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The Trajectory of Warwick Junction as a Site of Inclusivity in Post-Apartheid South Africa

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The Trajectory of Warwick Junction as a Site of Inclusivity in Post-Apartheid South Africa

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 Fall 2013

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Abstract

Warwick Junction, a thriving trading hub in the inner city of Durban, has long been considered one of the best examples of collaborative urban management practices between the local government and informal traders. In a post-apartheid South Africa, there was a national desire to transform the old systems of governance, which in Warwick translated to city government institutions making an effort to include informal traders in the policymaking and management processes. This paper tracks the history of Warwick Junction, using its oppressive past to frame common perspectives of informal trade. It considers the legacy of the post-apartheid era South Africa, how it led to an effective area based management initiative, and what has transpired since. Primarily relying on interviews, it will present a variety of perspectives from a variety of stakeholders: past and present City officials, formal shopkeepers, informal traders, and leaders of local non-governmental organizations. This paper will find that the spirit of collaboration from the early period of the post-apartheid period has broken down over time. While City officials and informal traders offer different accounts, a common trend is that much work remains to be done in the Warwick area, yet the processes to complete this reform are no longer collaborative. This paper will offer some explanations for the deterioration but will ultimately suggest the need for more research regarding the management of Warwick Junction after twenty years of democratic rule.

Introduction

Despite the nuanced nature, history, and role of the informal economy, one trend continues to persist: informal trade is often viewed as a nuisance or problem to be rectified or ignored. Although the fact that it makes up a substantial part of many developing countries' gross domestic products, government policies tend to be reactive instead of being proactive. Across the globe, interventions are sporadic, unfocused and inconsistent. South Africa, a developing country battling high unemployment rates and

a repressive history dating from the colonial and apartheid eras, had the opportunity to reverse this pattern when it transitioned to a democracy in 1994.¹ The national desire to reconcile and harmonize in many ways characterized the methods and process of governance.² Warwick Junction, transportation and trading hub on the outskirts of Durban's inner city, presents a fascinating case study of these approaches. Often cited as one of the best examples of innovative and integrated urban management and area-based policy, academic literature focuses on Warwick in the period immediately after apartheid.

Yet, as this paper will show, twenty years after the establishment of democracy, the condition of governance in Warwick has deteriorated although, in a glaring gap, little literature addresses this. Despite these gaps, this paper will explain the informal trade sector on a global scale, and provide a narrative and analysis of street vending in Durban and South Africa. The purpose of this paper is understand how the inclusive, area based management governance model in Warwick broke down, and what implications that suggests.

To convey this, this paper is organized into five sections. First, it will offer an overview of the relevant literature, and an analysis of the gaps in the academia. Next, it will provide the necessary background information to contextualize the most recent

¹ Skinner, C. (2008). The Struggle for the Streets: Processes of Exclusion and Inclusion of Street Traders in Durban, South Africa. *Development Southern Africa Vol. 25, No. 2*, 227-242.

² Dobson, R. *Former Project Leader*. Formal Interview. 14 November 2013.

events, which have not yet been incorporated into academic literature. The penultimate section establishes the methodology and limitations of the project. Lastly, the paper will recount its findings and draw conclusions.

Literature Review

To understand the nature of informal trade, and how institutions and social relations exist around it, this paper will review some of the extensive literature written on the informal economy. In addition, it will examine a management policy particularly relevant to Warwick Junction during the end of the apartheid period. Lastly, it will offer an overview of the state and extent of informal trade in South Africa, providing a narrative and analysis of street trading in Durban, concluding with an assessment on the current state of literature regarding Warwick Junction.

Global Trends and Debates

Street trading is a controversial, fluctuating, and diverse occupation present in virtually every area of the world.³ Particularly prevalent in developing countries, the informal economy accounts for 50-75% of the non-agricultural employment. Broken down regionally, the informal trade sector makes up 78% of the non-agricultural labor

³ Bromley, R. (2000). Street Vending and Public Policy: A Global Review. *The International Journal of Sociology and Social Policy* 20.1/2, 1-28. 1

force in Africa, 57% in Latin America and the Caribbean, and 45-85% in Asia.⁴ Informal trade practices vary: traders may sell services, merchandise or a mixture of the two. Some may be mobile and hawk from trays or carts, while others set up kiosks or rely on fixed stalls, while still others simply lay their goods out on the ground. Traders may sell seasonally or year-round. They may change the goods they offer depending on the time of day and what needs consumers may have, selling breakfast or hot drinks in the morning as commuters make their way to work, or fresh produce in the afternoons as customers return home to cook dinner. Goods may range from cooked foods and groceries to electrical appliances, hardware, clothing, or mechanical repairs.⁵ Traders may rely on assistants or family as partners, depend on neighbors to tend their stalls, create branches of their businesses or work completely alone. Street trading can be a person's last resort to survive or simply may be a lifestyle choice.⁶ In addition, many other activities, from public transportation such as taxis and buses, to garbage collection, street cleaning and maintenance are closely tied to street trading.⁷ This sector is complex and nuanced, which presents considerable urban management challenges and creates controversial debates as to the role and legitimacy of the informal economy.

⁴ Quazi, T. (2011). An Analysis of Municipal Approaches to Incorporating the Informal Economy into the Urban Fabric: A Comparative Study of Msunduzi Local Municipality (Pietermaritzburg) and Hibiscus Coast Municipality (Port Shepstone). *University of KwaZulu-Natal School of Development Studies*, 1-82. 11

⁵ Bromley "Street Vending and Public Policy" 2

⁶ Bromley "Street Vending and Public Policy" 2, Cross, J. (2000). Street Vendors, Modernity and Postmodernity: Conflict and Compromise in the Global Economy. *The International Journal of Sociology and Social Policy* 20.1/2, 29-51. 7

⁷ Bromley "Street Vending and Public Policy" 2

In his global review of street vending and public policy, Ray Bromley summarizes the main arguments justifying the existence and extent of street trade. For one, street traders contribute directly to the economy, and their eradication would have serious and negative economic consequences. Not only does street trading advance economic activity but it is also a potential and actual source of revenue for the government through tax regulation. In addition, street trading offers the government a respite from expanding the welfare, police, court or prison systems as it provides employment and a safety net to the traders and their dependents. Another point is that street traders bring vitality and resources to the streets that cannot be replicated. Not only do street traders create an atmosphere, their presence and potential as witnesses may deter crime. Street traders also expand the range and timing of services that can be provided and serve as an effective way to cater for “seasonal, sporadic and special demands” such as food during sporting events or trinkets for holidays. Expanding on that argument, they are able to test new products on the market at low costs. Not only does street trading create a “laboratory for family business and social interaction,” it offers entrepreneurial opportunities as a self-help, grassroots initiative. Bromley cites Hernando de Soto (1989), stating that street trading encourages the independence of “hard-working poor people [from] an obstructive, ‘mercantilist’ system...controlled by the interests of career bureaucrats and big businesses.”⁸ Lastly, street trading has a

⁸ Bromley “Street Vending and Public Policy” 3

deeply rooted history in many countries. Yet a vocal resistance to informal trading combats these historical, cultural, entrepreneurial, and economic arguments.

Despite the opportunities it provides for its workforce, street trading is often seen as an illegitimate and unsightly blight on 'modern' cities. Critics blame traders for vehicular and pedestrian congestion, as traders are drawn to busy areas where demand may be high, which ultimately poses a public safety hazard. In addition, this crowding may provide opportunities for petty crime. The movement of traders may also result in them "blocking" formal businesses and forestalling off-street establishments, giving them an unfair advantage. The fact that street traders "often fail to give receipts and keep accounts, to pay taxes on their earnings, and to charge sales or value," enhances this advantage. Benefitting from the lack of taxes and fewer overheads, they may undercut their formal competition. The culture of street trading generates noise which may disturb pedestrians and motorists, creating "unreasonable nuisance" concerns. In addition, garbage often litters the streets as a result of the traffic, traders and their customers. Lastly, there have been health and safety concerns as informal traders are more exposed to sun, air pollution and contamination.⁹ These are the practical arguments against the presence of informal traders on the streets.

A more theoretical point is the orthodox Marxist view that considers street traders as "the epitome of surplus labor and underemployment." Deterring labor from

⁹ Bromley "Street Vending and Public Policy" 5, Quazi 7

legitimate work in construction, manufacturing, agriculture, education and health, care fields, this perspective argues informal trade is “dysfunctional to the economy as a whole.”¹⁰ While not entirely consistent, this view reinforces the structuralist perspective on street trading which came out of the 1970s and 1980s. Structuralists took the position that informal trading occurred as a result of capitalism’s inability to absorb the masses of unemployed.¹¹ While they may not see it as quite the nuisance Marxists perceive it as, the implication is that structuralists also see street trading as a result of a flawed economic system.

