wife, Helene Catriena said that because he had to look for alternative accommodation he had lost weight, suffered from insomnia and had become a recluse. The newspaper report thus suggested that Mitchell's suicide was a direct response to group area removals and this item was coupled with the similar death of John Joseph Bougaardt of Tiervlei. When the latter's body was brought down from the tree, a brown paper was found in his coat pocket on which was written in red ink: 'Group Area is the cause of doing away with my life'.¹⁷

The residents of Tramway Road could have taken Mitchell's way out but they had the choice of either resisting the proclamation and refusing to move or negotiating with the government to resolve their situation. Although the expiry date for the disqualified was 5 July 1959 it was only in September that the matter came to a head. The GAB took no action against the residents but the landlords of the properties began serving notice on their tenants. As a GAB official explained that it was up to landlords who had disqualified tenants to see that they complied with the proclamation.¹⁸ Ilford Investments thus apologetically informed their tenants that as the 'law compels us' the tenants would have to vacate by 31 October 1959.¹⁹

The residents of the Tramway Road area who had ignored the July deadline of the proclamation now had to respond to their landlords' notice. They chose to be cautious and conservative in their response. The residents of the area constituted the Tramway Road Association (TRA) chaired by Mr N. Thomas.²⁰ They sought assistance from the Rev. R.E. Tattersal of the Church of the Holy

17. *Cape Argus*, 9 Jan. 1960.

18. *Cape Argus*, 1 Aug. 1959.

19. *Cape Argus*, 23 Sept. 1959.

20. J. Petersen was secretary and J.L. Delpont a committee member.

Redeemer and a member of this parish provided legal assistance²¹. As their notices to vacate were a direct consequence of the GAA, a deputation of the TRA met both P.W. Botha who was Deputy Minister of the Interior and Dr.I.D. du Plessis, the Commissioner of Coloured Affairs. Subsequent to this meeting they met Dr. J.F.J. van Rensburg, the chairman of the Western Cape branch of the GAB.²²

The route the TRA took was thus to negotiate with government officials. To facilitate their strategy they stressed that they were 'peace-loving and law-abiding'.²³ There was no intention of challenging the law. As Thomas stressed, they did not say that the situation was unfair :

We kept quiet and took it with a smile ... Even if we have to walk away the soles of our shoes, we must try to find other homes. We must remain within the law.²⁴

The Rev. Tattersal similarly explained that this was a 'humanitarian issue' and not a political one. He pointed out that the residents

know there is no hope of their remaining permanently in Tramway Road. What they need is a breathing space and enough time to get other accommodation.²⁵

Thomas was so anxious not to jeopardize negotiations with the government that he seems to have stopped the Black Sash and the wider body of liberal forces, the Anti-Group Areas Committee from organising a petition amongst white residents in Sea Point asking the government to leave the disqualified in the area.²⁶

In its negotiations with government officials, the TRA thus only asked for an extension of the evacuation deadline. In the interim, residents wanted to explore possibilities of alternative accommodation. They wanted homes near their work and they wanted homes equal or better than their current homes. They also asked that they be moved as a group to a new place as they constituted a close community and some families were related by marriage. The TRA noted that the number of areas proclaimed for coloureds was limited so far and if residents moved to another unproclaimed area the danger existed that they would be moved again. Their options now were limited to e.g. Elsie's River, Hazendal at Athlone and Kensington. They preferred the latter since it was the closest to their place of work. The TRA placed great hopes in the ability of the Coloured Advisory Board, the Commissioner for Coloured Affairs and the GAB to assist residents. Thomas was particularly struck by du Plessis's promise of 'our own schools and churches and business rights in our new area'.²⁷

21. *Cape Argus*, 25 Sept. 1959.

22. For reports of these interviews see *Cape Argus*, 26 Sept., 14 Oct. 1959; *Cape Times*, 15,16 Oct. 1959.

23. *Cape Times*, 16 Oct. 1959.

24. *Cape Times*, 25 Sept. 1959.

25. *Cape Argus*, 25 Sept. 1959.

26. Jagger Library, Manuscript Division, University of Cape Town, Black Sash Papers BC 668, Minutes of Executive Committee of the Western Cape Regional Council, 24 Sept., 1,8,15,22 Oct. 1959.

