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The Challenges of Eradicating Informal Settlements in South Africa by 2014. The Case of Seraleng Sustainable Human Settlement, Rustenburg Local Municipality, North West Province.

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A thesis submitted to the Faculty of Engineering and Built Environment of the University of the Witwatersrand, Johannesburg, in fulfillment of the degree of Master of Science in Housing.

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Abstract

In 2004, the Department of Housing declared to eradicate informal settlements in South Africa by 2014 following the unprecedented housing backlog, proliferation of informal settlements, social exclusion and the inability of municipalities to provide basic infrastructure to the urban poor households. The domination of the neo-liberal macroeconomic planning policies have also worsened poverty, employment opportunities and increased inequality within the town of Rustenburg. This research report has identified barriers which frequently impact negatively on livelihoods, good governance, security of tenure and sustainability of the affected members of communities. The complexity of informal settlements makes it difficult to relocate residents to greenfield locations. The post-apartheid government's resettlement programme still locates the urban poor households on the peripheries of the cities, a pattern similar to the one used during the apartheid era. Notwithstanding the acquisition of the individual ownership of the low-cost house, resettled communities still live in abject poverty and risky environmental conditions. In order to respond to the housing problems and poverty, settlement upgrading is mostly appreciated as the necessary mechanism to integrate the fragmented housing sector.

Declaration

I declare that this research report is my own unaided work. It is being submitted in partial fulfillment of the requirements for the degree of Master of Science in Housing at the University of the Witwatersrand, Johannesburg. It has not been submitted for any degree or examination in any other institution.

V. Tshikotshi

…… 29 October 2009

List of Abbreviations

AIDS-Acquired Immune Deficiency Syndrome
ANC- African National Congress
BNG-Breaking New Ground
BPDM- Bojanala Platinum District Municipality
COHRE- Centre on Housing Rights and Evictions
CSG- Child Support Grant
DAG-Development Action Group
DBSA-Development Bank of South Africa
DoH- Department of Housing
GEAR-Growth, Employment and Redistribution
HBEs-Home-based Enterprises
HIV-Human Immunedeficiency Virus
ICESR-International Covenant on Economics, Social and Cultural Rights
IDP-Integrated Development Plan
IGR-Intergovernmental Relations
IMF-International Monetary Fund
ISUP-Informal Settlements Upgrading Programme
MDGs-Millenium Development Goals
MEC-Member of the Executive Council
NHSS-National Housing Subsidy Scheme
NWPG-North West Provincial Government
PIE- Prevention of Illegal Eviction from and Unlawful Occupation of Land Act
RBA-Royal Bafokeng Administration
RDP-Reconstruction and Development Programme
RLM-Rustenburg Local Municipality
RSA-Republic of South Africa
SAFs-Structural Adjustment Frameworks
SAPs-Structural Adjustment Programmes
Stats SA-Statistics South Africa

SEA-Strategic Environmental Assessment

UNCHS-United Nations Centre for Human Settlements

UNDHR-United Declaration of Human Rights

UNESCAP-United Nations Economical and Social Commission for Asia and the Pacific

UN-United Nations

WB-World Bank

WHO-World Health Organisation

Dedication

I would like to dedicate this report to my wife Lufuno for her support and encouragement. I also dedicate it to my parents: Zwoitwa Samuel and Phophi Luambo Tshikotshi, brothers Ntuweleni and Walter. It would be really unfair not to acknowledge blessed messages from my in-laws Phineas Nndwakhulu and Florence Khorommbi for urging me to carry on with my studies. I love you and God bless you all. Ndaa!

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TABLE OF CONTENTS **Page**

Title page i

Abstract ii

Declaration iii

Dedication iv

Acknowledgement v

List of Abbreviation vi

CHAPTER 1: Introduction

1.1 An overview 1

1.2 The state of informal settlements in South Africa 1

1.2.1 HIV/AIDS within informal settlements 5

1.2.2 Service Protests, xenophobic, violence 6

1.2.3 Rapid urbanization in the South African cities 7

1.3 Problem statement 9

1.4 Conceptual Framework 10

1.4.1 Livelihoods 11

1.4.2 Good governance 12

1.4.3 Security of tenure 15

1.4.4 Sustainability 16

1.5 Objectives of the research 18

1.6 Research questions 18

1.7 Position statement 18

1.8 Structure of the report 19

1.9 Conclusion 21

CHAPTER 2: Literature Review: Different Schools of thought in Addressing the Question of Informal Settlement

2.1 An overview 22

2.2 Background: neo-liberal policies on informal settlements 22

2.3 Self-help housing scheme 27
2.4 Sites-and-services housing schemes 30
2.5 Settlement upgrading 33
2.6 Critiques of the neo-liberalism housing solutions 38
2.7 Conclusion 40

CHAPTER 3: Policy Review: Analysis of Post-Apartheid South African Housing Policies

3.1 An overview 41
3.2 The Constitution of the Republic of South Africa of 1996 41
3.3 The South African Housing Act 107 of 1997 47
3.4 The Breaking New Ground (BNG) of 2004 51
3.5 Evictions under post apartheid South African policy and law 57
3.6 Conclusion 60

CHAPTER 4: Research Methods

4.1 An overview 62
4.2 Research approach 62
4.3 Research strategy 63
4.4 Data collection 63
4.5 Data analysis 64
4.6 The limitations of research methods 65
4.7 Time perspective of this study 65
4.8 Ethical considerations 66
4.9 Conclusion 67

CHAPTER 5: Case Study of Seraleng

5.1 An overview 68
5.2 Background to Seraleng 69
5.2.1 Location of Seraleng 71
5.2.2 Education 72

5.2.3 Environmental management 73
5.2.4 Affordability 76
5.2.5 Problems of land acquisition 78
5.2.6 Security of tenure 79
5.3 Conclusion 79

CHAPTER 6: Research and Analysis

6.1 An overview 80
6.2 Livelihoods of residents of Seraleng 80
6.3 Security of tenure for residents of Seraleng 87
6.4 Sustainability of the residents of Seraleng 88
6.5 Conclusion 91

CHAPTER 7: Conclusion and Recommendation

7.1 An overview 93
7.2 Achievement of the research objectives 94
7.3 Summary of the research findings 95
7.4 Challenges developed from the research 100
7.5 Recommendation 101

References 103
Appendices 125
Appendix 1: The survey instrument 125
Appendix 2: List interviewees 130

CHAPTER1: INTRODUCTION AND BACKGROUND

1.1 An overview

This research report is on informal settlement eradication primarily through relocation. It sets out informal settlement challenges, the different approaches that have been developed internationally to deal with informal settlements and housing backlogs, the South African housing policy and legislative framework, before presenting a case study of an informal settlement relocation site, Seraleng, on the outskirts of Rustenburg, North West Province, South Africa. It explores this case on the basis of livelihoods, good governance, tenure security and sustainability.

This study provides an overview and the background to the state of informal settlements in South Africa with regard to the eradication of informal settlements by 2014, as declared by the South African government in 2004 (Department of Housing (DoH), 2004). It seeks to understand the challenges faced by post apartheid South Africa in her effort to get better models to respond to the rise of informal settlements. Eradication of informal settlements is seen as one of the ways of integrating the disjointed housing delivery sector caused by racial planning and zoning of the apartheid era (National Housing Code DoH, 2007). In this research report, I will be looking at a relocation project area of Seraleng in Rustenburg Local Municipality (RLM), North West Province, South Africa.

This chapter sheds light on the problem of urbanisation in the South African policy context. It then indicates the problem statement, position of the research, the aims of the research and the research methods.

1.2 The state of informal settlements in South Africa

Informal settlements remain eyesores across major cities in South Africa. They consist of non-conventional housing built without complying with legal building procedures. These

settlements are usually built at the edge of the cities where land is cheap and neglected (Moser and Satterthwaite, 2008; Mahanga, 2002). However, these informal settlements are often better located than the housing developments to which the government seeks to relocate them. The urban poor usually use salvaged materials like wood, tins, corrugated iron and others to build these settlements. Broadly, these crude dwellings mostly lack proper indoor infrastructures, such as water supply, sanitation, drainage, waste disposal and proper road access. Urban households regularly live in these awful conditions which increased the spread of contagious diseases (Cairncross *et al.,* 1990; Hardoy and Satterthwaite, 1990).

It is clear that the South African government as many others has failed to ensure that rapid urban growth has been supplemented with investments in services, mainly in the indigents' areas (Cairncross *et al.,* 1990). The result is an increase in the number of households living in informal settlements without suitable infrastructures. Despite these constraints, the urban poorer prefer to live in tactical and in low-to-zero serviced areas with reproductive opportunities for survival (Marx, 2003).

Furthermore, there is a bond between poor housing and environmental conditions in informal settlements which also reflect poverty. Linking basic services such as water to health is viewed as a false separation as these services are 'intimately related to housing' (Cairncross *et al.,* 1990: 19). It becomes a housing issue if children playing outside the house contract diarrhea via ingesting pathogens from fecal matter which contaminates the land on which they play. Otherwise, it is the house which provides for shelter against injury, weather and disease. Improving the surroundings of the house is to limit severe health risks existing within poor quality housing. However, the reason why housing and health matters are dealt with separately is that professionals 'rarely' have a clear idea of the health problems associated with low-income house groupings (*ibid*.: 18).

Poverty in informal settlements is much more than a simple lack of income or unemployment. It is primarily extended by the waning of health and nutritional rates, overcrowded housing, increased school dropout levels and increased stress upon physical

and social environments of low-income urban residents. It is in this context that a distinct macroeconomic model of poverty is inadequate while there is a genuine need to consider social safety nets aligned to the needs for the urban poor (Baumann *et al*., 2004).

The awful state of informal settlements in South African is often multiplied by constraints of land costs suitable for housing the urban poor and low-income groups (Khan, 2003a). Indeed, the lack of land and housing causes many urban poor including migrants to build their own houses in informal settlements, just to solve the housing problems by themselves (Yuen, 2007; Schlyter, 1995). The reality is that informal settlements which depict 'local housing markets and local cultural patterns are here to stay…' (Mosha, 1995: 353). Eradication of these settlements through relocation poses challenges of site improvement charges and, bureaucratic breakdown, while political corruption may keep people from getting adequate housing (Aldrich and Sandhu, 1995).

It is very difficult to obtain reliable figures of informal settlement backlog in South Africa. At one extreme, Statistics South Africa (Stats SA) (2007a) claims that in 2007, there were about 1.2 million people living within these settlements in South Africa. At the other extreme, Stats SA (2007b) argues that figures of families living in informal settlements decreased from 16,4% in 2001 to 14,4%. Meanwhile, 3 out of 9 of South Africa's provinces have higher figures of households living in informal settlements. For example, Free State has 18,4%, Gauteng 22,7% and North West 23,8%while Limpopo has 5,6%), Eastern Cape 8% and KwaZulu-Natal 8,6% recorded the lowest percentages of families living in informal dwellings (*ibid*.).

By contrast, estimates of the number of people housed inadequately in South Africa are possibly higher (i.e. above 1.5 million) than the Stats SA's estimation (Misselhorn, 2008). Misselhorn remarks that figures of informal settlements are always used as the foundation for counting, and not the number of sub-families which might live in a single dwelling. Stats SA (2007a) guessed that there were about 65113 families in informal settlements in Cape Town in 2004 but, the City of Cape Town disputes that there were about 94972 families (Misselhorn, 2008). Stats SA does not count the high levels of

illegal migration into South Africa from neighbouring states such as Zimbabwe and Mozambique. A substantial figure from this process can also add up to 4 million families in informal settlements. However, it is also difficult to count foreign nationals as they are afraid of being expatriated (Stats SA, 2007). Misselhorn (2008) argues clearly that there has been no rapid decline in numbers of households living within these settlements in recent years. The DoH (2009a) notes the growth of the housing backlog at about 2.2 million units and states that is increasing. This is despite an impressive low-cost housing delivery of 2.7 million houses in 14 years (Rust, 2008).

Informal settlements are described as illegal and spontaneous shantytowns lacking decent services and infrastructure. Terms for informal settlements vary ranging from slums, *favelas* (Brazil), *aashwa'i* (Egypt) and *ciudades perdidas* (Spanish, "lost cities") and *mukhukhu* (South Africa) (Kramer, 2006). Godehart and Vaughan (2008) contend that these settlements are characterized by illegality and informality, environmental hazards, poverty and vulnerability, social stress and others. In this research, I use the term informal settlements as it focuses on illegal houses without adequate structures and services.

Informal settlements provide housing for the urban poor in South African cities and towns. The current housing that is largely produced by the government through various channels, mostly by the once-off capital subsidies, is primarily unaffordable for the urban poor. The subsidy-linked low-cost housing does not help solve their housing problems United Nations Centre for Human Settlements (UNCHS) (1999). Otherwise, the low-cost housing demand has always outstripped the traditional systems envisaged by the spheres of government housing policies (*ibid*.).

Informal settlements arguably play economic roles in South Africa. Inhabitants of informal settlements often act as a labour pool that contributes to the economic growth of a city and the country. The urban economy relies heavily on the urban poor for cheap labour (Sridharan, 1995). Aldrich and Sandhu (1995) assert that the urban poor households subsidise the formal economy as they do not require large amounts of capital

for housing and related services. Mncwango (2005) and Olufemi (1998) have also accepted the worth of informal settlements in providing the urban poor with direct and cheap accommodation. As Godobo (2008) has pointed out, informal settlements are where he or she lives, recreates and pro-creates. For many, it is also where they work. Few individuals would volunteer to live in these settlements if they can afford to live in a formal brick and mortar structure (*ibid*.). Kapoor *et al*., (2004) assert that poor urban families prefer to live close to work and in communities that consist of people sharing common socio-demographic characteristics.