These theoretical stances illustrate the fact that negative perceptions of street trading remain. A variety of political perspectives, from right-and left-wing statist, modernists and authoritarians, characterize street trading as a “manifestation of poverty and underdevelopment,” a view that is shared by many governments.¹²

Bromley summarizes a common state of affairs for street traders:

“In many cities and countries, police and municipal inspectors have threatened, chased, arrested and occasionally beaten street vendors, and their goods have often been confiscated. Aggressive policing is particularly notable just before major public and tourist events, on the assumption that orderly streets improve the image of the city to visitors. In some Third World Countries such policies have been carried out to vicious extremes, when police, soldiers or para-military forces have

¹⁰ Bromley 5

¹¹ Skinner, Caroline. (2008). Street Trade in Africa: A Review. *Women in Informal Employment: Globalizing and Organizing*, Working Paper No. 51, 1-37. 5

¹² Bromley “Street Vending and Public Policy” 6

confiscated street vendors' identity papers, physically expelled vendors from the city, and even tortured or killed a few vendors."¹³

This brings light to the driving tension regarding street trade and the informal economy. The 'disorder' of these markets contradicts the organized, efficient and structured world championed by Marx and the Euro-American value system.¹⁴ That being said, street trading, despite its setbacks and critics, continues to be a thriving and growing source of work, with the potential for more expansion.¹⁵

Theoretical Framework

Although this paper will not delve too deeply into conceptual frameworks, a little background will provide some valuable structure. One perspective, the political economy theory, which focuses on policy and institutional environments and the subsequent connections to administrative practices, relates well to informal trade management. The political economy approach attempts to understand and explain the interactions between economic, political and social policies, institutions and processes. The theory examines how physical space, cultural norms and social relations are affected issues of domination, power and resource allocation. This perspective asserts that prevalent institutions drive urban management and that city governance is based on current economic, political and social circumstances. Constantly evolving, urban

¹³ *Ibid.*

¹⁴ Cross "Street Vendors, Modernity and Postmodernity" 3-4

¹⁵ Quazi "An Analysis of Municipal Approaches" 16

plans strongly affect both the informal and formal economy, and their interactions and adaptations reflect the power struggle as the various groups attempt to hold and gather resources. Most importantly, this theory draws on the factors that affect political and institutional environments as well as those environments' capacity to change.¹⁶

This framework ties to the urban challenges that have arisen in South Africa as a result of inherited institutions and infrastructures. Many studies point to that fact many developing countries, particularly those in the global South, rely on inherited systems that were planned by colonial governments or adapted from Northern contexts and to meet modernized expectations. These expectations are focused on "suiting local political and ideological ends [with] aspirations of modern urbanization."¹⁷ This creates tension for traders who are challenged by this infrastructure and these expectations, while simultaneously creating difficulties for government officials who must manage them.

Urban Management Approaches

As previously mentioned, the complex nature of the informal economy presents serious urban management challenges. Although some governments may be tempted to simply overlook the entire informal economy or repress and abuse street traders, its consistent growth and widespread prevalence across the world demands attention.

¹⁶ Quazi "An Analysis of Municipal Approaches" 7-8

¹⁷ *Ibid.*

Instead of continuing to focus on how it may devalue a city's modern status, inclusive urban management processes would be ideal. Much of the scholarship regarding the policy practices for the informal economy focuses on case studies, such as Warwick Junction in Durban, South Africa. While this paper will address and consider that model, an overview of inclusive urban management debates is valuable.

In particular, integrated and area based policies offer a worthwhile approach. For the purposes of this paper, we will subscribe to Ivan Turok's definition of area-based policies. As the name suggests these are policies explicitly focused on an area rather than a national or provincial scale. Yet the substance in that definition comes from the acknowledgement that an area based policy (ABP) is intended to change or improve the nature of a geographical area using a process that involves all stakeholders, including community members that may be overlooked when using other approaches. There is an acceptance that place and space matter, and affect both economic and social processes. This method tends to accept a variety of social, economic and physical development concerns and priorities, such as businesses, human resources, and neighborhood and social economies.¹⁸ In addition, it realizes that management must cross a variety of government fields and departments such as education, housing, transport and economic development, and that a uniform approach, particularly regarding the allocation of resources or regulations, is not ideal. Instead, every policy approach and

¹⁸ Cameron, J., Odendaal, N. & Todes, A. (2004) Integrated Area Development Projects: Working towards Innovation and Sustainability. *Urban Forum*, Vol. 15, No. 4. 316

structure will depend entirely on the nature of each area and its accompanying geographical and institutional contexts.¹⁹

However, that final point – that policies are unique to the area – illustrates one of the key objections against ABPs. The entire system can be critiqued as too inefficient and difficult to manage as policies inconsistent with national priorities become institutionalized. Further, community participation is not necessarily an easy or harmonious process as different needs or values arise. In that vein, the allocation of resources is meant to reflect greater needs, but meets with resistance on many levels. This shift of resources may be seen as deviating from “statutory obligations” to provide equal services. There is particular pressure on authorities from wealthier neighborhoods to maintain consistent levels of spending across the board, instead of “bending” programs to benefit the poor. In addition, there could be unforeseen consequences of focusing in particular regions, as issues may be displaced into surrounding areas. In particular, if a jurisdiction changes or expands, the policies may no longer be as effective, and the area may become unmanageable. Another concern is that ABPs are characterized by bottom up transformation, which requires flexibility as services and standards may be changed to meet with the community’s needs. There is less space to govern by the rigid protocols of national programs like the welfare system. This means that achieving the desired change requires additional commitment from the

¹⁹ Turok, I. The Rationale for Area-Based Policies: Lessons from International Experience. *Urban Reconstruction in the Developing World: Learning through an International Best Practice*, 405-412. 1-2

local departments to incorporate the priorities and needs of neighborhood reforms, which is not necessarily viable. On a related note, the last criticism of ABP Turok recognizes is the challenge of coordinated, inter-departmental policymaking and resource deployment. A key to ABP is strategically breaking down the “silos and funnels” through which decisions are made and services are delivered to coordinate and “link complementary elements of provision together.”²⁰ Yet, as with the bottom up reform, this flexibility and willingness is often contradictory to the nature of many government institutions and poses consequential challenges.

However, these critiques are challenged, if not denounced, by the arguments for ABPs. The involvement of the community allows for more flexible and customized approaches to governance. The policy that generates from ABPs is “more intensive, person-centered and [proactively supportive] than is usually provided or available through government schemes.”²¹ This inclusive approach has a few key characteristics. One of the traditional objectives is to inform the decision makers of local needs and preferences, which in turn gives a voice to people who are often under-represented in the policy process. This may even serve to diffuse a volatile situation. Over time, this process has become recognized as a method of constructive engagement and capacity building. It came about as a result of people recognizing that the capacity of the

²⁰ Turok “The Rationale for Area Based Policies” 8

²¹ Turok “The Rationale for Area Based Policies” 6

government is finite, that there may be untapped resources available in the community, and the possibility that harnessing the community's resources may benefit all involved.

Other benefits include the encouragement of community activism and autonomy. While there may be many organizations in place, from church groups, youth clubs and sports associations, this process of equipping these bodies with greater skills and confidence better prepares them to take advantage of external opportunities. This strengthening of a community's 'social economy' will sustain its commitment and investment in development, which ultimately may take some of the pressure off of government shoulders.²²

South African Informal Economy

It is impossible to analyze the nature of street trading in South Africa, or examine the existing scholarship, without briefly explaining the history of that sector in South Africa. A great deal of scholarship contextualizes itself around or immediately after the apartheid era. However, as Stein Nesvag elucidates, even before apartheid rule, policies from the colonial era targeted informal traders. Legislation like the 1981 Chapter 14 Natal Code of Natal Law and Zululand Proclamation in 1985 limited muthi (traditional African medicine) trade, clearly singling out African traders. Only a few years later in

²² Turok "The Rationale for Area Based Policies" 6-7

1987, Act No. 18 legislation was passed giving authorities discretionary power to refuse licenses to “all applicants whose premises were in an unhygienic condition or who were unable to comply with the conditions of the Insolvency law regarding the keeping of proper accounts.”²³ While hygienic regulation is a logical concern, Nesvag argues that the focus on proper accounts would particularly impact informal traders. Similarly, the 1909 Native Beer Act negatively affected female traders who sold beer as it established a municipality monopoly on the substance.

As national legislation became more restrictive over the next fifty years, the policies continued to target African informal traders. The Native or Urban Areas Act of 1923, an outcome of the Stallard Commission Report, limited Africans’ ability to work in the urban areas. As the report concluded, “Africans were required in cities for the sole reason of servicing white needs, and once they ceased to do so, they were to depart back to the reserves,” black traders had little autonomy to cater to consumers, and never on their own terms.²⁴ Other legislation, particularly the Black (Urban Areas) Consolidation Act (1945) reinforced this persecution. The Consolidation Act continued to impose restrictions on economic activities even in so-called “black areas.”²⁵ This trend of persecution only continued in the apartheid era as non-whites, who make up the informal trade sector, continued to be targeted.

²³ Nesvag, S. (2000). Street Trading from Apartheid to Post-Apartheid: More Birds in the Cornfield? *The International Journal of Sociology and Social Policy* 20.3/4, 34-63. 3-4

²⁴ Nesvag “Street Trading from Apartheid to Post-Apartheid” 4

²⁵ Skinner “The Struggle for the Streets” 5

The Group Areas Act (1950) excluded people from areas of the city based on their race, which essentially barred Africans from trading.²⁶ The 1957 Witchcraft Suppression Act banned the trading of medicine and herbs, completely cutting muthi traders out of the economy. The effects of this act were felt for almost thirty years, as muthi traders did not begin openly trading until the 1980s.²⁷ However, despite these regulations, the national government struggled to maintain control of informal traders, which led to new legislation. For example, in the KwaZulu-Natal region, the Natal Ordinance was passed in 1973, establishing the “move on” laws. These laws, although technically allowing informal trading, were hugely restrictive. While traders were able to hawk their goods, they had to move along from their spot within 15 minutes and were not allowed to return that day. In addition, the traders could not be closer than 100 meters from a formal business.²⁸ Although this is merely a sampling, these laws offer insight into the extent of the anti-informal trade attitudes the colonial and apartheid governments subscribed to.

To bring the narrative up to date, the post-apartheid era of democracy brought in a new approach to governance. Skinner argues there was a national surge to transform institutional structures into more collaborative entities. Local governments were given

²⁶ Shipley, B. and R. Richards. (2013). Warwick Junction Urban Renewal Project. *Participedia*. <<http://participedia.net/en/cases/warwick-junction-urban-renewal-project>>.

²⁷ Dobson, R. and C. Skinner. (2009). Working in Warwick: Including Street Traders in Urban Plans. *University of KwaZulu-Natal School of Development Studies*. Print.