27. *Cape Argus*, 14 Oct. 1959.

As a result of these negotiations P.W. Botha gave the TRA the assurance that there would be no removals without alternative accommodation being provided. He said that an inter-departmental committee constituted by the National Housing Office, the GAB, the GADB, the Labour department and the Commissioner for Coloured Affairs would look into the issue of alternative accommodation.²⁸ Residents were given an extension by permit to remain in the area until September 1960. In August 1960 this was extended by yet another year. When this period expired they were given until 30 November 1961 to vacate the area.²⁹

Some residents of the area left on their own initiative in 1960, many waited till November 1961 and the last ten families left on 1 December.³⁰ The accommodation offered by the government was at the Cape Town City Council's housing scheme at Bonteheuwel and at the coloured township in Duinefontein. Those who left on their own initiative were reported to have gone to Maitland, Woodstock, Steenberg, Salt River and Walmer Estate.³¹ Thomas moved to a home in a housing scheme off Klipfontein Road in Athlone.³² The last of the families left a South African flag at half mast on a lamp post as they departed the area.³³ Florence Wepener who moved to Bonteheuwel summed up the feelings of residents: 'None of us are at all happy about it, but what else can we do? They say we must go, so we must go.'³⁴

Throughout the negotiations Thomas remained euphoric and optimistic. When the first extension was granted he noted that 'the dark cloud hanging over us [has been] lifted'.³⁵ He later said that since they were being treated 'with great consideration ... we are doing our best to co-operate'.³⁶ The repeated extensions were to the TRA proof of the value of negotiations. Even when the TRA were defeated by the end of 1961 on most of its objectives, Thomas, 'speaking for the community', recorded his thanks to government officials 'who have shown nothing but courtesy and care in their dealings with us'.³⁷

The response of the Tramway Road residents has resonances with other communities that later also faced removal. Babs Essop, for example, was the Thomas of District Six. As leader of the District Six Association he spoke of a 'breakthrough' after meeting government officials. He felt as if 'a tremendous burden has been lifted from my shoulders'. The reason for this relief? Essop had ascertained that residents would be given time to move. He also arranged a public meeting where the government officials could address the residents and stressed that such a meeting would be neither 'a protest meeting nor a political one'.³⁸

28. *Cape Argus*, 26 Sept. 1959.

29. *Cape Argus*, 5 Aug. 1960, 27 Oct. 1961.

30. *Cape Times*, 27 Jan. 1960; *Cape Argus*, 15 Nov., 1 Dec. 1961.

31. *Cape Times*, 27 Jan. 1960, 23 Nov. 1961.

32. *Cape Times*, 23 Nov. 1961.

33. *Cape Argus*, 7 Dec. 1961.

34. *Cape Times*, 23 Nov. 1961.

35. *Cape Argus*, 26 Sept. 1959.

36. *Cape Times*, 27 Jan. 1960.

37. *Cape Times*, 23 Nov. 1961.

38. C. Soudien, 'District Six : from Protest to Protest', in Jeppie and Soudien (eds), *District Six*, 151-2.

Many communities facing removal also accepted their eventual fate. Cosmas Desmond writing about the removal of Africans from “black spots” in northern Natal observed: ‘The people, as usual, were resigned to their fate; many seemed just bewildered by the whole thing’. Those moved to the notorious site of Limehill ‘went docilely enough’.³⁹ Individuals in District Six noted ‘What can we do? It is a *fait accompli*’.⁴⁰ Similarly, Western found the disqualified of Mowbray saying ‘We had to go, we had to obey’.⁴¹

This is not to suggest that there is just one helpless response to removal. In fact one of the threads running through E. Unterhalter’s work is the effectiveness of peoples’ responses, Crossroads and Magopa are offered as illustrative examples among many others.⁴² Responses of individuals and communities vary considerably from “silent resignation” to violence.⁴³ In District Six there were also placard demonstrations, petition tables, prayer meetings, pamphlet distributions and the wearing of emblems. There were also individuals like Omar Valley who declared he was prepared for jail but that ‘no one will get him out’.⁴⁴ In the Transvaal there was Nana Sita who adopted Gandhian style resistance and went to jail several times for refusing to vacate his home.⁴⁵

The response of the TRA is particularly conservative in comparison. There was no involvement by any black political organisation. The majority of residents sought their guidance from the church. As tenants they lacked any leverage. Their concerns were very practical - how to negotiate the best alternative. While their response was tempered with restraint the community was defiant at least in resisting removal to Bonteheuwel for as long as they could.