1.2.1 HIV/AIDS within informal settlements

While informal settlements have become permanent features of the urban landscapes in South Africa, these settlements have also become enclaves of socio-economic problems, such as the HIV/AIDS epidemic. For years ago, about 16,2% of residents of informal settlements suffer from the disease (Ambert, 2006; Thomas, 2006). The frequency of this endemic is certainly strong in informal settlements because of the mobility of the urban people which often results in 'more opportunities for sexual networking and elevated partner-change rates' (Ambert, 2006: 4).

There is also a connection between HIV/AIDS infection and urban development. Tackling the epidemic solely based on people behaviour and an attitude often 'limits the realm of possible interventions' (Ambert *et al*., 2007:4). Residents of informal settlements lack access to land and basic services which in turn exposes them to opportunistic diseases. 'Fragmented and sprawling cities are spaces where infected and affected persons face uneven to the healthcare system' (*ibid*.: 4).

HIV/AIDS, poor housing and severe living conditions are correlated, and the epidemic impacts on housing delivery. One impact of the epidemic is to create the phenomena of child-headed families (Aids, 2009; DoH, 2009b). HIV/AIDS is not gender neutral but, women still remain the worst affected (Ambert, *et al*., 2007). 'There are economic factors that drive girls to have relationships with older men and gender and social norms that

drive older men's choice of younger women as sexual partners' (Ambert *et al*., 2007: 4). The prevalence of HIV/AIDS is usually attributed to the fact that South African men hold more social and economical power for decision making than women. Most women are therefore relying economically on men (*ibid*.). Unwittingly, inhabitants of informal settlements lack capacity to deal with housing-related illnesses such as diarrhoea, tuberculosis (Leigh-Joseph, 2009; Marx, 2003).

1.2.2 Service protests, xenophobic, violence

South African urban population living in informal settlements is growing over the years. Challenges such as overurbanisation, absence of affordable housing, lack of urban policy, the legacy of apartheid planning and lack of service delivery and poor channels for communication with the local community have contributed to the wave of service protests. In many cases, residents of informal settlements complain of being in the waiting lists for many years for low-cost houses. In Marconi Beam, Cape Town, 'the community acted en masse in protest against the municipality in 1993 in order to secure permanent rights in the area' (Barry, 2006: 637).

In North West Province, where my case study is sited, violent protests are associated with 'a range of things', such as housing, roads and sanitation (City Press, 9 August 2009b: 1). The Minister of Cooperative Governance and Traditional Affairs remarks that protests are caused by 'lack of commitment from officials, compounded by the conflicts within the administration and between the administration and political offices' (*ibid*.: 1). There is also a shortage of qualified people who are skilled and knowledgeable to implement sustainable policies within municipalities. This has clearly been 'a general problem' for over '15 years without being decisively dealt with' (*ibid*.: 1). Other problems include high incidence of looting resources in municipalities whereas 'money in North West was not going to service delivery, but into the pockets of individuals' (*ibid*.: 1).

Hosken and Mbanjwa (2009) remark that xenophobic violence takes place in informal settlements. There are problems of criminal elements within these settlements as homes

and businesses owned by foreigners were burnt down and inhabitants forced to flee their homes in various areas including Standerton in Mpumalanga, Soshanguve and Atteridgeville in Pretoria. Most parts of informal settlements in South Africa experienced conflicts including political violence and illegal occupation (Marx, 2003).

1.2.3 Rapid urbanization in the South African cities

For the first time in the South African history, more people now live in cities than in the rural areas. While the urban population is also growing by 58 per cent per annum, a huge number of urban poor households live in insecure, impoverished conditions and cities are unable to respond adequately to the growing demands of urban growth (DoH, 2009b). Mahanga (2002) adds that basic infrastructure services such as water supply and accessibility to urban centres are in a dismal state. Likewise, overcrowded housing, unemployment and urban poverty have also been growing (*ibid*.).

It is vital to note that most informal settlements inhabitants migrate from the countryside to flee from rural poverty, to seek relative progress amidst the seeming optimism of cosmopolitan opportunities (Kramer, 2006). Migrants are attracted mainly to the cities by socio-economic conditions such as the considerable rural-urban gap of living standards instead of the collectivization in rural areas (Lai, 1995). The pull factor of better access to socio-economic opportunities contributed to the establishment, if not the permanence, of informal settlements in South Africa. Like in Tanzania, 'deficiency in housing supply remains a critical problem to cater for this rapid urban expansion' (Magigi and Majani, 2006:3/24).

Ironically, migrants lack the ability to succeed in the cities due to lack of skills, education and decent houses (Yap, 1995). They often 'become victims of the city's wrath' and 'they pose a daunting problem to policymakers in the developing world' (Atuahene, 2004: 1110). The reality is that migrants frequently live in 'economically, socially, and politically marginalized urban communities called' informal settlements (*ibid*.: 1110). This lack of skills also affects their ability to sustain their livelihoods.

The post apartheid South African state managed to lift apartheid restrictions which resulted in the promulgation of new urban policy. Legislations, such as the Housing White Paper of 1994, Constitution of 1996, Housing Act of 1997, BNG of 2004 and others were enacted largely to redress apartheid inequalities. As a result, cities are experiencing high population growth, densities, congestion, deteriorating environmental quality and the increasing cost of urban services. 'Migration to urban cities and internal growth of cities exceeded by far the creation of jobs' (Godehart and Vaughan, 2008: 10). It is very likely that urbanization rate in South Africa can reach about 75 per cent by 2020 (Berrisford, 1998).

Urban poor households are extremely exposed to environmental hazards as they rely on natural resources whereas their capacity to adapt to environmental dynamics remains limited. Informal settlements are also vulnerable to the problem of climate change, flooding, fires, and economic production (Roberts and Kanaly, 2006). In addition, informal settlements are insecurely built on steep slopes or in danger of flooding or of landslides and are of less interest to commercial builders (Coit, 1995; Hindson and McCarthy, 1994).

Security of tenure is vital in achieving sustainable human settlements that provides for adequate accommodation, livelihoods and infrastructure. Since human activities are attached to land, tenure options (e.g. ownership, use and lease) need to be protected. Most land is controlled and owned by private interests making it difficult to service and less accessible, available and affordable to the poor. Thus, urbanisation exists side by side with an increase of poverty, rise of informal settlements and inadequate housing. This is a national housing crisis as the targeted low-income groups could not afford to fund their own housing (Guitierrez *et al*., 1995).

1.3 Problem Statement

The study report seeks to understand challenges of eradication of informal settlements through relocation in South Africa by 2014 (BNG DoH, 2004a). The relevance of the four concepts livelihoods, good governance, secure tenure and sustainability is to assess their interconnectedness within informal settlements. Livelihoods approaches provide for a holistic framework for evaluating resources and assets which are available, and I attempt to understand how livelihoods are connected to the eradication of informal settlement strategy. There is also a need to support the coping and livelihood strategies of the poor as they know how to solve their own problems (Khan, 2003a).

Good governance means collective governance with a common goal of a country's socio-economic development. It implies authority, processes and institutions which are efficient and effective, participatory, equitable and responsive to the needs for the poor. It often plays a vital part in the growth of the economy, reduction of poverty and sustainable development. One of the principles of good governance is to ensure that the voices of the marginalized urban poor are heard and considered as they will be the ones who are going to be affected by eradication of informal settlements. There is also a need to empower the urban poor in effective and participatory governance for sustainable change (Raposo, 2008).

Secure tenure means conditions in which the land or buildings are held. South African urban land markets still favour the upper income groups. Security of tenure in South Africa is primarily based on individual ownership. There is also vigorous competition, commercialisation and rising of prices for land, making expropriation of land highly difficult for housing development. This has often resulted in the massive market-driven displacement and evictions within informal settlements. There is also a problem that the urban poor are unable to access land as it is costly. Problems of poor land regularisation and policies often encourage further informal settlement formation on the peripheries of the cities.

Sustainability is defined as a development that meets the needs of the current generation without compromising the ability of the future generations to meet their own specific needs (Botchway, Noon and Setshedi, 2001). The main aim of sustainability is to decrease the total poverty of the world's urban poor by offering secure livelihoods which reduce resource depletion, environmental degradation, cultural destruction and social instability (*ibid*.). Ellis (2000) has argued that any housing intervention strategy which does not take into consideration the above concepts (livelihoods, good governance, secure tenure and sustainability) within informal settlements, will fail.

It is important to distinguish between "eradication" and "relocation" of informal settlements. Eradication refers to doing away with something completely, in this case informal settlements. This can be done either through relocation or in situ upgrading. According to the BNG, eradication of informal settlements means *in-situ* upgrading to the development of informal settlements in designated/existing areas by providing land, municipal infrastructure and social amenities. Relocation can only be considered where development is impossible or not desirable, and must be based on voluntary and cooperative basis (DoH, 2004).

Settlement upgrading is more appropriate in responding to poverty, vulnerability and social inclusion than the relocation of informal settlements (Huchzermeyer, 2006). Further, relocation can disrupt socio-economic activities of the urban households (*ibid*.). Kapoor *et al*., (2004: i) have argued that '…upgrading settlements in situ is welfare enhancing'. In this report, I use the term eradication of informal settlements to mean doing away with informal through relocation as it is the interpretation Rustenburg Local Municipality (RLM).

1.4 Conceptual Framework

This study seeks to understand challenges of eradicating informal settlements as a form of housing for urban poor families. The research has also adopted a conceptual framework developed by the Wits Research Team led by Professor M Huchzermeyer in

2004 which was conducted as a background *Study into the Support for Informal Settlements* for the DoH in 2004 (Huchzermeyer, 2006; DoH, 2004). Huchzermeyer *et al*., (2004) identify three key concepts: *livelihoods*, *good governance*, and *tenure security* as frameworks. However, *sustainability* is an extra concept for further consideration. These frameworks are interdependent and are explained in detail below:

1.4.1 Livelihoods

Livelihoods are central in the broad understanding of how urban poor households earn their living; how the urban environments impact on food security and the ability of poor households to take care for their households under resettled areas. Livelihoods are defined as assets, capabilities (comprising of material and social resources) and activities needed for a means of living (Ellis, 2000). A livelihood is only sustainable when it can cope with and recover from stresses and shocks both for now and in the future.

There is also a need to understand the asset-vulnerability livelihoods' model which is relevant to informal settlements (Rakodi, 2002). The framework has sought to understand options available to urban poor in pursuit of their livelihoods. Such assets are labour and human capital (health status, skills, education); productive assets (housing and land); social assets (reciprocity within communities); natural assets like food, firewood and water; and financial assets (savings and access to credit) (Mitlin, 2003).

Experience suggests that households' vulnerability to shocks such as drought, fire, eviction and flooding is not a simple role of income or savings. This is largely determined by the quality and quantity of the different assets available to them at the time. In fact, a household's ability to cope with and recover from an income shock usually depends on subtle assets such as social capital instead of financial assets. Poverty, including housing poverty is also viewed as a function of income. There is also strong evidence suggesting that the urban poor often juggle these types of assets to improve their livelihoods during challenging times. Urban poor families are virtually considered as asset portfolio managers' although their decisions are often implicit or unconscious (Ellis, 2000).

The urban poor often accumulate difficulties in obtaining decent housing especially the child-headed or women-headed homes (Coit, 1995). Women also look after their children while paid low salaries as they have the least education. They have a marked tendency for deriving their livelihoods from various activities and locations (Huchzermeyer *et al.,* 2004). This does not suggest that the urban poor have easy access to socio-economic opportunities. Relocating the urban poor to the urban fringes often undermines their ability to generate income to improve their livelihoods and coping strategies (Baumann, 2003).

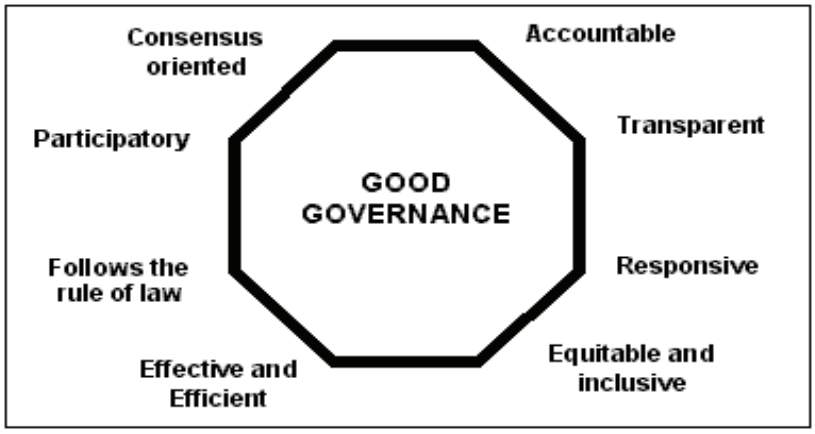
Once resettled to market-driven greenfield areas, urban poor households find themselves subjected to various external regulations that often limit their ability to use their housing assets they did before (Baumann, 2003). However, when freedom to use housing assets for income-generation is hindered, the 'value of such assets may well fall relative to other parts of the household's asset portfolio' (*ibid*.: 99). Poverty remains the main cause of poor housing while factors such as inapt planning, scarce credit and others make lives of the poor more miserable.

1.4.2 Good Governance

The concept of good governance can be described as the set of policies, functions, responsibilities, and procedures that an entity establishes to guide and direct how it is going to achieve its goals. United Nations Economical and Social Commission for Asia and the Pacific (UNESCAP), (2009) defines good governance as a process of decision-making and procedures by which those decisions are implemented (or not implemented). Good governance is characterized by eight important principles (see Figure 1): participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive as well as the application of the rule of law (Luyt, 2006; Putu, 2006). While the main principle of good governance is to minimise corruption

practices, good governance must be responsive and not a reactionary (*ibid*.). These co-dependent values are briefly explained below:

Figure 1: Characteristics of good governance



Source: UNESCAP (2009)

Participation: It ensures that each attendant is a pillar of good governance.

Rule of law: The rule of law should be applied in terms of human rights of the urban poor households.

Transparency: Implementations must be based on laws to ensure that the marginalized poor get access to information.

Responsiveness: Institutions should be in place to serve all stakeholders within a reasonable timeframe.