²⁸ Dobson and Skinner “Working in Warwick” 45

greater independence to supervise their areas, which would prove vital to informal trade management. There was a general trend of deregulation which contributed to the rapid expansion of the informal trade sector. For example, the 1991 Business Act helped to deregulate business activities, removed barriers to the operation of informal activities, and made it an offense to enforce the move-along laws.²⁹ The new Constitution (1996) mandated local governments to take certain approaches to informal trade: namely to promote local development and focus on pro-poor urban policies to assist employment opportunities, to re-regulate the informal economy and, lastly, to emphasize “participation and consultation” to practice democratic governance.³⁰ However, the rapidly increasing levels of urbanization and growing prevalence of informal activities, particularly around transport nodes on the peripheries of city centers and in public areas, have created infrastructure, facility and resource challenges for local governments.

As the current situation stands, the informal trade sector is a consequential part of the South African economy. To offer some statistical context, unemployment rates are high, hovering around 25%.³¹ The formal economy is unable to absorb these unemployed, who then turn to the informal economy to provide a source of income. In the period from 1997-2003, that growing unemployment and the small capacity for

²⁹ Skinner “The Struggle for the Streets” 6

³⁰ Quazi “An Analysis of Municipal Approaches” 19

³¹ *Trading Economics*. South African Unemployment Rate. 25 November 2013.

<<http://www.tradingeconomics.com/south-africa/unemployment-rate>>.

growth in the formal economy caused the informal economy to expand drastically. In 2003, about 25.1% of the South African population was employed in the informal economy; about 1.9 million people vs. the 965,000 who made up that sector in 1997. Now, the informal economy contributes to about 8-12% of the country's GDP.³² It must be noted that these statistics ought to be treated with caution as they do not account for informal workers in rural economies or the changing nature of the informal sector as seasonal work offers temporary employment opportunities. In fact, there is little data on the actual expanse of the informal economy, other than that it has a significant presence. Nonetheless, this portion of the South African workforce faces many challenges, and is a vulnerable population.

For over a century, informal workers were largely unrecognized as contributors to the economy. Even now, although they may be recognized, they face other challenges. For one, many of the informal traders are migrants from other African countries, who then may not speak the local languages and are more likely to be unaware of their rights. Much of the literature regarding informal trade examines or mentions the role of foreign vendors working on South African streets. A study by Nina Hunter and Caroline Skinner, "Foreign Street Traders Working in Inner City Durban: Local Government Policy Challenges," examined the policy challenges of having foreign street traders working on Durban streets. In their final policy recommendations,

³² Quazi "An Analysis of Municipal Approaches" 16-17

they noted that Durban's new Informal Economy Policy (IEP) acknowledged the issue of foreign street traders. Yet many of the policy recommendations the IEP proposed have, as of yet, been ignored.³³ In addition, many of the traders in the informal workforce are largely uneducated. One study indicated that as few as 10% of the informal traders completed high school.³⁴ Perhaps most importantly, there is a strong correlation between poverty and informal trade. Despite the fact that informal traders make up about 16-20% of the South African labor force, and a large number of these traders are either the sole breadwinners for their families or at least have a substantial number of dependents, a study of Durban street traders found that the average weekly profit was R102. More staggering is the fact that almost 50% of the traders in the study reported profits of less than R60 per week.³⁵ In addition to the personal challenges this workforce faces, and despite the reformed policies of the post-apartheid era, street traders are still subject to complicated, and in many ways abusive, sanctions.

The Narrative of Street Trade in Warwick Junction, Durban

The history of informal trade in Durban is extensive, complex and noteworthy. One area in particular, Warwick Junction, highlights the challenges and struggles of informal trade for South Africa. Warwick Junction is Durban's largest transportation

³³ Hunter, N. and C. Skinner. (2003). Foreign Street Traders Working in Inner City Durban: Local Government Policy Challenges. *Urban Forum*, Vol. 14, No. 4, October-December 2003, 301-319. 313

³⁴ *Ibid.* 9

³⁵ Skinner "The Struggle for the Streets" 4

node and trading hub, located on the outskirts of the inner city. About 460,000 people walk through the area daily, which hosts between 5,000 – 8,000 traders. In addition, 300 buses and 1,550 minibus taxis depart from the junction on a daily basis and 38,000 vehicles pass through daily.³⁶ More importantly, Warwick Junction is considered a shining example of a progressive and innovative approach to integrating the informal traders into the management and development practices of the area. Yet the narrative of Warwick Junction, covered extensively in many academic articles, is crucial to understanding and analyzing the modern dynamics of the area as this paper sets out to.

The national legislation described above shaped the nature of informal trade in Durban. Like the rest of the country, Durban had repressive apartheid-era legislation imposed on the informal traders, restricting their ability to work. However, when the Progressive Federal Party (PFP) won local government elections in the early 1980s, a new era of progressive policies was ushered in. Stein Nesvag explains a few of the factors that inspired the city council to shift policies:

- A realization that law enforcement was becoming increasingly ineffective;
- A concession of the economic immorality and dysfunctionality of the existing legislation;
- An escalating urban unemployment, as well as massive urbanization as apartheid influx controls began collapsing;
- Organized mass resistance and strong international pressure against the apartheid;
- An increasing international focus on the informal sector and its potential contribution to solving problems of unemployment and poverty;

³⁶ Dobson and Skinner “Working in Warwick” 5

- The general international move towards economic liberalization³⁷

In response to these pressures and to assess the approaches to street trading Durban had been practicing, the PFP commissioned two reports: the 1983 Market Survey and the 1984 Hawker Report. Both suggested a complete reversal from established policy, radically concluding, “The illegal status of the street trader [must] be re-evaluated.”³⁸ Instead of endorsing the original plan that would have, staying true to apartheid-era development, moved the informal sector in Warwick Junction from the central business district to a separate area, the reports recognized the importance of the location of informal market areas to attract business. In addition, the reports made two other crucial points. For one, they argued for a simpler approach to regulation, particularly regarding licensing laws and the establishment of “immune zones,” in which the traders could operate on a “first-come, first served” basis. The second point was the recognition that control is key for a functioning informal economy, but that such regulation must be fair to the traders. These arguments did not only completely disregard previous policy, but advocated on the part of the traders.³⁹

As a result, with the intention of trying to find ways to implement more practical and favorable policies for street traders, the City formed the Councilor’s Subcommittee in 1985. As national trends became more progressive and gave more power to local

³⁷ Nesvag “Street Trading from Apartheid to Post-Apartheid” 5

³⁸ *Ibid.*

³⁹ Nesvag “Street Trading from Apartheid to Post-Apartheid” 5, Skinner “The Struggle for the Streets” 6

authorities with the 1987 National White Paper of Privatization and Deregulation, the 1991 Business Act, and the 1993 Amended Business Act, the Subcommittee and City of Durban amended and revised policy.

Signs of Durban's commitment to assist traders became evident when the City published its by-laws in 1995. Unlike Johannesburg, which made the entire inner city a no-trade zone, Durban, while prohibiting some areas of the inner city as trade zones, established restricted zones and trading sites. However, this more progressive policy was hampered by Durban's mandate to stay consistent with national legislation which insisted all by-laws state "that traders who contravene any of these clauses, including trading in an area declared restricted or prohibited, will have their goods removed and impounded and be liable to pay a fine or be imprisoned." Sanctions against traders continued to be criminal rather than administrative, and "1996 was marked by this tough stance towards street trading."⁴⁰

Yet, despite these setbacks, the trend of integration and negotiation in Warwick Junction continued throughout the next decade, as street trading boomed in the 1990s. The substantial growth of street trading in Durban was not simply due to the increasingly lenient policies of the 1980s but also as a result of several natural disasters, including two floods and a severe drought which drove rural South Africans into the

⁴⁰ Skinner "The Struggle for the Streets" 7, Nesvag "Street Trading from Apartheid to Post-Apartheid" 7

city.⁴¹ To handle the growing population of traders and changing policies, various organizations were established to better facilitate interactions between traders and the City, including the Self Employed Women's Union in 1994, the Informal Traders Management Board in 1995, StreetNet in 2002, Siyagunda in 2005, and Asiye eTafuleni in 2008. Most importantly, the City launched an ABM initiative in 1996: the Urban Renewal Project (the iTRUMP Project). Establishing an ABM policy allowed the City to cooperatively tackle urban management challenges, diminish contentious relationships between urban managers and informal traders, and led to more appropriate interventions for the informal traders. While various organizations and actors played key roles in the development and management reform around Warwick, the City's iTRUMP Project is the source of praise as it sought to integrate traders into discussions and, through the Informal Economy Policy, institutionalized the City's reformed policy towards informal trade.

Previously, City interventions had been sporadic and ineffective as each government department failed to communicate and responded differently to challenges. However, the new policy of collaboration meant that the City worked with informal traders, their organizations, and a variety of government departments to establish the necessary management and ongoing reform around Warwick Junction and the markets. Recognizing different sectors had unique needs, the City designed and

⁴¹ Nesvag "Street Trading from Apartheid to Post-Apartheid" 6

created specific infrastructure, including storage space, tailored to the needs of specific informal trade sectors. Within the span of three years, Warwick Junction became a safer, cleaner and more vibrant space where informal trade flourishes.⁴² Most importantly, the City attempted to institutionalize its approach and policy towards the informal economy. However, despite Durban's progressive post-apartheid policies, the City's approach in the last decade has begun to shift and the situation is worsening for informal traders. There has been a disjuncture between the intent of the legislation and the implementation on the ground. While the policies were intended to be inclusive and protect their rights, the traders are becoming marginalized.⁴³ In June 2004, Metro Police removed traders' goods at various intersections throughout the city, specifically the central business district and neighboring middle-class suburbs. *The Daily News* reported a Metro Police spokesperson saying "We have seized tons of their goods in our clean up operation... We won't let up until we have cleaned them all out."⁴⁴ Later that year, the Council approved the Public Realm Management Project, intended to stop "illegal unlicensed street trading." A R3.7 million budget was assigned to the project for six months to employ and equip 50 Metro Police Officers. Ironically named "Peace Officers," they were armed. The City justified this decision citing complaints from formal business owners. Supposedly, as *The Daily News* reported, "Illegal street traders

⁴² Dobson and Skinner "Working in Warwick" 43-57

⁴³ Quazi "An Analysis of Municipal Approaches" 22

⁴⁴ Skinner "Struggle for the Streets" 237

are creating a terrible headache for shop [owners and members of the public...It is important to make sure [the city] also addresses the needs of the city's rates base by ensuring the concerns of formal businesses."⁴⁵

Most recently, tensions have been growing between the various Warwick Junction stakeholders over a proposed development in the area. In preparation for the 2010 FIFA World Cup, the City proposed to replace the Early Morning Market, one of the largest and oldest markets of Warwick, with a mall. Keeping true to Bromley's point about aggressive policing before a major tourist event, the City's approach was combative and exclusive. In complete contradiction of its own rules, the City failed to follow the appropriate regulations. The City did not consult the traders about the renovations, nor did it complete an environmental impact assessment.⁴⁶ Newspaper stories illustrate the extent of the tension as violence erupted between traders and the police on a few occasions.