Thomas declined the offer of a home in Bonteheuwel.⁴⁶ Dorothy Lawrence, for example, said on the eve of the final expiry date :

I have no place to go yet and I have no intention of burying myself at Bonteheuwel. There are no churches there, nor are there clinics. I am told there are no telephones. We are hoping to go to Salt River or Walmer Estate.⁴⁷

The Medical Officer of Health of the City Council observed in October 1961 that there were 108 homes available at Bonteheuwel especially reserved for the disqualified of Tramway Road and Rylands but that offers were not being snapped up ‘families are resisting removal’.⁴⁸ Earlier G.P. Nel, the government official overseeing the removals observed :

At this stage, we are only interested in the Coloured families who are willing to co-operate. We will tackle the others later.⁴⁹

39. Desmond, *Discarded People*, 28,75.

40. Soudien, ‘District Six’, 154.

41. Western, *Outcast Cape Town*, 217.

42. E. Unterhalter, *Forced Removal : the Division, Segregation and Control of the People of South Africa* (London, 1987).

43. For an analysis of responses to removals see Platzky and Walker, *Surplus People*, 280 ff.

44. Soudien, ‘District Six’, 148-9, 155.

45. *Cape Argus*, 29 Aug. 1967.

46. *Cape Argus*, 14 Sept. 1961.

47. *Cape Times*, 23 Nov. 1961.

48. *Cape Argus*, 13, 27 Oct. 1961.

49. *Cape Argus*, 24 Aug. 1961.

It was only when there was no option that the last families at Tramway Road were moved to Bonteheuwel.

Given the tightening state security system, the banning of black political organisations, the general level of oppression in the early 1960s as well as the legislative provisions which sanctioned removals the disqualified operated within the narrow gaps they could find and then only succumbed. The TRA managed to delay their removal by two and a half years. This raises the question as to why they were successful in this regard ?

The Granting of Permits to the Disqualified

Throughout the Table Mountain area there were disqualified families who were being refused permits to remain in the area after the evacuation date had expired. The ten families comprising some 60 people at Stoney Place, Newlands⁵⁰ were not as fortunate as the residents of Tramway Road. Their permit application as well as a subsequent appeal was turned down. The application of W.B. of Hilltop Lane at Newlands was also refused as was that of the A.J. family of Leeuwenhof, Gardens. Yet there were other applications in the Leeuwenhof area which were successful.⁵¹ On what basis were these decisions based ?

In considering the granting of permit applications the GAB had to consider two particular issues: was it in the interests of the group for whom the area was declared and secondly would a refusal cause 'undue hardship' to the disqualified. In the case of the residents of Stoney Place whose landlords had given them notice, the GAB concluded that if there was any hardship it arose 'from the inertia of the applicants'. They had failed to take steps to leave in the two years grace that the proclamation of 1957 allowed. There were also objections to their permit applications from white residents in Newlands and this did influence the decision of the GAB. One anonymous white resident told the press that while they did not favour the GAA they used it to get rid of these families whose behaviour was 'becoming intolerable'. On Friday nights, it was alleged, 'there is drunkenness, fighting, rowdyism and bad language'.⁵²

The Black Sash which was anxious to take up the cause of the Tramway Road residents sent a member to view the situation at Stoney Place. She spoke to a white woman who lived in Newlands Avenue who spoke ill about the residents of the affected cottages. She alleged they were an idle, drunk lot and the small children smoked, begged and sold flowers. When she had employed men from the cottages to do some painting she found them to be 'dishonest and lazy'. These families were now offered homes in the Retreat Housing Estates and the Black Sash member concluded 'we think it was a necessary slum clearance and feel we would have no case to put up'.⁵³

50. See *Cape Times*, 24 Sept. 1959.

51. For these permit applications see CAD, Group Areas Board (hereinafter, GGR) Vol.131, 77/2 Part 2.

52. *Cape Times*, 25 Sept. 1959.