Consensus oriented: Where conflicts arise, mediation must be used to reach a broad-based consensus vested in the best interests of the society.

Equity and inclusiveness: All residents are equal before the law and must feel included in the mainstream of the society.

Effectiveness and efficiency: All institutions must also avail results which meet the needs of the communities and ensure that resources are available to them as well.

*Accountability***:** Organisations or individuals must be accountable for their actions (i.e. good or bad) (*ibid*.).

Although good governance is perhaps difficult to apply holistically, these principles seek to ensure that the needs of communities are allied in terms of sustainable service delivery.

They must be based on viable targets within the scope of the municipality (Plummer, 1999). Any attempt to prefer one principle over another is liable to prompt discontent among the urban poor and likely to result in strings of service protests (Cross, 2006; Devas, 2004b; Miraftab, 2003).

While the urban poor have detailed knowledge of their problems and their needs, effort to solve problems by themselves are thwarted by municipalities which are mainly 'dominated by engineering-led, capital intensive works and staffed by administrators and technical professionals who find the concept of community irrelevant' (Plummer, 1999: 1). These professionals have also limited understanding of and concern for community-level livelihood strategies. Thus, their performance evaluations are seldom based on holistic considerations of poverty (Baumann, 2003). The roles of professional consultants in facilitating community participation are doubtful as they often sideline community needs (Devas, 2004a). The role of communities to stress their interests in the Integrated Development Plan (IDP) processes remains ineffective because this role '[is] effectively taken over by professional consultants and the voice of the poor marginalised' (*ibid*.: 115). Grassroots organisations had to wait for orders from consultation companies via national government instead of campaigning on matters which affect communities (Mayekiso, 2003).

Plummer (1999) acknowledges the power of politics which influences the operations of municipalities in various ways whether political, legislative or administrative. Politicians' decisions are clearly based on the nature and interests of the state and its socio-economic aims, thereby reflecting the distribution of power within the society. The government can, at the one extreme, take positive measures in favour of the poor under certain conditions, or at the other extreme, act against the poor in support of the well-off (*ibid*.). A change within a political ideology and party can have detrimental effects on good governance, particularly when the terms of office bearers expire. The new political administration might want to change policies and staff. Projects aligned to a particular political party term of office can also threaten the sustainability of the project approach if the leadership is removed (Martin and Mathema, 2006).

However, narrow interpretation of housing interventions as the solution to managing informal settlements, which have so far increased in every city in South Africa often indicate negative 'consequences and impacts on governance, local economies and health' of the urban poor (Marx, 2003: 311).

1.4.3 Security of Tenure

While the upper classes in cities value their homes as the most valuable investment assets they have owned with top class services, residents of informal settlements' assets are discounted to nil. Hornby (2005: 1526) explains tenure as 'the legal right to live in a house or use a piece of land'. It provides conditions under which land or buildings are held or occupied either by an individual or a community.

Durand-Lasserve and Royston (2002) assert that the rising of irregular informal settlements in cities in developing countries often indicate disparities in the share of wealth and resources. This has also led to many urban populations living in informal settlements without any formal security of tenure and poor access to infrastructure, if available. There is surely a firm decline in the tenure status and housing conditions of the urban poor households.

Despite initiatives of reduction of poverty and safety net programmes, the number of inhabitants living in informal settlements is still rising faster than the urban population. This expansion of informal settlements is attributed to the increased structural adjustment policies (SAPs), privatisation of urban basic services and massive state disengagement in the housing sector. This has forced the urban poor to rely on informal land for access to land and shelter. The failure of markets to recognize the valuable demand for land and housing solutions for the majority of informal settlements' dwellers has largely led to urban poverty and exclusion. Residents are also incapable to access financial assistance from the banks as banks do not recognise their irregular legal status. This urban crisis

together with the informal settlements is a challenge to good governance (Van Asperen and Zevenbergen, 2007).

Urban land tenure in developing countries is very paradoxical. Although the land is so central to all human activities, developing governments such as that of South Africa fail to manage the land effectively (Doebele, 1987). Instead, land has opened the doors to political favouratism and corruption. 'It is a subtle asset to administer, and most governments are simply not very good at it' (*ibid*.: 8).

Mahanga (2002) notices that insecure land tenure often discourages urban poor households from improving their housing structures and conditions as they are unsure of their future occupations. They are often worried to make any improvements that could be demolished whenever the government decides to evict them from those areas. This is coupled to the fact that the urban poor have low levels of incomes and lack of credit facilities to improve their housing. 'Secure tenure is therefore necessary, but not sufficient, condition for creating sustainable urban livelihoods' (Payne, 2002: 155). Unlike in rural areas, urban poor prefer 'sites with good access to livelihood opportunities, public services and amenities' (*ibid*.: 151).

Choguill (2007) hints that most of developing countries fail to formalize tenure because of land shortages for low-cost housing supply. As a result, eradication of informal settlements through relocation programmes has been under fire for entrenching the segregational planning pattern of land occupation, illegal land transactions and commercialisation of land (Meffert, 1992). Huchzermeyer and Karam (2006) also argue for the formalisation of tenure for the poor in informal settlements to reduce poverty rather than a mere provision of formal land titles based on physical standards of the formal urban environment. This is because cities constantly offer different types of legal tenures and rights for the poor.

1.4.4 Sustainability

Sustainability is a catchword which advocates for the better management of social, economic and natural resources taking into consideration the future users. As already mentioned Botchway, Noon and Setshedi (2001) define sustainability as a development that meets the needs of the current generation without compromising the ability of the future generations to meet their own needs. Sustainability focuses on the protection of the environment, improving deplorable living conditions of the urban poor and, an understanding of the challenges of global warming and to improve energy supply and minimising waste.

Ballantyne and Oelofse (1999) state that inhabitants of informal settlements also exist at a close interface with the environment, constantly having to adjust to environmental changes. The urban poor households in risk areas often fail to adapt because they lack resources. The reality is that major cities face an increased production and consumption of energy usage, carbon dioxide emissions and pollution from industries and informal settlements. Given the high rate of rapid urbanisation, migration into the cities puts enormous pressure on urban municipal services.

For the development to be sustainable municipalities must ensure that residents take an effective part during planning and decision-making processes to encourage citizens to take personal commitment and communal responsibility in projects. This indicates that sustainability cannot be discussed in isolation from other concepts because community involvement in socio-economic activities can improve the standard of living of residents of low-cost housing. Within this context, development is unsustainable if stakeholders neglect to take care of the environment. 'Running it down, or mining natural capital, is a sure recipe for unsustainable economic development' (Atkinson *et al*., 1997: xiii).

Gutierrez *et al*., (1995) point out that low-cost housing is also of low quality and not affordable for many households. This problem is largely contributed to the shortage of community infrastructure and inadequate services. Housing is not viewed as a productive

investment since it often competes for scarce resources including human with other sectors which 'are often considered to be more important' (*ibid*.: 126).

1.5 Objectives of the research

The main aim of this study is to understand the challenges of eradicating informal settlements through relocation in South Africa by 2014 as declared by the government, taking into consideration the issues of livelihoods, good governance, secure tenure and sustainability (DoH, 2004). The specific objectives are summarised as follow:

- To understand how beneficiaries are coping in new designated areas
- To understand how urban poor earn and sustain their livelihoods
- To indicate and identify policy gaps and suggest recommendations.

1.6 Research questions

The study will respond to the key question: what are the main challenges that face South Africa's attempt to eradicate informal settlements through relocation by 2014? However, there are sub-questions that originate from the main question that I would also seek to address in order to arrive at an informed conclusion:

- How has eradication of informal settlements through relocation affected livelihoods, governance, tenure and sustainability of beneficiaries?
- Were there support systems put in place to help the urban poor during the eradication process?
- How have their spending patterns been affected due to relocation?
- What role is played by other stakeholders such as police, courts, municipality, citizens during the pre-and post-relocation process?
- Do beneficiaries feel at home in the new relocation area of Seraleng?

1.7 Position statement

The main argument is that eradication of informal settlements through relocation puts pressure on the key concepts of livelihoods, good governance, security of tenure and sustainability. Housing policy intervention disrupts of social networks, causes higher transportation costs, social exclusion and others. South African cities are still characterized by the racial zoning.

There are no clear-cut criteria to identify which informal settlements are meant for eradication due to a multitude of complex factors in terms of differentiating one settlement from another because of topography, location (i.e. appropriate land), size, proximity, and management structures. Informal settlements statistics in South Africa are also inconsistent. Chaotic urbanisation is seriously changing the face of metropolitan areas making it difficult to eradicate informal settlements via relocation by 2014. There is also a lack of capacity to understand and implement policies within municipalities. Current approach to eradicate informal settlements via relocation is still based on the legacy of apartheid. Other problems are indicated below:

- On-going corruption practices within national, provincial and municipal governments;
- Rise of informal settlements which increases housing backlog and poverty;
- Lack of effective intergovernmental relations;
- Inadequate understanding of livelihoods within informal settlements;
- Reluctance of banking institutions to lend money to the poor households;
- Focus on one housing intervention policy such as eradication of settlements;
- High demand for low-cost housing in South Africa.

1.8 Structure of the report

This study report is structured in seven chapters in the following manner:

Chapter 1 (Introduction and Background) has provided an introduction which sets out an overview, background, problem statement, conceptual framework, objectives of the research, research questions, position of research, and the structure of the research report. It also draws attention to the challenges of eradicating informal settlements through relocation.

Chapter 2 (Literature Review) draws attention to and gives a theoretical overview of informal settlements in terms of the dominant neo-liberal macroeconomic planning policies. This chapter looks at self-help housing, site-and-services and settlement upgrading. At a micro level, the chapter gives an overview of Seraleng. Different literature sources and reports are also critically analysed in this chapter.

Chapter 3 (Policy Review) focuses primarily on selected range of existing policies and pieces of legislation responding to the challenges of informal settlements in South Africa.

Chapter 4 (Research Methods) draws the attention of the reader to the specific research methods used in this research report. It looks at research approach, research strategy, data collection, data analysis, the limitation of the research methods, time perspective and ethical considerations.

Chapter 5 (Case Study) pays attention to the case of Seraleng in RLM for this research report. This chapter, as Fadane (2006: 24) argues, bestows the reader 'with brief historical background amplifying one's understanding of the (challenges) regarding the Seraleng Integrated Human Settlement.

Chapter 6 (Research Results and Analysis) presents more specific and in-depth observation of the study area versus the housing policies and strategies such as eradication of informal settlements through relocation. The abridgement of the results and analysis were gathered from the interviews, observations and site visits that were conducted. Despite some limitations in relation to this phase of the report, reliable materials have been used to support these results.

Chapter 7 (Conclusion and Recommendation) concludes by providing a review of the whole research report and then suggests recommendations based on the findings. This chapter provides a summary of important points with regard to the study report.

1.9 Conclusion

The chapter demonstrated the state and the importance of informal settlements in South Africa taking into cognisance the key concepts: livelihoods, good governance, secure tenure and sustainability. This chapter also indicated the impact of urbanisation on the growth of informal settlements. It demonstrated that HIV/AIDS could lead to further impoverishment and limit the likelihood that residents of informal settlements improve their livelihoods. I explained the problem statement, position, objectives of the research, and the structure of the study report. It also showed the consequences of eradication of informal settlements through relocation on urban poor households.

CHAPTER 2: LITERATURE REVIEW

DIFFERENT SCHOOLS OF THOUGHT IN ADDRESSING THE QUESTION OF INFORMAL SETTLEMENT

2.1 An overview

The discourse about the function of the state in housing delivery over the years has been characterized mainly by the state-centred versus neo-liberal macroeconomic planning policies. This chapter seeks to provide a perspective on what the neo-liberal school of thought can or cannot achieve in relation to challenges of eradicating informal settlements through relocation. Key concepts of livelihood, good governance, secure tenure and sustainability of the urban poor are often threatened by the elements of urban fragmentation and globalisation. This chapter is also relevant as the neo-liberal policies have been influencing housing policies of the developing countries, such as South Africa, for many years.

2.2 Background: neo-liberal policies on informal settlements

There are major global development agencies which have powerful influence over housing policies of developing countries. The aim of this section is to examine how effectively the International Monetary Fund (IMF) and the World Bank (WB) are with regard to their neo-liberal macro-economic policies on housing development in developing countries. The IMF and the WB mainly provide policy advice, technical assistance and financing to members in economic difficulties as well as ensuring that developing countries achieve macroeconomic stability, caring of environment, develop individual opportunity, tend hope and reduce poverty (IMF, 2009a; WB, 2009a).

There are Structural Adjustment Frameworks (SAFs) and Structural Adjustment Programmes (SAPs) adopted by both the IMF and the WB as devices to respond to the balance of payments difficulties confronting developing countries. These tools are exactly the centerpiece models to help low-income countries 'by the provision of loans conditional on the adoption of such policies' (World Health Organisation (WHO), 2009: 1). Actually, they are planned to promote 'the structural adjustment of an economy by removing excess government controls and promoting market competition as part of neo-liberal agenda followed by the Bank [and the IMF]' (*ibid*.: 1). Broadly, these policies are designed to reduce government intervention, currency devaluation, privatization of public services, social expenditure reduction, and wage suppression (*ibid*.).

Expanding access to livelihood opportunities can play a very essential role in reducing poverty among the urban poor households. According to the WB (2009b) adequate and secure livelihoods in developing countries are the main factors determining the urban poor households' well-being. Among other things, access to 'entrepreneurship is the most frequent path out of poverty' (*ibid*.: 45). It is important to note that the IMF and the WB believe in diverse sources of income including wages and salaries, benefits from family, agricultural earnings, and access to land. Collection of livelihood activities can be a way ahead to expand income and assets to enable the poor to cope with such insecure livelihood conditions. Thus, diversification methods are part and parcel of urban and rural livelihoods. Due to lack of sustainable limited livelihood opportunities, poor households are frequently driven and attracted into livelihood activities that are to different degrees 'dangerous, illegal, and antisocial, including theft, drug dealing, sex work, trade in women and children, and child labour' (*ibid*.: 45).