However, the fact that newspaper stories are the primary source of information about the current Warwick Junction is noteworthy in its own way. There are massive amounts of literature regarding the informal economy and its accompanying policies in developing countries. As already mentioned, Warwick Junction and Durban's policies are often cited and heralded as excellent and innovative approaches to managing and

⁴⁵ *Ibid.* 237-8

⁴⁶ Comins, L. This 2010 Mall Will Starve Us. *The Daily News*. 27 May 2009., Comins, L. Anger about R400 Million Mall Plan. *The Daily Mail*. 21 May 2009.

integrating informal trade into the economy and policymaking process. Yet it seems that the conciliatory attitudes that were so prevalent at the end of the apartheid era have begun to fade as relationships between Warwick Junction stakeholders deteriorated. Although the largest controversy, that of a proposed mall, has only been an issue in the last five years, little academic literature has been written on the turn in the City Council's approach and its implications for inclusive management. In a paper from 2009, one notable expert, Caroline Skinner, divulged a preliminary analysis pointing to two issues that may have driven this change: the relationship between the city and private property developers and the desire for a 'modern' city to shine when hosting the World Cup. However, Skinner was very clear that she would be conducting a more detailed analysis,⁴⁷ and as of yet, that brief mention makes up the existing literature on the actual state of affairs of Warwick Junction.

Conclusion

Despite the ongoing debates and concerns about the perceived disarray of the informal trade sector, it continues to have a widespread presence on a global scale. A review of the literature on informal trade policies shows that although many governments attempt to turn a blind eye, this portion of the economy must eventually be considered and accounted for. Yet the fact remains that, at least in South Africa,

⁴⁷ Skinner, C. (2009). Challenging City Imaginaries. *Agenda's Special Issue on Gender and Poverty Reduction*, Vol. 81.,1-12. 9

national mandates regarding the informal economy are unclear and much of the legislative responsibility is passed on to local governments. This delegation results in many of the informal economy matters being dealt with on a local level, resulting in area-based management approaches as an effective means to develop and manage the informal economy. The case study of Warwick Junction is such an example. Realizing that disregarding an entire sector or implementing restrictive policies was ineffective, Durban engaged in an area based policymaking and urban development process at the end of the apartheid. Earlier, this paper explained the rationale behind and debates surrounding ABPs. One characteristic of ABPs is that they are often seen as incubators and laboratories to pioneer new policy approaches and strategies. Theoretically, if local initiatives are successful, they ought to be passed along and implemented, perhaps with changes based on the environment in other areas.⁴⁸ In this case, that is exactly what occurred at Warwick Junction. Yet recent events and the current situation of Warwick indicates that the ABPs may not have been as effective as initial literature and reviews believed it to be so, indicating a gap in academic evaluations.

Background Information

Although the literature review presents substantial information as to the context of informal trade in South Africa and Durban, certain recent events, not yet covered in

⁴⁸ Turok "Rationale for Area Based Policies" 5

academic literature, merit commentary to understand the findings of this paper.

Namely, how the debates from the last five years have changed the landscape of Warwick Junction.

One particularly salient debate stemmed from a proposed mall in the Warwick Junction area. South Africa won the bid to host the Soccer World Cup in 2010. As mentioned in the literature review, in anticipation of a major tourist event, aggressive policing and policy often become the norm when a country is determined to appeal to foreign eyes.⁴⁹ This phenomenon held particularly true during the years preceding the 2010 World Cup. As part of Durban's R6 billion redesign and development plans, in May 2009, the city introduced a plan to upgrade and revitalize Warwick Junction. A city spokesperson declared, "Durban's neglected transportation hub, Warwick Junction is set to receive a major facelift to make the city ready for the influx of visitors during the spectacular soccer tournament."⁵⁰ The proposed development, with a R400 million budget, was given a R100 million initial investment to begin the various stages of work, which would ultimately include road and freeway realignments and a more logical positioning of taxi ranks. Although these changes may have been acceptable, community outrage surged at the last proposition: a new mall with banking and retail facilities.⁵¹

⁴⁹ Bromley "Street Vending and Public Policy" 6

⁵⁰ Mthembu, B. Durban Sets 2010 Plans into Action. *The Daily Mail*. 12 September 2006.

⁵¹ Comins "Anger about R400 Million Mall Plan"

City officials, such as Michael Sutcliffe who was the City Manager at the time, argued that the City was “making sure [it was] doing things that complement each other,” and that the creation of a mall would incorporate three key developments for the area. It would involve the private sector in an area it had not previously had a great presence, as well as restructuring public transport across Warwick Junction, and formalizing a tidier transportation hub. Lastly, according to Sutcliffe, this development was intended to get the traders on the city’s side, as “the city promised to find space for *all* the African traders” (emphasis added).⁵² The developers insisted the shopping center would be able to accommodate 270 of the 300 traders the City recognized in the Early Morning Market, while the ones who could not be integrated would be relocated to a site 300 meters away.⁵³ Generally, this side of the debate insisted that not only would the mall improve traffic flow, it would provide a much-needed range of retail choices. A representative for the development company, Themba Ngcobo, justified the shopping center saying Urban-Econ, a development economy firm, had conducted a feasibility study and found the need for a wider range of products. This, the developers insisted, was the key: “If customers wish to buy from informal traders, they will still be welcome do to so [but if they] prefer to buy from established branded shops in a secure center,

⁵² Sutcliffe, M. *Former City Manager*. Formal Interview. 11 November 2013.

⁵³ Ngcobo, T. In the Face of Criticism, Warwick Junction Developers Put Their Side of the Story. *The Mercury*. 30 July 2009., Sithole, P. Misinformation Muddies Issues Around Market Move. *The Mercury*. 11 August 2009.

that's their choice too.... At present, they don't have that choice."⁵⁴ Not only would this provide necessary resources to the area, but advocates for the mall argued the time was ripe. City officials pointed out that the national government was offering additional funds for this type of development, just in time for the World Cup.⁵⁵

However, the traders instantly called the City's motives into question, expressing resentment at and concerns with the proposal from the start. The initial city hall meeting introducing the project met with resistance as traders expressed fears that the consequences would ruin their livelihoods. Traders protested that the City failed to follow the appropriate processes and that they were not consulted about the development. Instead, traders were given two weeks notice to vacate the Early Morning Market and move to premises on Alice Street. Further complaints surfaced as traders asked why they needed another mall when there are currently eight within a 10km radius of Warwick and "why a 'first world' mall was being imposed on 'third world people'?" Warwick Market Traders Association Chairman Harry Ramall summarized the traders' views when he said, "It was presented to us as a proposal but we could read between the lines it was not a proposal; it was presented as what we are going to

⁵⁴ Ngcobo "In the Face of Criticism"

⁵⁵ Nzama, T. *Business Support Unit Deputy Head*. Formal Interview. 20 November 2013., Sutcliffe Formal Interview

do – close the market and shut it down and relocate us to the materials management building. But there was no viability study done.”⁵⁶

In the end, the arguments against the development covered a few key issues. Perhaps most importantly, the traders and their allies believed inadequate consultation was conducted, “even at the conceptual stages.” Moreover, the development was predicted to affect between 70,000 – 100,000 workers and their dependents for the 400 jobs the mall facilities would create.⁵⁷ In addition, some concerns were raised that, although the City and developers may not have been admitting it at the time, the mall would continue to pose a threat to traders as it could always expand. In an op-ed in *The Mercury*, academic Tim Quinlan said, “[Although this cannot be stated openly at present, shopping malls inevitably feel the pressure to increase revenue and offset municipal rates.... Having broken the back of the informal trade, it should be relatively easy to expand.”⁵⁸ The site’s historic integrity was also cited as a justification to reconsider development plans, as demolishing the market for a mall would have destroyed the area’s historic significance.⁵⁹ Yet even another argument, that of race, arose. Academic Franco Frescura voiced the opinion that the City’s proposal

⁵⁶ Comins “Anger about R400 Million Mall Plan”

⁵⁷ Dobson, R. and T. Quazi. Urban Utopia of Exclusivity versus Urban Realism of Inclusivity: Mall or Market Place? *Asiye eTafuleni*. 28 May 2012. <<http://www.aet.org.za/2012/05/urban-utopia-of-exclusivity-versus-urban-realism-of-inclusivity-mall-or-market-place/>>

⁵⁸ Quinlan T. Why is the City Failing to Provide Explanations on Warwick? *The Mercury*. 7 August 2009.