53. Black Sash Papers BC 668, File E Group Areas Correspondence, Report by Ms M.L. Wilson, 8 Oct. 1959.

W.B. a coloured chauffeur who lived on his owner's premises at Hilltop Lane in Newlands, had his permit refused although his white employer required him to be available at all times. The chairman of the GAB, J.J. Marais, noted that although it was in the interest of a white *individual* that the permit be granted one could not argue that it was in the interests of the white *group* as a whole. Inconvenience to both employer and employee could not be considered 'undue hardship'.

A.J. - a coloured gardener who lived with his family on the property of his white employer, an 84 year old widow, in the Leeuwenhof area - had his permit application turned down. Marais noted that this property was 'situated in a delectable part of the city' close to the official residence of the Administrator. It was one of several white-owned properties in the area which were occupied by coloureds. The white neighbours had objected to this application arguing that they had only bought their property on the understanding that the GAA would be carried out and that 'the undesirable housing conditions of coloureds there will be eliminated'.

On the issue of 'undue hardship', Marais noted that the only hardship that was alleged was that the employer would lose her employees and that the family would have to vacate a cottage that they had occupied for many years. Marais acknowledged that permits had been granted to other disqualified residents in the area but this was because they were owners of properties. Since the GADA had not been applied to the Table Mountain area,⁵⁴ the board was of the opinion that there would be hardship if these individuals were not given time to sell their properties at reasonable prices. The same consideration could not be applied to tenants. Marais was also reluctant to set a precedent by granting the A.J. family's permit. Cases like these abounded.

From these cases one can draw a number of conclusions as to why the TRA were successful. They were organised as a community; they comprised a large number of people; they had the support of numerous groups, for example the Black Sash, the Liberal Party, the church, the media and there do not seem to have been objections to their presence from white residents in Sea Point. Individual disqualified families could be moved far more easily especially if they were tenants. The residents of Stoney Place were not organised and had little support. This article will show however that there was a more fundamental reason for the TRA's success. Public show of support for the disqualified which showed up the state in an unfavourable light was not a guarantee for success. The state had its own reasons for delaying the removal of the Tramway Road residents.

54. It was only in 1960 when the owners of affected property were finding it hard to sell their property at good prices and this was delaying their evacuation that the GAB seems to have reconsidered its decision not to apply the GADA there. See BEP Vol. 323, G7/302 Part 5, Instelling van 'n groepsgebied Kaapstad, Van Rensburg to chairman of GAB, 25 Mar. 1960, executive meeting of GAB, 20 May 1960 and note by MCB, 19 Sept. 1960.

The State and Removals

In terms of its preparations for removals, the most significant step the state took was the appointment of the GADB in February 1956.⁵⁵ While its central office was in Pretoria, regional offices were opened in all the major cities, the Cape Town and Durban branches being the largest. The task of the GADB was two-fold: to draw up a list of affected properties and oversee their sale and to acquire and develop land to resettle the disqualified - especially those among the lower income groups.

The process of drawing up the lists was a time consuming one for the bureaucracy. Maps indicating the sub-divisions of the area had to be obtained from either the Surveyor-General or the local authority. The Deeds Office had to then be combed for the title deeds of all the sub-divisions and owners' names and their race had to be entered on special searcher forms. Owners of affected properties were expected to furnish the GADB with details of bond-holders, as well as their race and that of the occupants. The GADB then compared its forms with that submitted by the owners. Where information was lacking or if the owners did not submit forms then house to house visits were made to obtain the necessary information. Valuation forms were then prepared and the municipal valuation was entered. These were then handed to valuers. This began the process of establishing what a property was worth before the application of the GAA and it would determine whether an appreciation or depreciation contribution was payable on the sale of the property.⁵⁶

The GADB completed lists for the five areas in Cape Town where the GADA had been applied. There were 1556 affected properties in Athlone, 869 in Elsie's River, 617 in Rylands, 524 in Duinefontein and 471 in Schotschekloof thus providing a rough estimate of the disqualified of these areas.⁵⁷ Apart from these lists the GADB lacked detailed information about the disqualified, for example, their income and place of work. When the Table Mountain area was proclaimed the GAB had decided that it was not necessary to apply the GADB there. Its reasoning was that this was a much sought after white area and that the disqualified who owned properties here, few as they were, would easily be able to fetch good prices for their properties.⁵⁸ If the GADB was only beginning to find out about the disqualified in the areas where the GADA was applicable it was quite ignorant about those areas where the Act was not operative. Yet knowledge about these areas was also vital since the disqualified here - whether they owned property or not - needed to be resettled. This tied in with the second main concern of the GADB, the provision of housing.