According to the IMF (2009b) good governance is vital for countries at all phases of development including housing based on transparency, effectiveness of public resource management and regulatory environment for private industry activities. It also has to be appreciated that the IMF is principally concerned with macroeconomic stability, viability, and orderly economic growth in member countries. Generally, these agencies believe in

promoting good governance in all spheres, ensuring the compliance of rule of law, accountability and dealing with corruption in developing countries (*ibid*.).

WB researchers such as, Lall *et al.,* (2002) argue that tenure security increases the probability of community participation. There are diverse reasons why security of tenure can promote the participation of residents in community projects for service delivery. It is also understood that tenure security often provides individuals with incentives 'to invest in the community because the gains from improvements in services can be capitalised in the home's value' (*ibid*.: 3). It must be stressed that informal settlements are frequently occupied by migrant labourers and immigrants. This implies that inhabitants of informal settlements have a higher possibility of being evicted than in legally built private housing; the latter has the safest tenure status (*ibid*.).

Generally, developing countries are vulnerable to climate change and this often complicates initiatives to limit poverty and promote sustainable human as well as prosperity (WB, 2009b). Environmental problems such as climate change are inextricably connected to development and human advancement, hence they indicate huge risks which limit income-generating opportunities. Such severe climatic conditions can lead to intense floods, droughts, contamination of groundwater, carbon emissions, and extreme weather events, which developing countries are ill-equipped to respond to. To mitigate these challenges facing developing countries, the WB and others have suggested that urban poor households need to know more to get to a climate-smart world (*ibid*.).

Impacts of the IMF and the World Bank

The SAFs and the SAPs have, indeed, eroded the livelihoods of the urban poor households by stressing privatisation of the municipal services. These frameworks have so far impacted on the social sector of developing countries (WHO, 2009; Pugh, 2000). In housing and environment, these devices affect both the supply of basic services coupled with cuts in socio-economic expenditures and restriction of income-generating opportunities, irregular income often left inhabitants with less money for housing or

health services (WB, 2009b). WHO (2009) acknowledges that these tools have eventually slowed down improvements in, or deepened the health status of, inhabitants in countries executing them. This has culminated in 'worse nutritional status of children, increased incidence of infectious diseases, and higher infant and maternal mortality rates'as well as affordability' (*ibid*.: 1).

Cities of developing countries are uneven and have become a platform of disorderly capitalist accumulation of wealth. This has led to the social seclusion of the urban poor. Equally, livelihoods of the urban poor suffer because macro-economic policies regularly recommend to developing countries to lessen subsidies to evade distortion of market relationships. Most families continue to use dangerous fuels such as paraffin, wood, candles for cooking in spite of electrification (if available) because the latter is too pricey for their budgets (Bond, 2003; Pieterse, 2003). Moreover, these households frequently grapple with diversifying their sources of income and food although 'they work on the land and in quarries and mines, [hunting] down temporary jobs' and patching together remittances (WB, 2009b: 45).

Durand-Lasserve and Royston (2002: 5) argue that the growth of informal settlements in developing countries is attributed to the 'accelerated globalisation and structural adjustment policies', including deregulation controls, privatisation of urban services, massive state engagement in the urban and housing sector. Unfortunately, these rules have increased inequalities, insecure tenure, inefficiency, skewed wealth and resource allocations. Additionally, the problem of forced eviction and the lack of access to basic services constantly contribute to undermine the socio-economy of the urban poor households. Given these challenges, it has become increasingly clear that public and private formal land as well as housing delivery models simply cannot respond to the demands of the urban poor (Dowall, 1992).

Harrison (2003) states that the urban crisis in developing countries exists due to the lack of good governance. Governance principles of the Third World such as South Africa typify the stance of a neo-liberal agenda. The housing development is basically premised

on capital gains, inadequate consultation, top-down approach and, based on racial zones. Bond (2003: 18) has argued that the neo-liberal agenda is dominant and 'is based on the premise that globalization is inherently positive and that the role of local agents is to ensure the conditions that support global capitalism'.

The lack of understanding of informal settlements by the Western scholars

The housing policy and housing theory were mainly dominated by public housing over the years across the world. Pugh (1995) explains that public housing was in the form of permanent building of apartments. The aim of public housing was to substitute the increasing informal settlements in urban areas. Public housing would be cheap, valuable and finally remove the dirty conditions of informal settlements from cities (*ibid*.). However, inclined to their reading of this experience, the WB and the IMF had long indicated that offering subsidies to the urban households via the public housing model had seldom been successful (Gilbert, 2004).

International involvement in informal settlements virtually started in the 1960s. International aid sponsors such as the WB were intent upon reform with an invention and succession of new models and procedures. Their main aim was to find solution as to how governments can deal with the trend of unofficial housing on illegally occupied land (Gwynne and Kay, 2000). This practice has actually influenced the positions of the WB and the United Nations (UN) in dealing with the rise of informal settlements in the developing world.

Furthermore, public housing systems were seen as a key tool of doing things in developed countries. Yet, it was shifted to developing countries without in-depth analysis of differing environments within developing countries. The reality is that most of the western scholars had slight understanding of the families' living and broad socio-economic conditions in developing countries (Kramer, 2006). Therefore, the occurrence of informal settlements was commonly seen as rural incursion into the designed cities to an extent that these settlements are mostly allied 'with pathologies, marginalization,

receptivity to political radicalism' (Huchzermeyer, 2004a: 28). The results of this shift have also led to huge evictions and demolitions of informal settlements in developing countries (*ibid*.)

While the developed countries know very little about the experiences of inhabitants living in informal settlements, the indigents often understand the reality of the world better than the way the rich in developed countries view it (Smit, 2006; Smith; 2003). It is also argued that the western countries 'lack understanding of people in poverty', especially those living in the global south, thus, 'we lack real knowledge of our world' (Kramer, 2006:5).

Moreover, western technocrats are graduates from economics and business schools of the west. This implies that they are strongly sympathetic to market-oriented solutions and macroeconomic reform, based on maximum profits (Gwynne and Kay, 2000). The consequence of this is that developing countries face challenges in executing policies and lack of resources to improve living conditions of the poor. Technocratic housing subsidies for low-cost housing have increased income inequality, social exclusion, low social protection and eviction (Zack and Charlton, 2003). Thus, for most of developing countries, the major limitations to improve housing and health conditions lie here as they lack a stable and viable economic base to allow these nations to deal with informal settlements (Cairncross *et al*., 1990).

2.3 Self-help housing scheme

Self-help schemes have become some of the recognisable approaches in the literature on low-income housing in developing countries. The Development Bank of South Africa (DBSA) (1994) and Rodell and Skinner (1983) explain self-help scheme as a process whereby urban poor households (i.e. individual or groups) improve their quality of life by using their own resources such as labour, savings and management ability without monetary compensation from the government. It appeals to the urban poor as it subscribes to 'God helps those that help themselves' (Marcuse, 1992: 15).

The urban poor families are actually forced to find ways to respond to the housing shortages largely due to government neglect and sometimes repression (DBSA, 1994). People construct their houses mostly over the weekends and at night. With livelihood opportunities so restricted, studies indicate that labour, time, access to materials and holdings of capital are found within the informal sector (WB, 2009b). But, the urban poor households' economic ability of saving, investment and labour activities are often omitted from official statistics of this economy.

DBSA (1994) states that within the housing fraternity self-housing schemes promote the socio-economic growth of families and communities in terms of skills in decision making, management and self-confidence. Three diverse forms of self-housing schemes as influenced by the WB urban development policies are:

- Spontaneous unaided self-help: families work individually to meet their needs without any external assistance, e.g. construction and upgrading of informal settlements;
- Aided self-help: a group of individuals assists each other with the help of external assistance in the form of finance, technical, or building materials;
- Aided mutual help: individuals or groups help each other to meet their housing needs with assistance from private, semi-private and others, e.g. upgrading of basic services and upgrading of informal settlements (*ibid*.).

Without doubt, rapid urbanisation has intensified pressure on the already over-stretched urban infrastructure and services. As put by Mathéy (1992), self-help housing is seen as a housing solution for the migrants. The argument here is that once the poor economic conditions of the residents have improved, their housing challenges would be reduced (*ibid*.).

As Mahanga (2002) has pointed out, the role of the government is to offer an enabling environment for the private sector. The focus is on institutional and financial control mechanisms needed to support the poor in housing themselves (*ibid*.). As Haarhof (1983)

correctly captured, self-help housing schemes are similar to the incremental housing development as it empowers residents to spread out their housing expenses over a period of time rather than completing their houses instantly.

However, the dearth of subsidy for the self-help housing schemes normally increases the hardship of the urban poor households. Most households are being driven further into housing poverty and income poverty (Haarhof, 1983). Furthermore, given that the self-help housing models take long period to complete, people are unwittingly forced to assume occupation before they are fully completed (Rodell and Skinner, 1983). Paola Jirón (2004) doubts the participation of the urban poor in finishing the partial houses as these households have little building, legal or budgetary know-how, thus worsening livelihoods.

Further, there is a question of affordability. These schemes involve fairly substantial capital investments for the low-income groups, but they do not have access to financial support. The desired incremental improvements are hindered by the economic conditions of the urban poor as well as their inability to provide collateral for loans. Unless sources of finance are accessible to the residents of urban poor, chances to improve their livelihoods remain nil. The costs and skills to meet their needs are far beyond their means (Amis, 2004). These housing schemes are not sustainable to the urban poor largely as they are also unaffordable to them (UN-Habitat, 2007; Cho and Park, 1995). Self-help projects are constrained by the lack of bridge financing and delays in releasing subsidies, thus prolonging the process (Atuahene, 2004).

The domination of the macroeconomic policies in developing countries has also increased unemployment rates, income inequalities and policy dilemmas (Pugh, 1995). A substantial number of houses are still being built on the city peripheries where land is cheaper, distant and offers very limited tenure options for the urban poor. Peripheral locations often fail to ‘include the costs of transport, distance, time, equipment, services and infrastructure’ (Paola Jirón, 2004: 6). Peripheral locations have widely led to poor neighbourhoods, ‘precariously urbanized, but representing the only possibility for many

to belong in the city' (Rolnik and Cymbalista, 2003: 278). The inadequacy of the decent housing to provide for the urban poor has created huge urban and social segregation, increased lack of access to urban services, deteriorating environmental conditions, tenure security and worsening living conditions.

Irurah and Boshoff (2003) and the DBSA (1994) comment that the methods to improve the living conditions of the urban poor are mostly individually based and there is very limited collaboration. Therefore, these forms of exclusion also impact negatively on the livelihoods and the linkages of the urban poor (Beall, 2004). Schemes are difficult to administer despite being looked 'upon as panacea for all the problems of low-income families' (DBSA, 1994: 4).

There are also problems of environmental degradation within the urban poor households which make it difficult for the residents to sustain their livelihoods and these shortcomings contribute to the 'perpetuation of poverty, segregation and environmental degradation' (Irurah and Boshoff, 2003: 255). In addition to the environmental degradation, most of institutions and infrastructures offered by government are absent in low-income areas for protection and adaptation (Moser and Satterthwaite, 2008).

2.4 Sites-and-services housing schemes

Generally, sites-and-services have been in existence over the years as an approach to solve low-income housing problems. Srinivas (2009) describes the sites-and-services schemes as the provision of plots of land, either on ownership or land lease tenure on top of a bare minimum of infrastructure appropriate for human settlements. These programmes have 'existed before the expression had been coined and before the World Bank decided to support this approach' (Van der Linden, 1986:18).

Further, sites-and-services models are aimed at (a) housing the urban poor, (b) increasing the stock of permanent households, (c) reducing public expenses, (d) replacing informal

settlements and its tax implications, (e) developing a reliable construction sectors for job opportunities, (f) empowering the emerging small businesses, and (g) accelerating capital development by low-income households (Van der Linden, 1986). These projects are provided with services such as roads, footpaths, water, sewerage and perhaps electricity. Individual families are then left to build their own houses (Haarhof, 1983). A key benefit of the sites-and-services housing system is that it mobilizes the savings of private households which are capable to stage construction over a period of years, 'making piecemeal improvements according to their financial capacity' (*ibid*.: 12).

Sites-and-services approaches have become favourable methods for urban development with regard to providing housing to the urban poor. Due to the critical low-income housing backlog, inability of failed traditional, conventional housing methods and policies has also created a huge demand for decent housing. Therefore, sites-and-services are seen as filling in the housing shortage suffered by the urban poor who live in cramped and awful places such as informal settlements (Haarhof, 1983). Equally, these schemes are also viewed as complementary to initiatives to settlement upgrading. The significant difference between the sites-and-services schemes and settlement upgrading is that upgrading focuses on settled informal settlements while sites-and-services projects are 'where the construction of the dwelling is the responsibility of the occupants' (*ibid*.: 70).

Nevertheless, sites-and-services schemes are mostly characterised by two key actors: intended beneficiaries and the implementing agency. Firstly, beneficiaries are primarily the urban poor households living in informal settlements with low-income salaries (Srivanas, 2009). Unwittingly, people who are targeted for sites-and-services projects are evicted from informal settlements shaped by irregular employment and lack of assets (*ibid*.). Secondly, the implementing agency is likely to be a government department or similar body managing city-wide scales in terms of providing low-cost housing as well as eradicating eyesores which informal settlements signify (Van der Linden, 1992).

It has also becoming increasingly obvious that developing governments are mostly unable to provide complete serviced houses to the urban poor households. This also raises

the problem of affordability for the locals. However, governments often manage to offer low-cost houses located on the peripheral areas (between 30-40 kilometres away from the city centres) (Wegelin, 1995). It most cases serviced land in more attractive locations is often taken by the elites.

The problem with the WB is that it usually emphasises the need to recover all outstanding fees from the indebted governments. Procedures on how to evict or relocate targeted communities are also tabled. This includes the top-down policies set by the WB in its bid to provide guidelines on how formal housing finance sections can handle the urban poor (Smets, 2006).