⁵⁹ Dobson and Quazi “Urban Utopia of Exclusivity”

“represents a disregard for the years of struggle of the [black] traders and poor people who kept this vital socio-economic institution alive at all costs.”⁶⁰

The objections did not desist as traders maintained the “2010 mall would starve them.” Instead of being placated by the City’s promises, informal traders alleged that City officials attempted to bribe traders to make the development take place and planned demonstrations and protests. However, the situation became tenser as events progressed. Although traders applied to organize a peaceful march on city hall remonstrating the development, police stopped the demonstration, insisting, “The traders’ application to stage the march was declined.” Even external and independent actors such as the urban planning consultant Dr. Susanna Godehart took sides, saying that as far as she could see, “the development was completely illegal at [that] stage as an environmental impact assessment to build on the market site had not been done.” Tensions continued to build over the next months as traders continued to fight the development. An incident in June 2009 illustrates the degree to which the antagonism had reached. The police temporarily closed one market on June 15th, cordoning off the area. In response, traders applied for a court order that would allow the vendors to continue trading, insisting that the City had been accepting rent for the stalls and could not bar the trade. The hostility erupted as the police sealed off the area. While accounts differ, at some point the police fired rubber bullets at the traders who attempted to

⁶⁰ Broughton, Tania. Warwick Traders’ Legal Action Gets a Boost. *The Mercury*. 14 September 2009.

make their way into the market. Traders insisted they were attacked without provocation as they were not being violent, and that the police initiated the violence by jumping over the wall and beginning to shoot. The police insisted they were forced to fire to contain the traders. Nonetheless, five people sustained minor injuries and had to be taken to Addington Hospital, while three people were arrested on public violence charges.⁶¹

This incident demonstrates the extent of the tension that had developed between the police and traders as a result of the proposed mall development. The debates became acrimonious, finally resulting in a Provincial Task Team being called in to hear concerns and find an acceptable solution.⁶² In an op-ed in *The Mercury*, developer Themba Ngcobo insisted that, despite negative media coverage, the development had support “from the overwhelming majority of Warwick stakeholders,” including, among others, thousands of commuters and members of the public, the Durban Chamber of Commerce and Industry, the Warwick Street Traders Committee, ACHIB, and the eThekweni Informal Economy Forum.⁶³ On the other side of the aisle, a team of experts, ranging from academics to architects to attorneys to activists, joined the effort to save the market. Caroline Skinner, Tim Quinlan, Bridgemohan Mahajaj, Richard Dobson, Andrew Makin, Franco Frescura, Ashwin Trikamjee, Mahendra Chetty, and Fatima

⁶¹ Ndlovu, S. Market Traders, Cops Clash. *The Daily News*. 16 June 2009.

⁶² Kuppan, I. Last-Ditch Effort to Save Market: Municipality to Fight It. *The Daily News*. 23 July 2009.

⁶³ Ngcobo “In the Face of Criticism”

Meer “threw their weight” behind the traders. Summarizing their perspectives, Professor Maharaj put it succinctly: “The development of the mall holds grave consequences for the city and...would negate all the good work done through the rejuvenation project.”⁶⁴

Although that particular debate ended as the City gave in and agreed to leave the Early Morning Market as it is, the memories have not faded and much of the tension remains.

Methodology

Qualitative research in the form of interviews was the primary methodology for this study. Although academic articles and newspaper reports supplemented much of the information, conversations with the various stakeholders offered recent and valuable insight. The nature of the topic dictated the methodology; as this project concentrated on the current state of relationships in Warwick Junction, something academic literature has not yet examined, the qualitative research methodology worked best to capture the most recent information in an open-ended and explorative way.

Although newspaper articles offered current data, it was often not comprehensive or relevant enough. Articles rarely discussed the state of relationships, instead focusing on actual events (although these also played an important role in the findings). To best

⁶⁴ Kuppam “Last Ditch Effort to Save Market”

understand the character of current relationships, the personal opinions of the involved stakeholders, particularly their views on whether the area is inclusive, were key. The biases inherent in people's personal opinions were extremely relevant, and the research process made an effort to identify and account for them.

To assist with connecting with the necessary stakeholders, I worked closely with the staff at Asiye eTafuleni, an NGO based in Warwick Junction which works closely with the traders. Not only was I able to interview the founders, Patrick Ndlovu and Richard Dobson, who had been City government employees critically involved in the iTRUMP Project during the period I was examining, but they were also able to introduce me to formal and informal traders. In addition, Richard Dobson was able to offer an introduction and secure my interview with Hoosen Moolla, the Area Manager of iTRUMP. To interview actors with different perspectives, I approached past or current City officials. Imraan Buccus, my academic advisor, was able to connect me to former City Manager, Michael Sutcliffe, who subsequently gave me names to follow up with.

When choosing my subjects, there was a conscious effort to gather a variety of perspectives. I conducted a total of eight interviews, speaking with two informal traders and one formal shopkeeper, two members of AeT who were active actors during the period I examined, and three City officials who represented the relevant government departments: the Business Support Unit and iTRUMP. In many ways, this gave me a

diverse range of individuals in relation to racial and gender backgrounds. I spoke to black, white and Indian individuals, and interviewed two women in addition to the six men. Although there were some gaps in the demographics (no youths or coloureds were interviewed), it seems unlikely that those gaps would have made a notable difference.

Before entering the formal interviews, I drafted a list of interview questions (Appendix A). Although there were some specific points for certain actors, each interview began with gathering basic information about the individual's history, experiences and involvement in Warwick Junction. The intent of this background was to better understand the individual's experience and interests in the area. From there, each interview attempted to cover the individual's general opinion on informal trade, the context of the institutions, policies, urban changes and interventions in Warwick Junction, and the social relationships in relation to those issues.

Depending on convenience for the interviewee, the interviews took place in a variety of places: cafes, traders' stalls and offices. For the most part, I was able to conduct the interview without a translator. However, there were some communication barriers, particularly with the traders for whom English is a second language. Many times I had to repeat or reword a question; it seemed as though the essence of the point often got lost, which became one of the primary weaknesses of the methodology.

A second key weakness was that several of the interviews, specifically the ones requiring a translator, were conducted in the presence of an AeT staff member.

Although it seems unlikely that the traders would have drastically changed their responses, it cannot be denied that the presence of another of the involved parties may have swayed their responses.

As a participant, it is impossible to predict how my own presence changed the terms of the interview, but it seems highly unlikely that a power dynamic negatively affected the conversation. Each interviewee seemed enthusiastic to share his or her opinion and did not appear pressured.

One unexpected addition to my research was the few informal interviews that took place. I label these conversations as informal interviews because I did not conduct an actual interview with consent forms or questions. They were a result of casual conversations with various AeT staff members. However, immediately following these conversations, I transcribed as much as possible. This latter information, mostly gathered in the beginning of the research process, ultimately provided important and much-needed direction to my research.

The population considered and interviewed for this project was not especially vulnerable, making the methodological process uncomplicated. I was able to interview a range of actors and as much as possible in the limited time allotted, was able to gather

a diverse collection of perspectives. However, the collaboration and close relationship built with AeT poses a potential element of impartiality in the interview respondents.

Limitations of the Study

Despite attempts to keep this study unbiased, there were, as always, certain limitations that were impossible to circumvent. Issues such as personal biases, language barriers, logistics, and time constraints presented challenges to obtaining a full picture.

In particular, my close relationship with AeT had the potential to create concerns. I elected to work with the NGO because I felt my values aligned with theirs. Although I attempted to interview unrelated actors, my questions were framed with the experience and perspective I had gained at AeT. In addition, members of the AeT team made some of my interviews possible, cementing the established relationship and ensuing bias. On the part of my subjects, they were all aware of my relationship with AeT, which could easily have colored their responses. Most importantly, my connection with AeT made it very difficult for me to separate myself from their mindset and made a fully objective study challenging to frame.

There were other issues that similarly could have arisen due to my presence in the research. First of all, my identity as an American and foreigner may have created a power dynamic I was unaware of and could not help. When dealing with the slightly more vulnerable traders, they may have hesitated to speak to me or answered my

questions as they thought they ought to (although none seemed to). That dynamic may have similarly colored my interview with City officials who were eager to present Durban in a positive light to a foreigner. In addition, my own hesitations made it difficult for me to grasp a full and independent picture. Intimidated by the danger and uncertainty of wandering into Warwick alone, I was unable to spend a substantial amount of time in the field without an AeT staff member. Also, due to cultural implications and my own desire to not offend, there were times when I was unable to continue probing a subject or ask difficult questions.

Lastly, as always is the case, this project was constrained by time. Although the calendar was largely adhered to, more time would have allowed for a fuller and more in-depth examination.

Findings

The intent of this paper is to track the trajectory of Warwick Junction as a site of inclusivity in the last twenty years, the immediate post-apartheid till now, November 2013. Much of the background discussed in the literature review provides this exact narrative but to see the full arc, some of the history may be revisited. To put it in broad terms, Warwick's narrative of inclusivity, or lack thereof, may be broken up into three key periods: Apartheid and pre-apartheid histories of exclusion and repression, the "Golden Era" following the end of the apartheid, and the most recent deterioration of

social relations and the return to old, apartheid era tactics. This section of the paper will address each period and end with the implications of this trajectory.

Presence and Role of Informal Trade in Durban Today

As the literature review explained, informal trade is particularly prevalent in many developing countries. This continues to be true in South Africa where the informal economy contributes to 8-12% of the national GDP.⁶⁵ However, while many may see the informal trade sector as a nuisance, as much of the literature suggests, it appears to be an accepted part of the economy. City officials, formal shopkeepers and informal traders all recognize its importance and understand that it not only contributes to the national economy but also serves as an important safety net.⁶⁶ As former iTRUMP Project Leader Richard Dobson points out, many South Africans are victims of a poor education system and are subsequently unqualified to hold a range of jobs; coupled with a substantial unemployment rate that particularly affects the youth, street vending offers an entry point into the economy.⁶⁷ It also provides an opportunity for this population to pursue entrepreneurial activities.⁶⁸ When discussing entry points, another assertion is that informal trade plays an important role in the transformation of the

⁶⁵ Quazi "An Analysis of Municipal Approaches" 16-17

⁶⁶ Sutcliffe Formal Interview, Khomo, J. *Informal Trader*. Formal Interview. 12 November 2013., Reddy, L. *Formal Shopkeeper*. 14 November 2013.