In 1959 when the Tramway Road residents were faced with removal, the state had just begun to acknowledge that the provision of housing for coloureds and Indians with all its financial implications needed serious attention. To this end the Minister of the Interior had appointed a commission of inquiry.⁵⁹ In addi-

55. See *Debates of the House of Assembly*, 1956, Vol.90, cols 2037-8.

56. *Group Areas Development Board. First Report for the Period 1st February, 1956 to 31st March 1958*, 4-5.

57. *Ibid.*, Table 1.

58. BEP Vol.323, G7/302 Part 5 instelling van 'n groepsgebied Kaapstad, van Rensburg to chairman of GAB, 25 Mar. 1960.

59. *A Survey of Race Relations*, 1958-59, 165.

tion, it was decided that when the GADB acquired property it would be up to the National Housing Commission to build the houses. The GADB was also attempting to obtain a socio-economic profile of the disqualified so that the number of sub-economic and economic families could be determined.⁶⁰

The GADB found its developmental work hampered by the lack of undeveloped, vacant land. It found also that when such land was available it was located in townships where land was expensive. Furthermore, if the board attempted to establish a township the whole process was a very lengthy one.⁶¹ The GADB had by early 1959 bought 22 morgen of land in Rylands, 18 morgen in Duinefontein as well as two townships in the area - Athlone Extensions 2 and 3.⁶² It was only in 1961-62 that some 255 houses were available in Extensions 2 and 3, just under half of these being for the middle income groups.⁶³

The GADB also explored another source to tackle the problem of housing for the disqualified - the local authorities. When the plight of the Tramway residents was highlighted by the media, it immediately raised the question of the city's critical housing shortage. In 1959 the Cape Town City Council estimated that there was a shortfall of 12 000 houses. In the previous year the Council had been able to build four houses a day but because of a cut in funds from the National Housing Office on the grounds of scarcity of finance, it was reduced to building two houses a day. When the GADB enquired from the Council in June as to whether it was considering any additional schemes to cope with the number of disqualified families, the Council's reply was that given the serious housing shortage, the Council could not be expected to provide homes for the disqualified. The National Housing Commission had to provide it with enough funds first so that the Council's programme of 1000 houses a year could be maintained.⁶⁴ The Mayor, Joyce Newton-Thompson publicly proclaimed:

There are no houses available to meet the needs of Group areas, and if the people are evicted they will have to go into the streets.⁶⁵

Councillor A.Z. Berman declared that the government should 'do their own dirty work' and that the Council would 'have no truck with Group Areas'.⁶⁶

The Council had from the very beginning refused to co-operate with the GAB to demarcate group areas and refusing to co-operate to resettle the disqualified was simply an extension of that policy. The GADB, however, used the opportunity to paint the Council in a poor light blaming it for the problems of the disqualified families of Tramway Road, Gardens and Newlands. In a strategy of 'passing the buck',⁶⁷ an official of the GADB said that they expected the City Council to provide for group area victims. However, if it failed to do so, the GADB would establish townships. He added: 'We cannot take these people by

60. *Group Areas Development Board. Report for the Period 1st April, 1958 to 31st March, 1959*, 9.

61. *Ibid.*, 7.

62. *Ibid.*, 6.

63. *Report on the Activities of the Department of Community Development for the Period 1st August, 1961 to 31st December 1962*, 7.

64. *Cape Times*, 25, 26 Sept. 1959.

65. *Cape Times*, 26 Sept. 1959.

66. *Cape Argus*, 25 Sept. 1959.

67. *Cape Times*, 24 Sept. 1959 (editorial).

the scruff of the neck and throw them into the streets...'⁶⁸ At about the same time, P.W. Botha speaking at Villiersdorp, threatened the City Council (a body of 'Sappe, jingoes and Coloureds'):

We are going to make Cape Town a place where the Coloured people live on one side and Europeans on the other - City Council or no City Council.⁶⁹

Within a month, in an about face, the Cape Town City Council decided to appoint an ad hoc committee to confer with the GADB about housing the disqualified.⁷⁰ The agreement reached in the end between the two bodies was that 20% of the houses built as part of the Cape Town City Council's housing schemes would be available to house the disqualified. Thus it was that houses were eventually offered to the Tramway Road residents at the Bonteheuvel scheme where some 5 464 sub-economic and economic homes were planned.⁷¹ How did this about-turn occur?