Srivanas (2009) identifies various challenges in relation to urban poor households under sites-and-services schemes. These schemes remain inaccessible to the urban poor mainly due to bureaucratic processes, institutional demands and political problems. Such challenges are:

- *Location*: High land value and cost in the cities force sites-and-services schemes to be located on the margins of the cities. Costs of living are extremely high for the low-income households;
- *Bureaucratic processes*: Process of selecting deserving and eligible beneficiaries remains cumbersome, slow, corrupt and full of bureaucratic difficulties;.
- *Delay in provision of services*: Lack of coordination between actors causes delay to provide basic services although the land has been allocated to the beneficiaries;
- *Standards*: High building standards and quality decided upon by the implementing agencies make these schemes unaffordable to the designated beneficiaries;
- *Cost recovery*: There is a problem of cost recovery due to high unaffordable costs of services and high levels of unemployment (*ibid*.).

Therefore, sites-and-services housing schemes affect the key concepts of livelihoods, good governance, secure tenure and sustainability. The reality is that sites-and-services tend to reduce the element of subsidy and then encourage beneficiaries to pay 'just as

they do for the equally unsubsidized informal or illegal forms of housing' (Srivanas, 2009: 61-62). Developing countries face high rates of unemployment and social exclusion, but the development of low-cost housing of the urban poorest is 'far away from the city and/or job opportunities' making it difficult to access by the urban poor due to higher transportation costs (*ibid*.: 63).

Housing provisioning to the urban poor households is virtually hampered by inadequate access to secure land. Beneficiaries complain of the inappropriate location of projects which causes more challenges than the housing shortage problem itself (Srivanas, 2009). Despite of this approach being considered as the benchmark to solve the growth of informal settlements, it is also laden with weaknesses of focusing on the project-oriented instead of support-oriented housing intervention (Huchzermeyer, 2004a).

2.5 Settlement upgrading

Upgrading of informal settlements means transforming illegal structures into legal ones, thus improving the housing statistics (Martin, 1983)**.** As Mukhija (2002: 554) has correctly pointed out, upgrading also requires the recognition of three conditions: 'the property rights, the property values and physical attributes of the underlying assets, and their impact on each other'. Beyond the legal dimension upgrading usually addresses improvement of services.

Informal settlements are home to millions of the urban poor households across developing countries and largely represent the only solution for millions of these families (UNCHS, 1999). Most of the households in these cities are hopelessly poor while their urban conditions and facilities replicate their own and their country's poverty and inequalities (Mahanga, 2002). In addition to the wicked living conditions, there is a very strong shared and reinforcement relationship between housing, poverty and the environment (*ibid*.).

In the South African context, Godehart and Vaughan (2008) argue that settlement upgrading is composed of three stages: Project Initiation Phase, Project Implementation Phase and Housing Consolidation Phase. At one extreme, the first two stages deal with whole areas of areas of informal settlements, and all families living there. At the other extreme, in stage three, special conditions apply to those families that cannot qualify for housing subsidies.

Moreover, another benefit of settlement upgrading is that members of informal settlements have invested their time, skills and money already in the informal housing construction. Upgrades cost less to execute than the eradication of informal settlements (UNESCAP, 2009). Settlement upgrading can provide urban poor households with access to land tenure and some or all the tools depicted in Figure 2, where the value parts being the provision of key infrastructure (Graham, 2006; Grant, 2006; Grant, 2004).

A study of Tanzanian informal settlements, for instance, showed that the combination of economic recession and urbanization can always lead in the spread of informal settlements whereas 'even more planned areas will continue to deteriorate into' informal settlement (Mosha, 1995: 353). Given the inability of developing countries in providing serviced land for housing, informal settlements will remain popular enough to invite extra settlements. Surely, informal settlements reflect local housing markets and are also here to stay 'and are [often] not marginal any more' (*ibid*.: 353). Therefore, it has been argued that the government needs to come up with a housing strategy that allows the existence of informal settlements. It now seems that the only choice is to continue with more settlement upgrading (*ibid*.).

Martin (1983) also identifies the main five key benefits of settlement upgrading: (a) health reason in order to minimise risks of epidemics, (b) economic reasons to empower local communities, (c) applicable socially to develop social amenities like clinics, (d) legal tool to provide secure tenure for the urban poor residents, and (e) upgrading of housing processes where the state commits resources.

Classic upgrading schemes 'provide footpaths and latrines, street lightning, drainage and roads, often water supply and limited sewerage' (Chattopadhyay, 2009; UN-Habitat, 2007: 2). Settlement improvement involves regularization of the rights of land, housing and upgrading of the existing basic services. However, it does not necessarily consist of a home construction but it 'offers loan options for home improvements' as well (UN-Habitat, 2007: 2). Upgrading often involves other actions such as the removal of environmental hazards, empowering communities through maintenance and the building of communal facilities such as schools and clinics (*ibid*.).

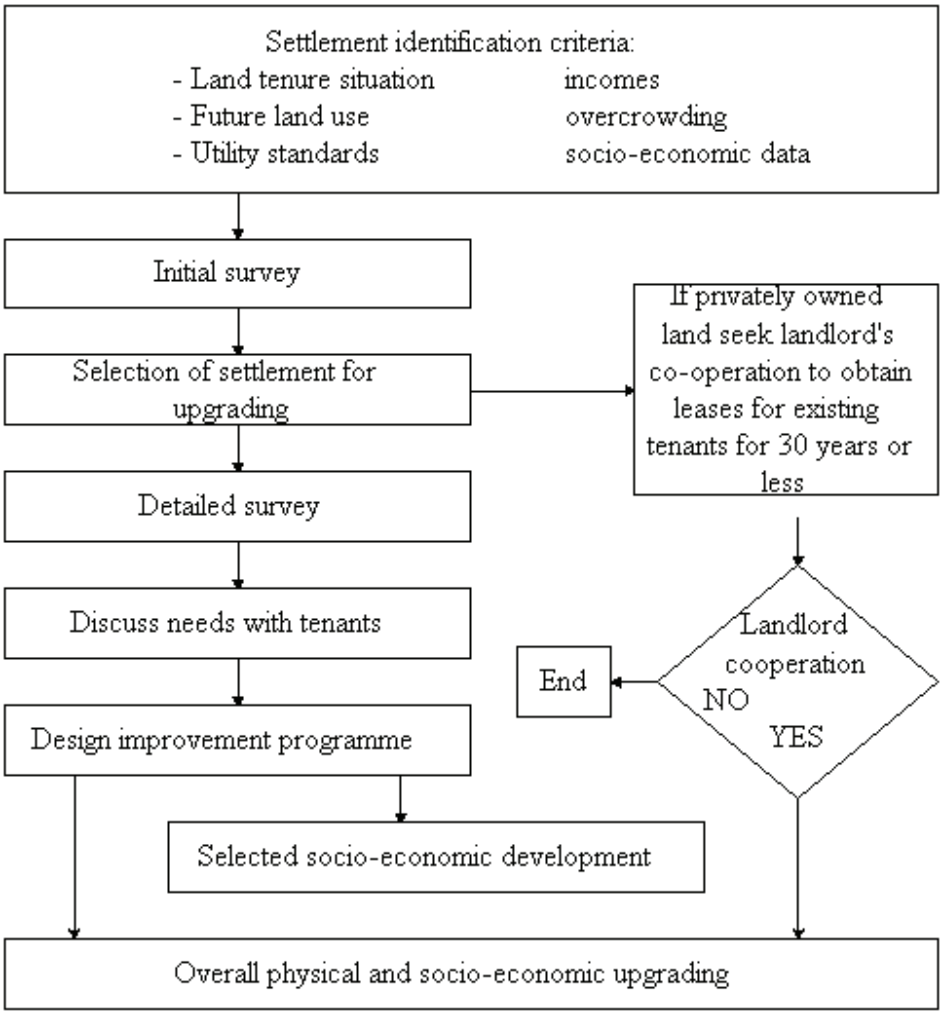
UNCHS (1999) asserts that by tackling the issue of security of tenure and access to basic services and decent housing, the settlement upgrading and incorporation into the overall structure of the city is a necessary step towards more equitable and liveable cities. This means that upgrading efforts are not only shown to have the ability to construct new models and paradigms of urban inclusion and planning, but upgrades also needs to be seen as a sensible mode to face the challenges of urbanisation and poverty eradication across the cities of developing countries. There is also an assumption that upgrading would alleviate the constraints on community efforts and offer the necessary support to improvements, without disrupting social or economic links. This has been noted by many international entities such as the United Nations (UN) as giving government an authority to detect bottlenecks and coordinate the upgrading process via the provision of subsidies (*ibid*.).

It is critically vital to offer land titling or formalisation of informal settlements, the legalisation and distribution of titles to urban poor households so that the results of upgrading are instant, highly visible, and make a major variation in the quality of life of the urban poor. Tenure formalisation by offering full titles always ensures the urban poor families opportunities to obtain freely or at a nominal cost, an asset which can command a high price in the formal land market (UN-Habitat, 2007; Payne, 2003). Therefore, security of tenure should be made available to all poor households.

Haarhof (1983) argues that during settlement upgrading municipalities should be very alert not to allow privatisation of service provision as it limits service delivery to low-income households. Instead, it will be worthwhile for municipalities 'to prevent unregulated privatisation from resulting in the exclusion of the poor from urban services, on the basis of simple economic' (*ibid*.:9). There is a need for municipalities to support vulnerable communities and provide them with proper platform for decision-making in order to prevent *laissez faire* attitudes. It is believed that these attitudes often have potential to block real integration of the urban poor into the urban mainstream, thus add other problems to the urban poor (*ibid*.).

Srivanas (2009) highlights the importance of the process of decision-making (Figure 2) during the settlement upgrading. If the government has planned to provide for tenure security to informal settlements' inhabitants, it is also vital to take protective measures at the initial phase against the inevitable influx of residents. This can be done by using low-level aerial photos indicating the existing informal settlements to prevent conflicts (*ibid*.).

Figure 2. **Sequence for decision-making for settlement upgrading**



Source: UNESCAP (2009)

As settlement upgrading is seen as the least costly and possibly the only viable option left, local communities must be assisted and skilled on how best these locals can help themselves. This calls for training of a sufficient number of members of communities including professionals, sub-professionals, and craftsmen of the right methods in

addressing their housing problems. What is really needed to achieve better results than hitherto 'is to involve the communities as much as possible in planning and improving [informal settlements]…' (Mosha, 1995: 354).

In most of developing countries such as South Africa, settlement upgrading approaches are yet to be executed (Coit, 1995). Little notice is given to detect the root causes such as poverty, unemployment, and low salaries. Instead, these countries have focused mainly on the physical improvement of dwellings in townships. UNCHS (1999) have identified four main groups of constraints to settlement upgrading:

- *Legal framework*: Accessibility to secure tenure by the urban poor is difficult as the land is declared for completely different socio-economic situations.
- *Urban planning frameworks and regulation*s: Inappropriate planning standards and construction regulations prevent the urban poor from affording services, thus creating low-cost housing shortages.
- *Land markets***:** Land markets are traded in active commercial markets thus excluding the urban poor.
- *Knowledge and information*: Physical and financial challenges posed by informal settlements have not been sufficiently developed. Available information on settlement upgrading is uncoordinated (*ibid*.).

The problem with the formalisation of informal settlements can be the attraction of economic investors into informal settlements. This trend can lead to the expulsion of traditional residents to peripheral sites, thus deeply jeopardizing the key aim of poverty mitigation and integration (Fernandes, 2000).

2.6 Critiques of the neo-liberal housing solutions

In this section, I examine criticisms of neo-liberal macroeconomic planning policies and their distributive repercussions. There is obviously strong evidence that international

agencies such as the WB and the IMF have had vicious effects in most developing countries in the provision of sufficient housing to the urban poor. These agencies' SAPs and SAFs have affected the main concepts of livelihoods, good governance, secure tenure and sustainability of urban poor as conditionality sections in the loans agreements often press for developing countries to reform policies in their favour (Devas, 2004a; Bond, 2001; Graaff, 2001).

Neo-liberal policies have extensively changed the roles of governments of developing countries from that of a provider to an enabler (Srivanas, 2009). The adoption of SAPs and SAFs policies, privatisation and deregulation has reduced the scope for governments to intervene on behalf of the urban poor. To some extent, government intervention strategies seem to be indirect. Structural adjustment policies have rendered governments dysfunctional, thus affecting the livelihood strategies of urban poor households (Nijman, 2008). The consequence of prescribing and limiting the government to render services like housing to the urban poor has resulted in the demolition of government employment (Zeilig and Ceruti, 2007).

Analysis from the self-help housing schemes suggested a number of weaknesses ranging between two extremes. At the one extreme, these schemes are relatively time consuming, marginal and exploitative (Marcuse, 1992). Households engaged in these schemes mostly waste time during the construction period instead of using their time productively outside the self-building business such as job search and networking (*ibid*). At the other extreme, self-help housing schemes are also unable to reallocate resources optimally to the needy beneficiaries. These resources are often taken by the elites with more skills and education.

Self-help housing schemes act against the key concept of good governance as they focus on individuals instead of the collective. In fact, their capacities come from the desire of an individual family to provide for its individual needs instead of developing conditions favourable to the success of all the schemes (Marcuse, 1992).

In developing countries, in-situ upgrading responds to macro-economic realties instead of calls for mass delivery. Upgrading of informal settlements remains less quantifiable and less favoured by contractors while it should not be seen as ready-made solutions. It seems that contractors or developers prefer cheap solutions to the problems of informal settlements which turn to produce poor outcomes, affecting the livelihood strategies of communities of urban indigents. This economic liberalisation is known to offend the brittle livelihoods of many of the poor and so lead to increased poverty (UN-Habitat, 2007; Huchzermeyer, 2004).