⁶⁷ Dobson Formal Interview

⁶⁸ Sutcliffe Formal Interview

economy. With a history as racially segregated as South Africa's, it is also an entry point into a freer market economy. Not only is it a factor of economic transformation but it also serves as a tool to further cultural transformation because the products and services informal traders sell have a cultural significance formal businesses are unable to replicate.⁶⁹ Lastly, connected to the concept of informal trading being a valuable contributor to the national economy, it is an important part of the economic distribution chain.⁷⁰ What is remarkable is that actors representing diverse backgrounds, including City officials, all agree to the importance of the informal economy, consistently acknowledging that it provides an essential safety net for poor South Africans. Yet the question is whether that recognition is corroborated by policy and implementation towards the informal trade sector.

A History of Exclusion and its Effects

Globally, informal trade has had a long and repressive history. In South Africa, this held particularly true, dating back from the colonial days.⁷¹ As the literature review covered, colonial policies singled out black South African traders, completely criminalizing the muthi trade and restricting all other rights and practices. Street vendors were completely at the mercy of oppressive legislation and policing, while

⁶⁹ Dobson Formal Interview

⁷⁰ Sutcliffe Formal Interview

⁷¹ Skinner "The Struggle for the Streets" 230-231

blacks were seen to simply be servicing white needs. The apartheid era, beginning in 1950, only saw more exclusive legislation and marginalization, which had a profound effect on Warwick Junction. With Durban being segregated through the apartheid mandate, there were few entry points into the city for black South Africans. Warwick Junction, on the outskirts of downtown Durban, became that transportation hub and soon saw thousands of bustling commuters pass through the area on a daily basis.⁷² However, despite the traffic Warwick was seeing, as a black centric area, the apartheid government refused to develop the region and the infrastructure remained poor.⁷³ The streets and facilities were often unsuitable to the way they were being used, the roads and drainage were in disrepair and, in many ways, Warwick was difficult to navigate. The segregation from the apartheid manifested itself spatially as certain areas were extremely difficult to access and blocked off from others.⁷⁴

However, the certain events transpired in Durban during the 1980s which would deeply impact informal trade. The Progressive Federal Party won local elections in Durban in the early eighties. A more liberal group than the National Party, they recognized the importance of street trade, going as far as to commission the Market Survey and Hawker Report to assess the current approaches to street trading.⁷⁵ Following the publication of these reports, the City Council recognized the need to shift

⁷² Sutcliffe Formal Interview

⁷³ Moolla, H. *iTRUMP Senior Manager*. Formal Interview. 18 November 2013.

⁷⁴ Ndlovu, P. *Former Area Base Manager*. Formal Interview. 14 November 2013.

⁷⁵ Skinner "The Struggle for the Streets" 6

its approach to street trading, finally acknowledging traders as a permanent fixture, and a contributing factor to the economy. Although the City recognized the need for a new approach, a former City Official says management was daunting.⁷⁶ At this same time, while the country was in chaos from the anti-apartheid protests, enforcement of street trading laws became lax and traders began to move back into the cities wherever they deemed convenient.⁷⁷

As a result, Warwick Junction became a chaotic place, in terms of traders crowding the streets and facilities breaking down from overuse and neglect.⁷⁸ This chaos created opportunities for crime, and Warwick soon became home to rampant violence. In 1996, it was estimated that there were over 50 murders in the Warwick area.⁷⁹ Traders also recognized the disorder and talked about the “small paths to walk through...shacks everywhere. It wasn’t safe to walk there.”⁸⁰ These pressures created hostility all around as police harassed vendors. A traditional medicine healer described the conditions as ‘very bad.’ “You couldn’t sit where you wanted to sit. The police would come and take all your stuff.”⁸¹ This tension escalated to the point that harassed traders went as far as to “declare war” on the city police.⁸² The persecution and

⁷⁶ Ndlovu Formal Interview

⁷⁷ Dobson and Skinner “Working in Warwick” 45

⁷⁸ Moolla Formal Interview

⁷⁹ Dobson and Skinner “Working in Warwick” 110

⁸⁰ *Ibid.* 87

⁸¹ Dlamini, Z. *Informal Trader*. Formal Interview. 11 November 2013.

⁸² Dobson and Skinner “Working in Warwick” 65

exclusion informal traders suffered from the apartheid government and the police was taking a serious toll.

The “Golden Era”

One note must be made at the start of this section: the very notion that an inclusive, “Golden Era” existed has been disputed. Namely, former City Manager Michael Sutcliffe insisted one should not “romanticize the 1990s and that it was all hunky dory.”⁸³ Yet these conclusions will focus on the perspectives of the traders, although it will make some mention of the perspectives of City officials, and assert there was a period of inclusivity.

Warwick Junction, the notorious “crime and grime” area of Durban, began attracting the City’s attention. As the City decided to clean up the area, the processes were designed to be inclusive and engage the community as much as possible.⁸⁴ In 1991, forced to deal with the overcrowding of traders in Warwick, the City established the Department of Informal Trade and Small Business Opportunities (DITSBO), which would later become the Business Support Unit (BSU). In addition, the inner-eThekweni Regeneration and Urban Management Program (iTRUMP) was mandated to assist with

⁸³ Sutcliffe Formal Interview

⁸⁴ Dobson Formal Interview

the regeneration process and clean up the area, specifically through the Urban Renewal Project in 1996.⁸⁵

There were a few key points considered from the start which played a large role in framing the process. For one, as the apartheid era drew to a close and democracy became the national mandate, there was a new feeling of reconciliation and a desire to engage in inclusive processes. As Richard Dobson, an iTRUMP Project Leader, put it, in many ways, there was a national euphoria and energy that the country had avoided an outright war and was able to find peace. For Durban and informal trade reform, this attitude translated into a conscious effort on the part of the City officials to consult traders.⁸⁶ The actors who led the Project were aware of this, and realized that innovation in local governance was a necessity. Dobson said when he started at iTRUMP, he was aware of two key facts: that design would be able to mitigate the urban management challenges of informal trade, and that any design and implementation process would have to be responsive to the needs of informal traders. In particular, there were a few considerations which had to be continually kept in mind. Including the beneficiaries of the projects was essential to understanding if, for one, the city was responding with the right project, and if the technical processes would actually be effective. Lastly, the whole process had to be sensitive to the disruption caused by the construction.⁸⁷

⁸⁵ Dobson Formal Interview

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

Dobson explained how, for local government, this entailed reconfiguring institutional structures. It was clear that normal management processes would not be effective, so it was agreed to engage in an area based management (ABM) scheme. However, the structure that became the final process was unlike traditional ABMs. Instead of creating a new team, which is the most expensive part of the process, the project simply assembled officials from existing departments and moved them into one building. Although they continued to maintain many of their old tasks, this conglomeration of officials made collaboration much easier, as department silos were spatially broken down. According to Dobson, from then on, everyone was much more involved and there was a surge of energy.⁸⁸

This energy assisted with the first challenge the Project tackled, revitalizing the herb market facilities. From this process, the Project leaders were able to learn some valuable lessons. In particular, the importance of consultation, innovative designs and communicating those designs were critical to completing successful interventions. This particular process also illustrated that unforeseen challenges, such as the dispensation of facilities, had to be dealt with particularly delicately. In this case, after discovering the quality of the new facilities the herb traders would receive, there was a sudden increase in the number of healers and traders who needed trading spaces in that

⁸⁸ *Ibid.*

market. Consequentially, the Project managers focused on ensuring each trader was located appropriately.⁸⁹

Many of the actors involved in the regeneration Project echo the same sentiment, largely attributing their success to the political and social climate following the transition into democracy. The entire operation was a bottom-up process, focused on integrating the beneficiaries into the development discussions and decision-making process.⁹⁰ City officials from that time insisted that knowing and respecting the traders' work was critical to being able to work effectively with them. Former Area Based Manager for the Business Support Unit Patrick Ndlovu said that they had to "think like a trader. We had to put [ourselves] into their shoes." That included understanding the dynamics of their operations, particularly how and why they did things a certain way. "Once you understand, then you can try to accommodate that. Asking questions allows you to make informed decisions." This investment in social relations, through the capacity and desire to take the time to interact with and understand the traders, was crucial.⁹¹

Another essential factor contributing to the success of the Renewal Project is the resources available. In addition to the funds Durban was able to allocate to Warwick Junction, this ABM area became one of five in KwaZulu-Natal that benefited from a

⁸⁹ *Ibid.*

⁹⁰ Moolla Formal Interview

⁹¹ Ndlovu Formal Interview

European Union grant. Starting in the early 2000s, the EU gave out a few million rands to five ABM initiatives: the airport and industrial estate area, the Kwamashu township, a rural area, Cato Manor and iTRUMP in Warwick Junction. This funding, covering a three-year period, alleviated some of the pressure on the city to continue pushing the project on its own.⁹² One concern often raised in ABM initiatives is partisan funding, a critique Durban had to be aware of when working in Warwick.