The GADB, in the words of one councillor, bargained with the Council: 'You help us and we will help you'.⁷² On the 7 October 1959 the chairman of the GADB, W.H.L. Heckroodt met with the Council's Housing Committee. He assured them that the National Housing Commission would make funds available for the Council to pursue its housing schemes. However, the GADB needed the Council's assistance to provide homes for the disqualified. The Housing Committee then recommended that the City Council could help to house the disqualified as long as it did not prejudice its own goal in eliminating the existing housing shortage.⁷³

The City Council was obviously seduced by the promise that funds would be available for them to undertake slum clearance. Councillor W. Andrag went to the extent of saying that coloured people would be better off in their own areas than in slum areas. The view that the GAA was there to stay and that it could be used to eliminate slums predominated over the views of Berman and most of the coloured councillors who were against co-operating with the GADB.⁷⁴ The GADB noted somewhat triumphantly that local authorities which had been unwilling to co-operate with it had subsequently changed their tune once they realized that the provision of housing for the disqualified went together with slum clearance.⁷⁵

The TRA's success in obtaining an extension till the end of 1961 must be understood against this background. It simply was an acknowledgement by the state that there was no housing and that the disqualified, many without the means

68. *Cape Times*, 25 Sept. 1959.

69. *Cape Times*, 26 Sept. 1959.

70. *Cape Argus*, 30 Oct. 1959. Newton-Thompson and C. Bakker (chairman of the Housing Committee) were its members.

71. CAD, Department of Community Development (hereinafter, GEM) Vol.221, G14/4/6 Part 1, Quarterly report on resettlement, 31 Dec. 1962.

72. *Cape Times*, 30 Oct. 1959.

73. *Cape Argus*, 8 Oct. 1959; *Cape Times*, 27 Oct. 1959.

74. See *Cape Argus* and *Cape Times*, 30 Oct. 1959. Councillor G.E. Ferry's view was that 'a certain amount of good can come of the Act in that it can help towards slum elimination' (*Cape Argus*, 3 Oct. 1959). Bakker appealed to Council to make the right decision 'for the sake of those people living in the slums' (*Cape Argus*, 22 Oct. 1959; *Cape Times*, 23 Oct. 1959).

75. *Group Areas Development Board. Report for the Period 1st April 1959 to 31st December 1960*, 6.

to resettle themselves, needed state assistance. Once homes were available in council housing schemes or the special projects of the GADB, removals could be effected.

The state had learnt some lessons from its early experiences in removals and it began to reshape its mechanisms and strategies. The Tramway Road experience had caught the bureaucracy unprepared. As the evacuation deadline for other areas such as Rylands, Athlone, Duinefontein and Elsie's River approached, the Regional Representative of the GADB in Cape Town wrote to the central office in Pretoria asking for firm guidelines. He noted 'n Tweede Tramwayweg, Seepunt gebeurtenis sal moet vermy word'. This time the board planned its course of action.⁷⁶

Already by 1960 it had become state policy that there would be no removals without alternative accommodation being offered first, especially in the case of the lower income groups.⁷⁷ This could also be seen as the state's response to the fact that it was being hauled before the courts to have several group area proclamations nullified on the grounds that the GAB had not really taken cognisance of alternative accommodation when it made its recommendations for group areas.⁷⁸ The state expected individuals with means (salaries being R140 a month and more) to provide for themselves and if they owned property the GADB could help them dispose of it. The middle classes could also obtain loans from the National Housing Commission. Those with incomes below R140 could qualify for either economic or sub-economic housing schemes.⁷⁹

The procedure for giving notice to vacate was also significantly changed in 1961. Whereas previously the date for evacuation was stated explicitly in the group area proclamation, the date would now not be provided at all. Instead, individuals could be served with their own notice period or a notice might appear in the Government Gazette or local newspaper giving a date when the disqualified in a group area or even part of it must evacuate. The state intended avoiding a recurrence of situations like the Tramway Road affair where notice periods expired before accommodation was available.⁸⁰ Such a situation, which was also experienced in other parts of the country, put a burden on the bureaucracy which had to issue permits to the disqualified and even renew these.⁸¹ The emphasis now, the Deputy Minister of the Interior explained was on 'systematically' removing people. If 20 homes were available, 20 families would be moved. A group area could thus be cleared by degrees.⁸² Such an approach, one might add, would also prevent communities from organising as notice periods in an area could vary and individuals could be targeted.