2.7 Conclusion

The powerful influence of neo-liberal policies in developing countries like South Africa is visible for all to see. This chapter indicated that the WB and the IMF respond to the balance of payments difficulties confronting developing countries. It set out housing challenges faced mainly by the urban poor. Notwithstanding various housing schemes (self-help, site-and-services and settlement upgrading), the urban poor households faced increased inequalities, insecure tenure, and others. It also indicated that in most of developing countries like South Africa, settlement upgrading approaches are yet to be implemented. One of the dominant factors is that housing is premised on capital gains, inadequate consultation and top-down approach.

CHAPTER 3: POLICY REVIEW

ANALYSIS OF POST APARTHEID SOUTH AFRICAN HOUSING POLICIES

3.1 An overview

This chapter is an analysis of the pieces of legislation and policies affecting housing and evictions in post apartheid South Africa, with regard to challenges of eradication of informal settlements through relocation. It adopts as its point of departure the human rights viewpoint enshrined in the Universal Declaration of Human Rights (UDHR) of 1948 especially Article 25 and Article 11 (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1996 (United Nations General Assembly (1966, 1948), as built into national constitutional entitlement. International tools are preconditions for ensuring global peace and welfare, human rights and other socio-economic aims (McLean, 2006; Mubangizi, 2005). These standards are applied to examine housing policies in terms of the key concepts: livelihoods, secure tenure, good governance and sustainability within urban households. It considers the Constitution of the Republic of South Africa of 1996, the Housing Act 107 of 1997, evictions under post apartheid South African policy and law and**,** the Informal Settlement Upgrading Programme of 2004.

3.2 The Constitution of the Republic of South Africa of 1996

South Africa has had five constitutions over the years. With the exception of the Constitution of 1996, previous constitutions frequently offered rights to the white minority at the expense of majority blacks and denied the latter access to socio-economic issues such as housing rights (Currie and de Waal, 2006). This section focuses fully on the Constitution of the Republic of South Africa of 1996. This Constitution is planned to redress the South African's racially divided society. The Constitution needs to be read

together with the Bill of Rights (Chapter 2 of the Constitution) within its context in terms of 'constitutional supremacy, justiciability and entrenchment' (ibid.). It also has to be valued that the Bill of Rights is the basis of democracy in South Africa which affirms that the government must respect, protect, promote and fulfill the rights of all South Africans (Republic of South Africa (RSA), 1996). Any law which is inconsistent with it is irrelevant while all the obligations imposed by it must comply with it (Mubangizi, 2005; RSA, 1996).

The Bill of Rights of the South African Constitution includes nearly all globally known human rights. It ensures economic, social and cultural rights such as the access to housing, the right to live in an unharmful environment, access to health, social security, property rights and continuous education (RSA, 1996). It must be stressed that these rights have vital social and economic dimensions as they are likely to indicate specific areas of basic needs. This section focuses on the access to basic services such as housing, water, food, security, health, environment and cultural rights by the urban poor households.

Section 26 of the Constitution identifies the right to basic needs, including protecting, fulfilling, promoting and respecting the right to housing by the urban poor. The Constitution elaborates:

(1) 'Everyone has the right to have access to adequate housing; (2) The State must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of this right; and (3) No one may be evicted from their home, or have their home demolished, without an order of court made after considering all of the relevant circumstances. No legislation may permit arbitrary evictions' (RSA, 1996: 12).

Section 27 (1) (a) (b) and (c) endorses that each citizen has the right to access proper services and infrastructure such as health care services, water and social security. Section 32 (1) (a) (b) and (2) guarantees the citizens access to receive or impart information to ensure that they have 'access to the right information' held by three spheres of the government which is needed for the exercise or protection of human rights (RSA, 1996).

Section 24 (a) (b) confirms the right to live in a suitable environment free of harm to health or well being. These environmental conditions must be protected for the benefit of the current generation and the future generation via the apt application of rules to avert pollution and environmental degradation, promote conservation, and maintain environmental sustainable development and the better use of natural resources (RSA, 1996). As Mubangizi (2005) correctly captured, it is the responsibility of the state to protect the surroundings within which people exist which are comprised of the land, water and atmosphere, micro-organisms, plant, animal life, physical and cultural properties.

The Constitution's provisions are compulsory on all the three spheres of governments, i.e. national, provincial and local government. Moreover, Section 40 and Section 41 acknowledge the need for the intergovernmental relations (IGR) 'to provide effective, transparent, accountable and coherent government for the Republic as a whole' (RSA, 1996: 25). In Section 25, children's rights in terms of the housing right are explained ensuring that children too have access to 'basic nutrition, shelter, basic health care services and social services' (*ibid*.: 13).

Provincial governments in South Africa are delegated to intervene in the affairs of municipalities by taking proper measures to fulfill the country's duties. They are allowed to intervene, among others, when municipalities fail to meet their constitutional duties and, if municipalities are in financial crisis or in breach of providing proper services.

Section 152 (1) of the Constitution declares that municipalities are also expected to perform the following duties including:(a) to promote democratic and accountable government for local communities, (b) to ensure the provision of services to communities in a sustainable manner, (c) to promote social and economic development, (d) to promote a safe and healthy environment, and (e) to encourage the involvement of communities and community organizations in the matters of local government (RSA, 1996).

However, Budlender (2003) remarks that the South African Constitution has failed to oblige to the four elements identified by international conventions: respect, protect, fulfill and promote right to housing by the urban poor. She has failed to adopt the minimum core obligation intervention of the UN Committee in General Comment 3 which wants the South African government to compensate its failures to achieve obligation due to lack of resources and to demonstrate commitment to use all its available resources. The General Comment 3 virtually wants government to demonstrate that South Africa has utilized all available resources in her disposal to cater for the needs of those who are in dire need, especially vulnerable members of communities (COHRE, 2005).

Huchzermeyer (2003c) notes that the realization of the right to housing is inextricably linked to the right to land. She argues that this right is often constrained by 'the constitutional protection of the extremely skewed existing property rights to land' (*ibid*.: 83). By far the biggest issue has been the increased urbanization. This means that high demand for low-cost housing would be mainly in the urban areas. However, the invasion of land indicates that access to housing for the urban indigents is connected 'to inequitable access to land' (*ibid*.: 83).

As Mubangizi (2005) has pointed out, a study of international human rights norms and the South African Legal System has revealed that the execution of international human rights into national legal procedures is problematic. It is also argued that international legal systems are largely laws of nations, 'concerned only with the rights and duties of states, not of individuals' while national policies are free to control the lives of their citizens (*ibid*.:33). In other words, the compliance to these laws is usually at the discretion of the member states instead of any international obligation. In its review of minimum core obligations, COHRE (2005: 26) reported that South Africa has failed to cater for the urban poor households waiting in the queue for low-income housing 'which has been the dominant theme of housing rights litigation in South Africa'. It found large gaps in peripheral locations of many housing settlements which circumvent the livelihoods and access to social services of housing subsidy beneficiaries and people in

desperate need (*ibid*.). These gaps indicate the disjuncture between what actually happened in these matters and what policy makers said should happen (Pugh, 1995).

Post apartheid South Africa has witnessed a number of court judgements with regard to housing rights and persistent forced removals from informal settlements by the authorities (Budlender, 2003; COHRE, 2008a; Mphephu, 2009). For example, the landmark constitutional court case between the Government of the Republic of the South Africa and Others versus Grootboom and Others, received extensive international coverage. The notable element of the constitution is that it 'places limitations on State power primarily by enforcing the rule of law, separating power among the three branches of Government…' (Lund, 2009: 14).

Huchzermeyer (2003a: 3) views the Grootboom judgement as a 'liberal, rather than radical in its request for or disaster management'. It is widely held that the ruling failed to prescribe what 'reform of the system of access to urban land, or intervention in the urban land markets' by the urban poor is supposed to be (*ibid*.: 4). This would have responded to Section 9 and 25 of the 1996 Constitution, which calls for 'the government to enable equitable access to land, and to promote equality' (*ibid*.: 4). Though the ruling was hailed as a landmark case under the democratic government, it 'has taken four years to impact on housing policy and informal settlements in particular' in South Africa (*ibid*.: 4).

Section 26 (3) of the Constitution contends that no one may be evicted or houses destroyed without an order of court based on all relevant information presented to a court of law. But, one wonders as to what are the circumstances after considering all of the relevant circumstances as contained in Section 26 (3). These circumstances are ambiguous. It means 'that the words have no real meaning' since courts always make decisions after considering all the facts presented before them (Budlender, 2003: 211). It must be noted that in executing state functions to protect the right to housing, the court is expected to indicate what are these circumstances are relevant in specific situations (*ibid*.).

In South Africa, particularly after the election of 2004, the DoH started to develop a policy for in-situ upgrade 'informal settlements that provide people with a permanent solution to their housing problem, or give people long term rights to invaded land' (DoH, 2004: 4). Mphephu (2009) contends that the right to adequate housing is benchmarked against certain core elements: legal security of tenure, affordability, habitability, accessibility, location and infrastructure. He agrees that South Africa's housing policy and programmes are linked to principles of adequate housing but, not affordable to the urban poor.

In her analysis of the housing rights in South Africa, Huchzermeyer (2003c) states that low-income households in urban areas normally find it difficult to access the courts to fight for what they believe as their democratic right to a decent home in the city. Notwithstanding the democratic Constitution adopted in 1996, attached to the progressive Bill of Rights which advocates for socio-economic rights such as adequate to housing, 'there is little consistency in the outcome of the route of access to the city through the judiciary' (*ibid*.: 80). The challenge is that urban poor households also find it difficult to interpret the language used to record submissions in the court of law as the language is mainly created by lawyers for lawyers. Unfortunately, even if they get court summons, they hardly know what to do and where to go. This clearly indicates that the government is not doing enough to create an educational awareness in terms of legal clinics and to simplify legal language. Lack of understanding legal terminology and procedures by the urban poor often compromises their livelihood strategies as they find it difficult to know their rights sufficiently for them to take decisive decisions (Lund, 2009; McLean, Pers. com., 2009).

Although the Constitution of South Africa is seen as an epitome of the world, there are widening gaps between theory and practice because the majority of the citizens in this country are poor. It has been repeatedly argued that urban poor operate at a minimum level of economic capacity and are in no way in a position to 'actively or challenge the political status quo. The study of constitution is relevant to the study report as it advocates for human rights.

3.3 The South African Housing Act 107 of 1997

> 'South Africa's housing policy arose from an unusual process. From 1992 until the election in 1994 a multi-party negotiating body, the National Housing Forum, made up of representatives from mass political groups, the business community, the building industry, the financial institutions, the unions, the civics and development organizations, thrashed out a consensus-based housing policy as a response to the then government's racially based policy' (Tomlinson, 1999:283).

This Botshabelo Accord of 1994 spurred the South African government 'to provide support infrastructure for the delivery of housing' and the 'critical role of government to create an enabling environment-more so in the low-income than in the high-income market' (DoH, 1994a:1).

Housing law is made up of a set of complex networks of law, policies, macro-economic and planning issues. One of such influential policies is the Housing Act of 1997. The Act and the National Housing Code are intended to give effect to the state's duties enshrined in the Constitution of 1996 (RSA 1997; 1996). The Act is based on the South African Housing White Paper of 1994 and the Botshabelo Accord of 1994 which remain the bedrock of all housing policies and legislations. According to the Department of Housing (1994), the White Paper is premised on the principles of creating an enabling environment to attract markets to the delivery of low-cost housing. It is vital to note that the Paper is the first policy framework which embraces all South Africans and, is hailed as moving away from piecemeal approaches adopted during the apartheid era. Nevertheless, this section focuses on the Act to understand the concepts: livelihoods, good governance, secure tenure and sustainability of the urban poor households.

Sections 2, 3 and 4 of the Act lay down the functions and responsibilities of the three spheres of government in prioritizing the needs of the poor with regard to housing development. The Act demands the national government to create housing policy and monitor execution via the dissemination of the Code, the establishment and maintenance of a national housing data bank and information system.

Section 8 of the Act also seeks the provincial governments through their Provincial Housing Development Boards to distribute housing subsidies to municipalities. For example, the policy's central role is to deliver housing to the indigents earning less than R3 500.00 a month. Section 9 of the Act requires municipalities to execute policies such as IDPs and the development of housing within their jurisdiction (COHRE, 2005).

The Act puts down general principles for housing delivery. The Act is the cornerstone policy to facilitate and provide for sustainable housing development procedures. It recognizes housing as (a) a sufficient shelter to fulfill the basic need, (b) a product and a process, (c) product of endeavour and an enterprise, (c) an integrated developmental planning, (d) a significant sector of economy, and (e) key to socio-economic well-being of the nation (RSA, 1997).

Section 2 (iii) of the Act advocates for the development, establishment and maintenance of communally and economically viable communities of safe and 'healthy living conditions to ensure the elimination and prevention of [informal settlements]' and their conditions (RSA, 1997: 6). It also hopes to advance conditions in which every citizen can meet obligations with regard to housing development. Sustainable housing development can be achieved by only promoting the effective functioning of the housing market to ensure equal access for all to the housing market.

General principles of the Act (i) (ii) define the administration of any matter relating to housing development should be based on 'respect, protect, promote and fulfill the rights in the Bill of Rights in Chapter 2 of the Constitution' and 'observe and adhere to the principles of co-operative government and intergovernmental relations referred to in section 41(I) of the Constitution' (RSA, 1997:8).

However, the Housing Act does not contain a full account of the actual policy. It is argued that the Act has failed to spell out whether housing delivery should be carried out via project-linked grants, or that individual ownership should be given precedence over communal ownership or rental alternatives. However, the Act claims that the Minister

should circulate a Housing Code containing national housing policy that binds both provincial and municipalities. The reality is that the content of the Code is decided solely by the Minister and, the Minister is not bound to 'engage in any deliberative or consultative process' in deciding national housing policy (McLean, 2006: 55-5).