However, despite these factors that contributed to the success stories, there were serious challenges for the ABM process in Warwick Junction. Much of the Project's success is attributed to the energy and collaboration of the actors involved; yet this methodology and mechanisms to achieve success has implications. An important consideration at the time was how to institutionalize the process and ensure its sustainability.⁹³ One part of this was formalizing Durban's policy and approach to informal trade through the Informal Economy Policy (IEP). The IEP, adopted in February 2001, was unique in that it recognized that the informal economy is critical to local economic development as it creates jobs and incomes for many of the area's poorer citizens. Some key findings included: the acknowledgement of the role of the informal worker, the suggestion that area-based management zones be created, and a commitment by the City to provide support for small business enterprises. For street

⁹² Dobson Formal Interview

⁹³ *Ibid.*

traders in particular, there were three important acknowledgements that would directly impact them, although it must be noted that current progress is less than ideal:⁹⁴

- The IEP identified an integrated information system as a critical element for moving “towards a better managed, more developmental and coordinated approach, with incentives for registration and self-regulation.” Although some progress has been made, this system has yet to be established.
- The IEP suggested the street trader by-laws be re-developed to “reflect the overall policy move away from sanction and control, towards support and the creation of new opportunities in a well-managed environment.” In 2002, Legal Resources Centre drafted a new set of by-laws, but the previous ones remained in place as of 2007.
- The IEP suggested supporting existing organizations to develop a support service to help traders by advising them on how to become more democratically constituted and providing a venue for these meetings to increase trader representation. Instead, the Council established its own committees to negotiate with. In addition, the Business Support Unit staff developed a standard constitution for these committees which makes membership compulsory for permit holders, completely contradicting the IEP’s suggestion and violating the people’s constitutional right to association.⁹⁵

While the IEP was one mechanism of institutionalization, another important aspect of the sustainability of the work was tied to the actors managing the project. Michael Sutcliffe, City Manager during this time, critiqued the process, insisting that the Project leaders “drove iTRUMP [and the project] as individuals.”⁹⁶ However, those officials, such as Richard Dobson, insist they did their best to make the process as independent as possible, attempting to ensure its maintenance.⁹⁷

⁹⁴ Skinner “The Struggle for the Streets” 236-8

⁹⁵ *Ibid.* 237

⁹⁶ Sutcliffe Formal Interview

⁹⁷ Dobson Formal Interview

However, as much as the methods may be critiqued, the Urban Renewal Project had many successes. Now, Warwick Junction, an essential part of Durban, is considered to be much safer; many traders have established sites to conduct their trading, and there is a sense of ownership and pride in the area.⁹⁸

The Deterioration of Social Relations

However, despite the progress made by the iTRUMP Project, it seems as though the conditions in Warwick Junction may be deteriorating. A former Area Manager said that since 2008, “you could tell the City [started] diverting to the old tactics of being anti-informal traders.”⁹⁹

He added that much of the area is falling back into disrepair. Unsatisfied traders complain that the city does a poor job maintaining their facilities, many of which are breaking down.¹⁰⁰ They insist that it has “been a long time” since the City has helped them. They accuse the City of “sending the police to get [our] goods.”¹⁰¹ As the leader of the herb market said, “if something’s broken, they’re bad to help come fix it, but quick to come collect rent.”¹⁰² This statement illustrates how informal traders view the city:

⁹⁸ Dobson and Skinner “Working in Warwick” 57

⁹⁹ Ndlovu Formal Interview

¹⁰⁰ *Ibid.*

¹⁰¹ Khomo Formal Interview

¹⁰² Dlamini Formal Interview

reluctant to assist when something breaks or fails to function, a common occurrence, according to informal traders interviewed for this project.

As a result of the deteriorating facilities, social relations between informal traders and City officials are similarly breaking down. There is mistrust and a lack of empathy for the other perspective on both sides. When asked about relations with the City and current development processes, the traders interviewed expressed disgust and skepticism, accusing the City of having its own agenda.¹⁰³ One declared that the City's "priority is now to build revenue, not to develop" or provide opportunities.¹⁰⁴ In particular, much of this anger seems directed at the Business Support Unit, the government department in charge of management and development of informal traders in the Warwick area. Traders have little faith in BSU, insisting "it does bad to the traders," and have even taken to calling it the 'Business Destroyer Unit.'¹⁰⁵ Much of this hostility comes from the fact that BSU has seen substantial turnover derived from informal trade permits in the last decade, and traders complain that the new officials do not understand how things are or should be.¹⁰⁶ Another critical point is that BSU pays the salaries of the auxiliary police force, the team responsible for impounding traders' goods.¹⁰⁷ These are the same police officials who are blamed for harassing traders:

¹⁰³ Dlamini Formal Interview, Khomo Formal Interview

¹⁰⁴ Dlamini Formal Interview, Ndlovu Formal Interview

¹⁰⁵ Khomo Formal Interview, Ndlovu Formal Interview

¹⁰⁶ Dlamini Formal Interview, Khomo Formal Interview

¹⁰⁷ Ndlovu Formal Interview

“The police are willing to confiscate anything, and try to as much as possible. They will walk around the area, stopping at each table and asking the traders for permits. If the permits are out of date, they don’t offer a warning, but immediately confiscate the goods on the spot. The traders cannot even renew the permits when the police come, but must go to another office.”¹⁰⁸

In addition, among traders and the organizations that work on their behalf, there seems to be a widely held belief that BSU fails to take trader needs into account. The proposed 2010 mall is a commonly cited example of the City failing to consult or include traders.¹⁰⁹ Traders maintain this is a common trend and there is little communication. Instead, they complain that “now [the City] just shows us the plan without consulting us.”¹¹⁰

This frustration further translates into a lack of interest in the current system. The head of the herb market, a community leader, expressed her apathy with the “broken system.” She complained that current BSU employees have no vision, and that the City Manager is a ‘puppet’ of political pressure. No City representative was safe from her contempt, including the city council, as she said explained how useless she believes it is to vote for City councilors.

“You have to get one that would understand. So you must vote for councilors who understand. We pushed for an old trader to be a councilor but now he’s useless too. We would give him a list of requirements but he’s come back and [he

¹⁰⁸ Ndlovu, P. *Former Area Based Manager*. Informal Interview. 31 October 2013.

¹⁰⁹ Dlamini Formal Interview, Khomo Formal Interview, Ndlovu Formal Interview, Ndlovu Informal Interview

¹¹⁰ Dlamini Formal Interview

says] there's not enough [in the] budget. Nothing is moving [now]. Everything you see now is from the 1990s and 2000s."¹¹¹

Another informal trader echoed a similar sentiment when asked about trying to make his opinion and needs known. "I don't know now, these new people [at BSU]. So many times we tried to raise issues but there was nothing done, nobody listened, nothing changed. We're just seen as rubbish people."¹¹²

On the other side of the spectrum, City officials similarly echo frustration with the processes and relations with informal traders. Although accounts differ, officials from various departments agree that there are serious tensions between the City and traders.

The current iTRUMP Manager Hoosen Moolla, who has had a long history of working in Warwick, insists his department has historically had an excellent relationship and engagement with informal traders. He describes iTRUMP's management approach as bottom-up, with consultation being an integral part of any decision making process; "we [don't] just go in there, we [make] an effort to consult [them]." Although he concedes that certain projects have caused tension, like the 2010 mall proposal, he attributes much of the antagonism to BSU-trader relations. "That was an instance when the City didn't go through the ABM approach and hoodwinked [everyone]." Although he recognizes relations with traders have not been fully

¹¹¹ *Ibid.*

¹¹² Khomo Formal Interview

repaired, he, like many of the traders, ascribes the friction to BSU, insisting, “they created most of the damage...[they] are the challenge.”¹¹³

However, BSU officials hold a very different view. BSU Deputy Head Thulani Nzama challenges any assertion that relations were tense between BSU officials and informal traders. Instead, he attributed any conflict to internal disagreements between traders and their own street committees. Insisting that that relationship dynamic is the source for “all struggles for power,” Nzama asserts that the influences from street committees and external stakeholders, such as NPOs, incite unrest and frustration. In addition, he maintains that BSU makes an effort to engage in inclusive processes. There are three key forums he cites as opportunities to work with informal traders: consultation at the local level, mass meetings every two months that are open to all traders and their committees, and ‘The Forum’ meetings, led by City Councilors every three months to interact with representatives from trade organizations and the informal traders.

“The process is very effective. Only problem is that when there’s a consultation, it doesn’t mean we always agree or [everyone] will be happy. We may agree to disagree. Sometimes it’s just ‘this is what we’re planning, here are the pros and cons.’ Some people may not be happy but that doesn’t mean we didn’t deliver.”¹¹⁴

Nzama’s statement illustrates a key attitude the City holds regarding informal trade: that traders create problems by having unrealistic expectations. In particular, Nzama

¹¹³ Moolla Formal Interview

¹¹⁴ Nzama Formal Interview

complains of traders being completely unaware of the scope of budgetary challenges. He insists that informal traders do not understand the reality of being in the informal economy sector, and continue to ask for more resources and services, failing to recognize that the funds to deliver those queries do not exist. "But once they start getting something, then they just want more," Nzama said. "They don't understand that to pay for those extra things, we'll have to charge higher rents and they'll have to pay more. But in their eyes, they only see you as a government official and expect you to deliver everything."

Former City Manager Michael Sutcliffe reflects this exasperation with trader attitudes when he noted the traders' failure to adjust to modern society. He asserts that many of the points informal sector advocates make against development are out of date. In particular addressing the 2010 mall controversy, he said, "if we were living in a socialist society, you could use those arguments, but I'm sorry. We're not." Instead, he insists that implementing development plans would show whether the progress he championed as City Manager was truly desired by the community. Although this assertive implementation approach ultimately caused uproar throughout Warwick Junction, he insisted the most effective strategy would have been to "let the community decide if they don't want a mall. If they don't want the new facilities [such as a mall], it'll fail."¹¹⁵

¹¹⁵ Sutcliffe Formal Interview

Research Analysis

The object of this paper is to track the trajectory of inclusivity in Warwick Junction. A few things are now evident: the history of the area is tumultuous but seems to cover times of subsequent collaboration, exclusion and repression. However, another key point is that many of the accounts vary and any finding this paper concludes is likely to be challenged by at least some of the stakeholders.

Nonetheless, some effort must be made to explain the end of the “golden era” and the “return to old tactics.” A wide range of explanations has been offered, ranging from institutional apathy, a few critical moments or unsuitable officials managing the area.