One of the more significant changes effected was the creation of the Department of Community Development in August 1961. Its establishment was

76. 'A second Tramway Road, Sea Point occurrence must be avoided'. BEP Vol.323 G7/302 Part 5 instelling van 'n groepsgebied Kaapstad, E.E. Klopper to secretary, GADB, 18 Mar. 1960; reply 13 May 1960.

77. *Cape Times*, 26 Mar. 1960; *Cape Argus*, 24 Mar. 1960, 24 Feb. 1961.

78. Two significant cases were that of S.M. Lockhat and others in Durban and that of A.C.H. Harnaker a trader in Athlone (see J.T. Schoombee, 'An Evaluation of Aspects of Group Areas Legislation in South Africa' (PhD thesis, UCT, 1987), 276-7, 296-301; *Cape Argus*, 5 May 1962; 7 May, 3 Dec. 1963; 3 Aug. 1965 and 5 Feb. 1966).

79. *Debates of the House of Assembly*, 1961, Vol. 106, col. 2723; *Cape Argus*, 24 Feb. 1961.

80. See *Debates of the House of Assembly*, 1961, Vol. 106, col. 2724; *Cape Argus*, 23 Feb. 1961.

81. Mesthrie, 'Tinkering and Tampering', 199.

82. *Debates of the House of Assembly*, 1961, Vol. 106, col. 2724.

an indication that the state was preparing to move forward in the process of resettling people, creating new communities and providing the necessary infrastructure. A new name was necessary because group areas had acquired a negative connotation.⁸³ Apart from this the bureaucracy had become too unwieldy with proper co-ordination lacking. The chief co-ordinator now was the Secretary of Community Development and officers of his department did all the necessary preparatory work for both the GAB and GADB which were now based in Pretoria.⁸⁴

It was in fact the Cape Town regional office of the new department which took charge of removing the final residents of the Tramway Road area. The annual report of the department noted that 'It was only after the establishment of the Department that resettlement could be tackled in a co-ordinated manner'. By 31 July 1961 only 239 families had been resettled in the Cape Peninsula but between August 1961 and December 1962 1 565 disqualified families had been resettled.⁸⁵ In the next year 2 127 families were resettled.⁸⁶ Resettlement was well on its way with 'exceptional success' being reported for the year 1963-64 in the regional areas of Cape Town, Durban and Johannesburg.⁸⁷

Postscript

The lives of the residents of the Tramway Road area changed after they moved to their new homes. Far from the attractive location along the Atlantic Ocean and relocated on the Cape Flats, Florence Wepener tried to sound cheerful about her new home in Bonteheuwel. She noted that the rent was reasonable at 16 shillings a week. Most of them had paid between four and five pounds a month for their previous homes.⁸⁸ She missed the Baptist Church in Sea Point and she bewailed the wind and the sand of the Cape Flats. She was hoping to get some grass from Sea Point and develop her garden. She had to take a bus and a train to collect her pension from the Regent Road Post Office in Sea Point.⁸⁹

For the Lawrence family, the move meant a break-up of the family. Some of the younger males had to move to lodgings to be near their place of work. Mr Lawrence left home just after five in the morning to work in the city and returned only at seven in the evening. Frances Jacobs had to take three buses to get to her work at Sea Point, spending four shillings on the fare daily. She eventually stayed elsewhere during the week and returned home only at weekends. She made a point of visiting her home in Sea Point every week. She sat on the stoep and just cried each time.⁹⁰

As for the road they vacated, by November 1961 the press reported that it had become 'a ghost road'. Vandals had begun destroying homes. It also became 'a road of fear' as drunks, vagrants and squatters moved in. By mid-July

83. See GGR Vol. 115, 74/2 Part 2, J.J. Marais addressing the regional secretaries, 25 July 1961, 13.

84. See *Report on the Activities of the Department of Community Development for the Period 1st August 1961 to 31st December 1962*, 1.