Subsidies have been offered in various amounts on a sliding scale and most of this subsidy assistance has been normally 'through project-linked subsidies for large-scale housing settlements' (COHRE, 2005: 29). There are many problems associated with the subsidized housing such as poor quality and peripheral housing locations. Since housing rights are bundled with livelihood rights, housing delivery away from low-skilled and low-yield jobs in urban centers could not improve the livelihoods of beneficiaries. Subsequently, the right to housing is something more than merely bricks and mortar.

There have been increasingly harmful measures taken in South Africa to do away with informal settlements. These measures include direct and indirect approaches. Direct measures usually are entrenched legal policy on elimination and prevention of informal settlements. In addition, these control measures are usually aimed at the outcome instead of the cause such as eviction and forced relocation, criminalization and prevention of new informal settlements, 'even when it is clear that these settlements emerge out of benign responses to ever-depending housing need' (Huchzermeyer, 2008b: 94).

Indirect measures are positive approaches focusing on improvement of living conditions within an informal settlement with minimal disruption to residents' lives and livelihoods' (Huchzermeyer, 2008b). Based on these approaches, Section 2 (1) (iii) of the Housing Act legalizes the indirect model with regard to doing away with informal settlements. Otherwise, there is no suggestion in the Act on which one could support the form of direct approaches that were adopted by the apartheid government in its bid to eradicate informal settlements through demolitions, evictions, controlled transit camps and criminalization of land invasions. Yet, all these interventions have since found their way back into the post apartheid era, and 'despite contestation, have been [also] incorporated into proposed and approved legislation-in contradiction with the Housing Act' (*ibid*.: 95).

Reflecting on the reasonable implementation of the housing policy, McLean (2006) identified four major criticisms of the reasonableness of housing delivery. These four problems include 'the poor location of housing development; second, the poor quality of many houses built; third, the lack of effective assistance in maintaining housing stock; and fourth, the failure of housing delivery to address the housing backlog' (*ibid*.: 55-16). Peripheral locations affect the livelihoods of the beneficiaries as there are no social services, vegetation, schools, clinics and job opportunities needed for a healthy and sustainable development, 'thereby creating mono-functional settlements'(*ibid*.: 55-16).

Lack of affordable transport constrains livelihoods because working beneficiaries regularly have to rent housing or set up temporary shacks close to places of work, leaving other members of their families at home on the peripheral areas. It must be noted that poor location of housing perhaps has the perverse effect of increasing the housing backlog. The paradox of poor location means the perpetuation of the legacy of apartheid. The quality of housing is also appalling as beneficiaries fail to cope with even normal weather conditions and a number of them have developed severe cracks (; Behrens and Wilkinson, 2003; McLean, 2006).

Further, the housing policy has also failed to create long-term sustainability in the delivery of low-cost housing. The delivery of subsidized housing has not always culminated into poverty alleviation and lack of employment. It has also deepened poverty and debt, as beneficiaries are battling to secure employment and pay for transport and others. Housing policy in developing countries, such as South Africa, has failed to link housing development to economic development, job creation, using housing as a multiplier effect on the economy, reduce diseases and structural barriers to the urban land titling (Atuahene, 2004).

Housing policy restricts choice of tenure options and housing types open to beneficiaries. Scholars such as McLean (2006) reiterate that for many beneficiaries of subsidized housing, the vital thing is secure tenure. The policy narrowly focuses on individual

ownership of freestanding homes as the only tenure security. Many housing critics have challenged the prudence of having a housing policy motivated by individual ownership-particularly taking into cognizance of structural barriers as poor location, migration, and inability to provide for a sufficient quantity of homes. It has been found that new developments in policy have shown a move away from this narrow conception of secure tenure to other options which adopt the development of affordable rental accommodation as a response to the high demand for inner-city rental housing (*ibid*.).

Therefore, perceptions and expectations of adequate housing need to be re-assessed to ensure that sustainable housing solutions are not constrained by 'predefined of what people want or need with regard to housing types or tenure options' (McLean, 2006: 55-19). This reflects that the housing policy must be flexible instead of relying on housing options arising from the 'supply-based, project-driven approach' (*ibid*.: 55-19). Despite the existence of individual and demand-side subsidy model, beneficiaries are unable to access individual subsidies to construct or buy a house of their own, hence, are then circumvented to the housing available in a developer-built project (*ibid*.).

Huchzermeyer (2003b: 216) warns of any 'simplistic policy decanting (a term applied to forced relocations in South Africa, as if the poor were a liquid one could pour from one vessel to another) the poor from peripheral townships into suburbs is neither feasible nor desirable'. It is in this view that the housing policy is seen as serving the interests of the elites 'established by the Anglophone and apartheid obsession with uniform zones' (*ibid*.: 244).

3.4 The Breaking New Ground (BNG) of 2004

The BNG document of the DoH released in 2004 acknowledges the constraints of the Housing Act 107 of 1997 and its associated once-off capital subsidy indicated above (see section 3.3). While progress can be noted in the provision for low-cost housing since 1994, South Africa battles to remedy past race-based disparities, poor municipal service delivery and current urbanization (Rust, 2008). The recent BNG, approved in September

2004, seeks to redress the above shortcomings (DoH, 2004a). It aims to create nonracial, diverse communities and offer a choice of housing, from government-subsidised housing, affordable bonded houses with a supply of rental accommodation for those not yet ready to buy a home or people who have left behind a BNG home in another city or province. The current plan also witnessed the size of the house raised to 40 m^2 from 28 m^2 (DoH, 2004a; Ndabe, 2008). In other words, the BNG builds on the Housing Act of 1997.

This section examines the BNG which has resulted in the creation of the Upgrading of Informal Settlement Programme (UISP), Chapter 13 of the National Housing Code 2004 (DoH, 2004b). This section provides a descriptive analysis of the BNG based on the key concepts: livelihoods, good governance, secure tenure and sustainability of the urban poor.

In Part B, titled "Comprehensive Plan for Housing Delivery" the BNG is defined as a new human settlements plan to advance the achievement of a non-racial, integrated society via the creation of sustainable human settlements and quality housing. By adopting the BNG, the DoH is devoted to achieve seven unique objectives. Such objectives are (a) to speed up the delivery of housing as a plan for poverty alleviation, (b) using housing development as a major job creation plan, (c) ensuring that property can be accessed for wealth creation and empowerment, (d) influencing growth in the economy, (e) combating crime, advancing social cohesion, (f) encouraging the functioning of the whole single property market to reduce duality within the housing sector, and (g) using housing as a tool for the creation of sustainable human settlements (DoH, 2004a).

There are many devices and programmes designed at all spheres of government intended to offer effect to the right to human settlements. Yet, at the hub of the housing delivery has been the UISP based on Section 1 of the Housing Act of 1997 being the development and maintenance of sustainable and stable residential environments allowing access to socio-economic benefits for all citizens of South Africa (DoH, 2004b; RSA, 1997). In this section I will focus on policy intent and relocations objectives. The DoH subscribes

to the United Nations Millennium Development Goals (MDGs) adopted to improve millions of households living in informal settlements globally by 2020.

Chapter 13 Section 13.1 affirms that although the National Housing Subsidy Scheme (NHSS) has virtually kept pace with new housing developments, it has failed to dismantle the housing backlog. Instead, informal settlements are set to grow at 4% per annum due to the rapid urbanization but, it is expected to decrease to 3% after 2010 (DoH, 2004b). Nevertheless, the number of families in informal settlements which would need to be upgraded over a period of 15 years is about '2.9 million' (*ibid*.: 4). This implies that there would be about '193 000 households per annum' needing settlement upgrading over '15 years' period (*ibid*.: 4). Chapter 13 highlights that the NHSS was not aligned specially for settlement upgrading. However, funding would be made available through chapter 13 in the form of grants to municipalities to allow them to respond to upgrading requests by means of the provision of land, infrastructure services and social amenities. It includes the possible relocation of affected people on a voluntary and co-operative basis (DoH, 2004b).

The key policy intent is to facilitate the structured settlement upgrading. It advises that upgrading should be tackled from a pragmatic dimension taking into consideration of the changing realities and fears. Indeed, informal settlements should not be seen as just a "housing problem" in need of a "housing solution" rather than as a sign of structural changes which need multi-sectoral partnership, long-term commitment and political patience (DoH, 2004: 4). The UISP affirms the achievement of complex and interconnected policy aims, such as tenure security, health and safety, and empowerment of the urban households (DoH, 2004b). Thus, the plan supports the 'eradication of informal settlements' via the adoption of in-situ upgrading approach based on global best practice (DoH, 2004a: 12).

Section 13.2.2, titled "Principles of the Programme", explains twenty principles to be undertaken during the upgrading programmes. Some of the principles include: a holistic approach, qualification for benefits, stand sizes, suitable land, demolition of shacks, roles

of provincial and municipalities (DoH, 2004b). For example, UISP is meant to motivate local solutions via a process of involvement between municipalities and residents living within informal settlements. Section 13.3.4.1, titled "The Phased development process and funding application" defines the four application phases, namely, application; project initiation; project implementation; and consolidation subsidy phases (*ibid*.).

Notably, the UISP discourages the displacement of families because it is costly, causes conflict, and further divides and fragments previously marginalized and urban indigents. It is understood that households living in informal settlements are frequently dependent on fragile networks to warrant their livelihoods and survival. Above all, the programme seeks to reduce disruption of the affected communities. Nevertheless, relocation would be unavoidable in conditions where households are living in risky conditions or in the way of vital engineering or municipal structure. In such cases, relocation could take place at a 'location as close as possible to the existing settlement' and as approved by the affected community (DoH, 2004b: 19).

General Conditions for Pilot Projects in Section 13.11.2.2 (a) in the UISP 'provides for the provision of interim municipal services' during the initial phase (DoH, 2004b: 37). These services include access to potable water, sanitation, refuse removal facilities, accessible roads to facilitate service vehicle access and emergency service supply. The UISP emphasizes that these services would be upgraded to permanent services level or be used as the foundation for the provision of the eternal engineering services. 'The amount available for the provision of interim engineering services is R1 500, 00 per household' (*ibid*.: 37). Municipalities are also required to provide people with primary municipal services such as, parks, playgrounds, sport fields, crèches, community halls, taxi ranks, clinics and informal trading facilities (DoH, 2004a).

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Reflecting on the formalization of informal settlements in Brazil, Fernandes (2000) notes two things. First, despite the structural constraints and differences of these settlements, recognition of the rights of households living in informal settlements by the government

virtually contributed to the creation of the initial basis for a 'new, socially oriented and more participatory culture of urban planning' (*ibid*.: 175).

Huchzermeyer (2008b) and Centre on Housing Rights and Evictions (COHRE) (2005) comment on the implication of the phrase "eradication" of informal settlements. It is argued that municipalities may eradicate current settlements and thwart any effort by the poor to develop new informal settlement. Huchzermeyer (2008b) argues that the term entered firstly official ministerial statements in 2001. Accordingly, eradication of informal settlements is seen as a commitment to create cities free of shacks in 'the next 15 years' (*ibid*.: 95). It is alleged that misinterpretation of eradication of informal settlements has created insecurity among the urban poor households (*ibid*.).

Researchers such as McLean (2006) state that even after the adoption of the BNG since 2004, the poor are still being located on the urban outskirts. Instead, the BNG implementation focused mostly on social housing, or 'medium-density housing' for enhancing mobility and advancement of urban integration (*ibid*.: 55-30). Social housing is expensive as the costs are often borne out by benefactors. These high costs also contribute to the instability and non-sustainability of the social housing sector (*ibid*.). Although the NHSS assistance has often been offered through project-linked subsidies for large-scale housing settlements, COHRE (2005) identifies well-known challenges with regard to the housing subsidy project which include extensive corruption in the distribution of low-cost housing units, subsidies and the allocation of construction contracts.

While the BNG is viewed as demonstrating fresh ingenuity to variety in low-income housing models, Goebel (2007: 292) argues that 'South Africa's urban settlements reveal a past, present and projected future of unsustainability'. This author alleges that South Africa is graded to have among the most 'inefficient and wasteful urban environments in the world' (*ibid*.: 292). It is claimed that the adoption of the neo-liberal macro-economic policies by the African National Congress' (ANC) government, particularly through the approval of the growth, employment and redistribution (GEAR) in 1996 is associated

with the failures in addressing sustainable indigents in the cities (Pugh, 1995). Housing practitioners, policy makers and non-governmental organizations also allege that neo-liberal policy has worsened poverty of the already urban poor households, causing huge levels of unemployment. Unwittingly, these households 'cannot pay for the services essential to healthy urban living' (Goebel, 2007: 293).

As Goebel (2007) has correctly captured, BNG faces the challenges of apartheid legacies and relentless inequalities. South African cities have exclusive and intricate histories that severely mark pre-1994 housing development, and the migrants live 'on the periphery of areas, historically reserved for Africans, such as townships' (*ibid*.: 293). The author notes that the major problem is that past race and disparities in quality services, housing and the urban environment also continues. Thus, the dream of 'building ecologically healthy and sustainable settlements remains, for the most part, a distant dream' (*ibid*.: 297). It is argued that informal settlements or low-cost housing are virtually exposed to environmental hazards, such as surface and groundwater, and disturbance of estuarine or wetland sites.

Notwithstanding Section 24 (a) (b) (i) (ii) (iii) of the South African Constitution emphasizing the right to sustainable environment, Mubangizi (2005) notes of the environmental discrimination where an 'unequal share of the environmental burden' between the poor and wealthy neighbourhoods exists. The reality of his argument is that 'the concentration of hazardous and pollution industries' often affect the urban poor households (*ibid*.: 129). It is argued that in the South African context, rubbish can be gathered 'twice a week in a wealthy area but only once a week [or not at all] in a township'…and 'so too the practice of establishing waste disposal sites, rubbish dumps and power stations in the vicinity of black townships' instead of near the wealthy white suburbs (*ibid*.: 129).

Lalloo (1999) warns that eradication of informal settlements throughout is wrong because relocated people always held special attachments to the places they were forced to leave as they had participated in shaping their environment. New areas are often planned and

produced by state bureaucracy; hence, they do not have meanings and no sense of belonging to the beneficiaries.