One crucial moment commonly cited as a catalyst for tension in Warwick was the mall proposal for the 2010 World Cup and the ensuing debate. Many, in particular City officials, seem to see it as the moment when relations began breaking down, and recognized that the damage caused would take a substantial amount of time and effort to heal.¹¹⁶

Yet that single event does not account for all the conflict surrounding development projects in Warwick: traders voiced complaints dating back from the mid

¹¹⁶ Sutcliffe Formal Interview

2000s.¹¹⁷ Although much of the literature surrounding Warwick Junction is written in the mid-2000 period and highlights the area as a shining example of innovative and effective ABM, it seems that, while those findings were being documented, hostility was brewing. Traders blame turnover at BSU, contending the department is full of new people who refuse to collaborate with them and are too arrogant to take the time to understand their old system.¹¹⁸

A related argument considers the leaders who are now managing BSU rather than simply looking at the institution. One change in the last decade, which is likely to have affected an ABM initiative, is that iTRUMP's jurisdiction substantially expanded. While iTRUMP, still located in the heart of Warwick, used to focus entirely on Warwick, its mandate now covers nine areas, including the Umgeni Estuary and the southernmost point of the Durban coast.¹¹⁹ Although iTRUMP officials deny that the expansion affected their work in Warwick Junction, a common issue in ABM is that when areas change, particularly if they expand, the quality and method of management changes as well. On another note, one criticism leveled at the Urban Renewal Project leaders is that the institutions and processes were not sustainable. City officials in particular argue individuals drove organizations such as iTRUMP.¹²⁰ While some of the leaders who were criticized responded that they did their best to create as many

¹¹⁷ Dlamini Formal Interview, Khomo Formal Interview

¹¹⁸ *Ibid.*

¹¹⁹ Moolla Formal Interview

¹²⁰ Sutcliffe Formal Interview

independent thinkers as possible, if this was the case, it could have consequential repercussions. A personality-centric project or ABM initiative is less likely to succeed in the long term, once those individuals are no longer affiliated to the work.

However, one last explanation is the possibility that the deteriorating relationships are simply a result of post-apartheid era national energy subsiding. Richard Dobson, former Project Leader of iTRUMP, put it plainly: “Quite simply, it boils down to the honeymoon period being over.” He attributes the traders’ frustration to a lack of problem-solving oriented people supervising the area and the ensuing neglect or institutional mismanagement of informal trading. The ABM approach used in the late 1990s only temporarily changed how the government conducts business, and failed to fully change the nature and attitudes of civil servants and their approaches.¹²¹

Conclusions

To understand Warwick as a site of inclusivity, this paper narrated the history of informal trade in Durban, and what changes have occurred in the past twenty years. Although Warwick Junction has had an admirable past of innovative solutions to urban development and management, this paper asserts this is no longer the case. While the importance of informal trade is widely acknowledged, there is a disconnect between the policies created, implementation, and what is desired on the ground. Traders are

¹²¹ Dobson Formal Interview

vehement in their censure of City management, and even government officials admit that Warwick is in desperate need of repair and restoration. Yet both sides acknowledge the difficulties of working with their counterparts.

This paper has offered a variety of explanations accounting for the deterioration of management methods, and with them social relations. Yet the case remains that there is a lack of analysis in academic literature, virtually all of which simply examines Warwick until the mid 2000s. Whether it is simply the effect of negative turnover in a government department, or a failed ABM process, something shifted drastically. One intriguing possibility is that this is the result of the post-apartheid euphoria wearing off. This premise has interesting implications as to the sustainability of policies and how a fledging democracy fares a few decades later.

Nonetheless, there are substantive issues preventing innovation and collaboration from growing in Warwick. In particular, a lack of communication and conflicting ideologies pose considerable challenges. In cases such as the 2010 mall, traders see the development, as it is proposed, as a threat to their livelihood, and consequently resist it. As a result, the City sees the traders as adverse to any progress or improvement. This conflict makes the City less likely or willing to work with the traders, further infuriating them and creating a perpetuating cycle. However, there is a disconnect in that traders are not necessarily opposed to development, but need to be

included in the process.¹²² Yet in the end, in many ways, the progress informal traders would be likely to support would be development that improves their infrastructure and facilities, rather than changing the nature of trading opportunities. Perhaps it simply comes down to differing definitions of development and ideological opinions that cannot be reconciled.

It appears that the City perspective follows the “Western” notions of development, while others advocate maintaining the historical integrity of the informal sector. Perhaps there is simply a tension between different urban management philosophies, and conflicting opinions on how to shape Durban’s urban future.

This paper asserts that this is the crux of the issue, and fundamentally what the issues have been and will continue to be about. However, as the case stands, the City and informal trade sector stand at polar ends, unable to reach an ideological compromise. Whether or not this agreement is possible is not addressed in this paper. It may well be the case that an innovatively inclusive city has discovered how to maintain the heritage of informal trade while keeping up with global expectations of “world-class urbanism.”¹²³ It can only be hoped that such an understanding can be reached in Warwick Junction.

¹²² Dlamini Formal Interview

¹²³ Dobson, R. and T. Quazi. Critique from the Streets: Parallels between Turkey, Brazil and South Africa. *Asiye eTafuleni*. 14 August 2013. < <http://www.aet.org.za/2013/08/critique-from-the-streets-the-parallels-between-turkey-brazil-and-south-africa/>>

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Appendix A: Interview Guide

Personal Information

- Name
- Profession
- Length of residence in Durban

General Opinions on Trade

- In your opinion, what is the role of informal trade in the national economy?

Context (institutions, policy, urban changes and interventions)

- What has been/is your involvement in Warwick Junction
- How long were/have you been involved in that capacity?
- Have you observed urban changes over time?
 - What led to these changes?
 - What were the interventions implemented, and what were the motivations?
 - City officials: what kind of support, resource and mandates did/do you have from the national/provincial government?

Social Relations (in relation to the above)

- How long have relations between stakeholders (government officials, traders, and their organizations or third parties) been historically?
 - How have they changed?
- Has there been an effort to include informal traders in development and policy talks?
 - If so, how would you rate that effort?
 - Who were the key players involved?
 - What were the critical moments?
- What were the biggest challenges you faced?

Current

- In your mind, what would be an ideal policy regarding Warwick Junction?
 - What are the biggest barriers to achieving that?

Appendix B: Timeline of Events and the Implications

YEAR	EVENT	IMPLICATIONS
1891	Chapter 14 Code of Natal Law	Legislation limiting muthi trade
1895	Zululand Proclamation	Further legislation limiting muthi trade
1897	Act No. 18	Legislation restricting licenses for wholesale and retail dealers; gave discretionary power to refuse licenses
1909	Native Beer Act	Established a municipality monopoly on beer negatively affecting beer traders
1910		Traders begin selling at Early Morning Market
1916	Native Affairs By-Laws	Durban Town Council establishes precise procedures for the registration of "Natives," limiting their access into the city
1923	Native (Urban Areas) Act	A result of Stallard Commission Report and, concluding "Africans were only required in cities to service white needs," they should depart back to the reserves
1928	Medical, Dental and Pharmacy Act	Further legislation limiting muthi trade
1945	Black (Urban Areas) Consolidation Act	Imposed restrictions on economic activities in "black areas"
1950	Group Areas Act	Excluded people from areas of the city based on their race, effectively barring Africans from trading
1957	Witchcraft Suppression Act	Completely illegalizes open trading of medicine and herbs
1962	Durban Street Trading By-Laws	Outlawed street trading in the city
1973	Natal Ordinance	Established "move along" laws which forced informal traders to move from their vending site within fifteen minutes
Late 1970's	Hawkers Action Committee	Mounted a protest against Durban for its mistreatment of hawkers in the area
Early	Progressive Federal Party wins	A more liberal party than the National Party, the

1980's	local Durban election	PFP commissions the Market Survey and Hawker Report to assess current approaches to street trading
1983	Market Survey published	Report assessing approaches to street trading
1984	Hawker Report published	Survey of traders which, in conjunction to the Market study, found ways to reform policies
1985	Councilor Subcommittee established	A city committee established to attempt to find ways to implement more practical and favorable policies for street traders
Mid 1980's		National influx control laws become unenforceable
1987	National White paper of Privatization and Deregulation	National government publication suggesting a more tolerant approach to black, small businesses
1991	Businesses Act	National legislation helped to deregulate business activities, removed barriers to the operation of informal activities and made it an offense to move along laws
1991	Department of Informal Trade and Small Business Operations (DITSBO) established	Department formed to reconsider Durban's approach to informal trade
1993	Amended Business Act	Allowed local authorities to create municipality by-laws, in particular declaring restricted and prohibited time zones
1994		First democratic election in South Africa
1994	Durban Health Department introduces health training program for traders	Traders are no longer seen as temporary participants
1994	Self Employed Women's Union established	Organization established on the behalf of traders, to protect traders
1995	Durban by-laws published	Some inner city areas became prohibited trade zones but most became restricted trade sites. However, in conjunction with national legislation, traders who breached the by-laws or traded in prohibited areas were subject to fines and their goods being impounded
1995	Informal Traders Management Board (ITMB) established	Another organization established to represent traders and create communication pathways between traders, city and council to negotiate
1996	Urban Renewal Project launched	A major regeneration project for Warwick Junction
1997	Traders Against Crime formed	Collaborative effort between traders, South African Police Service and the Durban Metropolitan Police

1997-2000		Urban Renewal Project delivers over R40 million in capital works and reform
1999	Informal Economy Policy task team formed	
2000	Municipalities Act	Mandates a democratic decision making process, including stakeholder consultation, in the municipality
2001		Durban adopts a new, inclusive policy towards street traders
June 2004		Metro police seize traders' goods at various points across cities
November 2004	Council approves Public Realm Management Project	A R3.7 million budget assigned to a project to employ and equip 50 Metro police officers to patrol informal trade areas
December 2005	Siyagunda established	Organization of street barbers to protect and represent their rights
November 2006	Trader march on city council	Siygunda, the Eye and the Phoenix Plaza Association went to city council to deliver memo of demands to stop police harassment
2008	Asiye eTafuleni established	A Warwick Junction advocacy group formed to work with traders and city officials
2009	Durban city council proposes mall development in Warwick Junction	Results in massive uproar and uprising across Warwick Junction
April 2013	Raid on taxi drivers and informal traders	