85. *Ibid.*, 8.

86. GEM Vol. 189 G14/3, statistics on resettlement.

87. *Report of the Department of Community Development for the Period 1st April 1963 to 31st December 1964*, 16.

88. *Cape Argus*, 23 Sept. 1959.

89. *Cape Argus*, 16 Jan. 1962.

90. *Cape Argus*, 3 Feb. 1962.

1962 a reporter wrote of 'sagging roofs, crumbling masonry, smashed windows and broken doors, muck, rubble and filth'. The pattern was the same for all the cottages.⁹¹ The Cape Town City Council bought most of the cottages in Tramway Road from the previous landlords in 1963 and planned to demolish the homes and establish a playground there. The lack of funds would delay this process.⁹² Today the land remains municipal property.

The experience of the Tramway Road residents provides one case study in removals. Analysing the response of the Tramway Road community presents a difficulty which Soudien similarly found for District Six that of finding 'neat pigeon-holes'.⁹³ While the overall response could hardly be categorised as resistance, there is nonetheless an element of resistance. Furthermore, oral history might offer different responses to that portrayed in the media. The question of how public vs private utterances differ is an issue for further investigation.⁹⁴

In terms of the outcome of negotiations, the TRA managed to prolong their stay in Sea Point. The central reason for this success, I have argued, was the state facing up to the realities of housing rather than sympathy for the disqualified. The TRA also failed to accomplish its most significant goals. It was clear that the state would break up communities and that there would be little consideration for the distances between home and work.

The state started out unprepared but began to set in place and oil its machinery more effectively so that the harshest removals were yet to come. There was also to be more of the appeal to group thinking such as that made by du Plessis to the TRA. This would buy the support of some coloureds who wanted to be free of white and Indian competition in business and other enterprises.

This article also points to how easy it was for liberal forces to be silent and seduced by the state when the magic words 'slum clearance' were men-

91. *Cape Times*, 23 Nov. 1961; *Cape Argus*, 5 July 1962, 1 Mar. 1963.

92. See *Cape Argus*, 29 Mar. 1963 (editorial); 27 Mar. and 11 Apr. 1963. The properties purchased were :

ERF	OWNERS	MUNICIPAL VALUATION (1959?)	DATE OF SALE AND PRICE
105 and 103	Chananie Trust	£1230 and £2040	25.4.1963 R11 460
110 and 113	M.A. Parker and A. Rahman	£1610 and £2760	19.1.1966 R14 455
107	N. Gild	£1070	24.5.1963 R4130
106	A.C.C. Hutchings, M.M. Westall and E.G.A. Biesheuvel	£1010	20.5.1963 R4110
125, 126 and 133	Ilford Investments	£14 565	5.4.1963 R50 490

Source : BEP Vol. 323 G7/302 Part 5 instelling van 'n groepsgebied Kaapstad and Deeds Office.

93. Soudien, 'District Six', 180.

94. I am grateful to Patricia Hayes for this point.

tioned. Although the Tramway Road area was by no means regarded by anyone as slum clearance, the question of housing the disqualified was linked to the general housing question and the state was resourceful in offering funds for housing which in the opinion of the Council could be used to eliminate overcrowded slums. The case of the Stoney Place residents particularly reveals how the GAA could be used by individuals for different reasons.

Our understanding of group area removals will be facilitated as other case studies are undertaken. In many ways while group area removals were harsh, coloureds and Indians were granted some courtesies by the state. While not wishing to diminish in any way the experience and anguish of the Tramway Road residents, the tale of the removal of these 50 odd families lacks the drama of - for instance - the removals at Sophiatown when 80 lorries, 2 000 armed police preceded the arrival of the 'demolition squads'.⁹⁵ Many African communities were moved at gun-point and loaded unceremoniously like cattle onto trucks and then dumped in the open veld with tents for shelter, if they were lucky.⁹⁶ Group area removals need to be located within the state's wider policy of removals and a comparative focus will enhance our understanding of these removals as well as the state's machinations.

95. Lodge, 'Sophiatown', 358.

96. These have been well detailed in the works of Platzky and Walker, *The Surplus People* and Desmond, *The Discarded People*.