3.5 Evictions under post apartheid South African policy and law

South African major urban centres are the main areas of wealth generation and concentration, as well as of abject poverty. Informal settlements associated with their illegal structures and unauthorized occupation of land remains the common features of South African major cities (Huchzermeyer, 2009). This section tries to make sense of evictions, highlighting the impacts they have on residents of informal settlements. During forced evictions 'bulldozers have been turned into an instrument of governance and it is the ordinary people who are suffering' (Du Plessis, 2006: 180).

Generally, millions of mostly urban poor residents are forcibly evicted, leaving them vulnerable, homeless while deepening 'patterns of poverty, discrimination and social exclusion' (Du Plessis, 2006: 180). There are controversial reasons cited for forced evictions ranging from public, developmental, economic development and poverty reduction. Instead, these reasons are seen as increasing the market pressure on urban poor households. In contrast to reasons generated by economic growth are seldom allocated to housing and upgrading programmes for the urban poor households (Durand-Lasserve, 2006).

In view of the high rate of urbanisation and the proliferation of informal settlements in South Africa, and the illegal invasion of worthless land in urban and peri-urban areas; Huchzermeyer (2004a) states that studies have attempted to understand the phenomenon of informal settlements. This has led to some researches asking whether these settlements 'should be dealt with: eviction, demolition, relocation, or legalization and integration?' (*ibid*.: vii). It must be stressed that COHRE (2005) and DoH (2004b) remark that beneficiaries should be adequately compensated for property loss during eviction. It must be emphasized that 'humane relocation plans are put in place' and that 'eviction and

relocation of relatively large numbers of people may be necessary, but only *as a last resort*' (COHRE, 2005: 25).

Du Plessis (2006) and Durand-Lasserve (2006) have remarked that implications of forced evictions are huge on the urban poor households. Forced evictions have 'catastrophic' results especially for the affected individuals, families and communities…' (Du Plessis, 2006:181). He adds that affected communities members can also become 'homelessness, loss of wealth and assets, loss of jobs, loss of access to health, education and other services, and destruction of survival networks' (*ibid*.: 181). It is vital to note that residents of informal settlements 'are more exposed to forced evictions…' and 'vulnerable to external pressures' (Durand-Lasserve, 2006a: 4). Moreover, evictions or displacement does not only impact on human rights, but they 'run counter to genuine human development' (Durand-Lasserve, 2006: 181).

COHRE (2005) has argued that the South African government has passed a number of rules with regards to forced evictions. Such laws include the Constitution of the Republic of South Africa (1996), The Extension of Security of Tenure Act (no. 62 of 1962), The Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (no. 19 of 1998)-known as the PIE Act. This section deals only with the PIE Act as most of 'informal settlers or squatters are usually evicted' (*ibid*.: 35).

Section 4 (10), (11) and (12) of the PIE Act mentions the demolishing of informal structures which were occupied illegally and this duty needs to be carried out by the sheriff of court provided that the sheriff must 'be present during the demolition or removal of building structures' (RSA, 1998: 3). Any eviction order of an illegal occupant or removal of informal settlements thereof must be subjected to 'the conditions deemed reasonably by the court, and the court may, on good cause shown, vary any condition for an eviction order' (*ibid*.:3).

Eviction orders can also be applied by any organ of state to have an illegal occupant evicted from the land which falls within its area of jurisdiction unless if the illegal occupant is a mortgagor. Under Section 6 (1) (a) the court may issue eviction order only if the organ of the state intends to build a building on the land while the illegal occupier does not have an agreement to that effect. The court can also issue an eviction order 'in the public interest [health and safety]…' (RSA, 1998: 4). One of the conditions the court wants to base its decision is 'the availability to the unlawful occupier of suitable alternative accommodation or land' (*ibid*.:4).

Chapter 13 of the Housing Code is seen as the guiding principles in the minimization of disruption and conservation of communities within informal settlements. It also discourages the eradication of informal settlement households but, only in limited cases where residents are living in hazardous conditions or in essential engineering or municipal infrastructure. 'Legal processes for eviction should only be initiated as a last resort' (DoH, 2004b: 3).

Although some municipalities have minimized evicting the urban poor who have invaded the land, forced evictions still remain rife in South Africa (COHRE, 2008a; Wilson, 2007; Du Plessis, 2006). In most cases, illegal land occupants live in fear that municipalities can send authorities to evict them. This trend tends to increase intermittent evictions which simultaneously lead to homeless and formation of informal settlements. Cobbett (2007:3) argues that the United Nations, through its human rights and other conventions, view evictions in a serious manner because a forced eviction can mean…'a gross violation of human rights, in particular the right to adequate housing'.

The implication of preventing the emergence of informal settlements often violate the human right to housing because the urban poor are left 'homeless and, in the process, entrenching patterns of poverty, discrimination and social exclusion' (Du Plessis, 2006: 180).

Livelihood strategies of the urban poor are compromised because relocations tend to shift developmental issues from one area to another instead of addressing these problems through *in-situ* upgrading. COHRE (2008a) argues that evictions thus deny the urban poor the right to decent housing. Relocations are traumatic and severe, coupled with the power of municipalities 'to set up transit camps for people evicted from their homes (*ibid*.: 6).

Huchzermeyer (2008a; 2008b) argues that the amendments to the PIE Act sought to tighten the criminalization of illegal occupation. While Section 3 (1) of the Act discourages the acceptance of money to occupy the land without the owner's consent, the amended Section 4. 3 (1) (b) has extended this to include 'the benign occupation of unused land by desperately poor with an urgent need for housing' (Huchzermeyer, 2008a: 100). This is clearly regarded as 'a direct, negative and forceful' form to control the 'benign' development of informal settlements, whether organized by families or by the 'grassroots social movements' (*ibid*.: 100).

This section is certainly relevant to the topic. The PIE Act focuses on the right of the land owner than understanding the reasons of why the land invasion took place, how long the illegal occupier/s have lived on the land in question. Nevertheless, it supports the uprooting of informal settlements, a 'concern with the increasingly negative measures taken in South Africa to do away with informal settlements…' by 2014 (Huchzermeyer, 2008b).

3.6 Conclusion

This chapter examined the selected pieces of legislation and policies associated with housing and human rights. South African housing legislation is largely compliant with international agreements and the South African Constitution. It noted that the Housing Act of 1997 indicates an approach to eradicate and prevent the formation of informal settlements based exclusively on indirect measures. It is largely agreed that if municipalities can implement these approaches at scale the need to form these settlements

would be minimized. Settlement upgrading of the existing informal settlements remains the central part of indirect approach. It is this approach which is endorsed by the United Nations.

The chapter also indicated that most of South African cities practice direct and negative eradication of informal settlements, likely by 2014. This approach is based on eviction or forced relocation, arrests, criminalization and the prevention of new development of informal settlements.

It then showed challenges faced by the BNG to redress apartheid legacies and persistent inequalities in term of housing delivery. Although South Africa is viewed as a pioneer in delivering low-cost houses, gaps do occur in the provision of people who qualify for a subsidized housing on the periphery of the cities. It is accepted that the main problem around housing rights is in the implementation of policies, especially Chapter 13 of the Housing Code. Relocations are traumatic and disregard livelihoods of the marginalized poor.

CHAPTER 4: RESEARCH METHODS

4.1 An overview

This chapter explains the research methods mentioned in chapter one, in relation to the problem statement, objectives of the research, research questions and argument of the research. The significance of this chapter is that it presents the specific methods used in this report. It focuses on the description of the research approach, research strategy, data collection, data analysis, limitations of the research methods, time perspective of the study and the ethical consideration of the research. This chapter also explains the conceptual structure which allowed the report to be managed efficiently and economically in view of the consistent financial and time constraints.

Criteria for studying Seraleng were based on three main reasons. First, Seraleng was selected as one of the nine provincial pilots project earmarked for sustainable human settlements. This relocated area experiences poor accessibility in terms of infrastructure service amenities, extreme poverty, heterogeneous of tribes and therefore fascinating to document process, action and role played by various players in housing development and improvement. Secondly, it was also chosen because of its logistical reasons, especially taking into cognizance that I live in the town of Rustenburg. Thirdly, Seraleng fits perfectly for the arguments I raised in the report.

4.2 Research approach

This report has adopted a mainly qualitative research approach. It is based primarily on narrative information obtained from respondents through interviews, questionnaires, and direct observation of Seraleng. Reason and Rowan (2004) have argued that the core element of a qualitative research approach is to connect meanings to the experiences of respondents and their lives). The report draws on statistical and other written evidence such as the Statistic South Afica, government policies and the increasing housing research literature on South Africa.

4.3 Research strategy

The report presents a case study of Seraleng in the town of Rustenburg Local Municipality (RLM), North West Province, South Africa. It falls under the control of the Bojanala Platinum District Municipality (BPDM). Notably, a case study remains a good and holistic strategy used in various areas of research to collect data and analysis (Ouyang, 2009). Full details of the case study of Seraleng are dealt with in Chapter 5.

4.4 Data collection

This section discusses the research tools I used to conduct a case of Seraleng. Data collection for a case study needs to be treated as a matter of design that will boost the construction of both internal and external validity as well as reliability of the study (Tellis, 1997). I started by planning for data collection, distribution of questionnaires and conducting of interviews (including direct observation and participant observation). This study report uses pragmatic field-based research comprising of key informant interviews with municipal officials, NGO and a ward councilor. Goebel (2007) and Tellis (1997) argue that the usage of these methods requires different skills from the researcher, but they are often co-dependent and could be used in tandem.

Research sampling

In this report, research sampling was based on unstructured and open-ended interviews of officials and members of community of Seraleng (3 municipal officials, 2 provincial officials, and 3 community members). Respondents were selected randomly, and I used questionnaires, direct observation and interview models concurrently to collect information. These models helped me to get a better insight of the participants being consulted via a non-judgemental approach (Tellis, 1997). Direct observation was obtained from site visits to Seraleng and, data was based on formal and casual activities (*ibid*.). I further conducted participants' observation to know their experiences and feelings after being relocated to Seraleng. Municipal personnel mentioned above deal

with informal settlements in one way or another. Questionnaires were planned to obtain germane information required to understand the four key concepts (i.e. livelihoods, good governance, security of tenure and sustainability). The following is the breakdown of research instruments carried out during the research report:

- Questionnaires, for the informal settlements to get information on the nature, scale, socio-economic aspects and constraints compared to where they come from. In addition, questionnaire was structured in the following areas: (a) demographic uniqueness of the respondents; (b) respondents' desires; (c) income and expenditure patterns; (d) attitudes and past experiences of life in informal settlements; and (e) economic opportunities.
- Interviews were conducted with beneficiaries and officials to get information on policy issues, challenges they faced within informal settlements when dealing with issues of unemployment, survival strategies, and integration. Questions on the distance between informal settlements and town were raised to the relevant respondents.
- Observation of the entire informal settlements was conducted. Documents were analysed because direct examination alone could hardly yield a realistic conclusion.
- Both published and unpublished literatures on informal settlements as well as internet sources were widely consulted.

Adequate care in the compilation of questionnaires and interviews was assured. It must be noted that it is possible to encounter certain weaknesses in relation to respondents misinterpreting or misunderstanding question/s raised. Informal settlements are very sensitive and severe areas, rendering respondents not to give right responses as they touch their aspirations, perceptions and income/expenditure).

4.5 Data analysis

Data analysis of the case study was based on the understanding, examining, tabulating or recombining the problem to eradicate informal settlements in South Africa by 2014. The

report examined and analysed data collected from the distributed questionnaires, direct observation, policy documents and interviews with participants.

4.6 The limitations of research methods

This study identified and accepted the limitations of the data collection methods as used in the report. The research used qualitative research approach. However, the acceptance of the flaws does not, in a way, compromise the results of this research report. The following are some of the known limitations of this research report:

- Data: This study deals with a very sensitive issue of eradication of informal settlements and most people, in particular both municipal and provincial officials; were probably unable to reveal their real views about the challenges of eradication of informal settlements.
- Language: Questionnaires and interviews were drafted and conducted in English and where there was a need to interpret them I clarified questions in the local language (either in Tswana or in Xhosa).
- Unavailability of interviewees: Deferrals and none responses of set appointments, questions and other excuses of holidays were common.
- Lack of accurate statistics of informal settlements within the municipality and provincial government was also sadly noted.
- Time and Budget: The intention of this study report was to interview a larger group of respondents but, it was not possible due to time and budgetary constraints. Some of the approached respondents could not participate in the research due to the sensitive nature of informal settlement and/or other commitments. Respondents I interviewed spoke on behalf of the whole community, and not just about their households or experiences. The names of respondents were changed to protect their identities.

4.7 Time perspective of this study

It is suffice to state that this research topic is apt to the recent policy reforms existing mainly in South Africa. South Africa faces a myriad of housing problems inherited from the legacies of apartheid and colonialism. Massive housing backlogs and shortages have incited the government to shift from the product-driven model to demand-driven approach, from quantity to quality housing delivery. The most tempting approaches are:

- the inclusive sustainable human settlements aimed at integrating housing (BNG);
- the increasing functions assigned to the private sectors/locals;
- the rising desire to endorse intergovernmental relations within the three spheres of government;
- the urbanization, poverty, exclusion, migration, unemployment and gender imbalance factors impacting on housing delivery.

4.8 Ethical considerations

The study report took issues of ethics seriously into consideration. Participants were not hurt in anyway in the name of this research (Ouyang, 2009). Permission to conduct this report was obtained from the relevant subjects or from persons legally responsible for the subjects such as the RLM, Provincial Department of Local Government and Housing and, the University of the Witwatersrand

I also respected and valued the participants' privacy. Thus, no participant was forced to contribute reluctantly. While questionnaires were prepared in English, they were to be managed by the researcher conducting structured interviews with the intended respondents by reading through the questionnaire, explaining the exact meaning or needs of every question and objectively filling in the answers from the respondents interpret questions in a language that respondents were happy with, such as Tswana or Xhosa.

Consent was also sought from respondents to use the digital camera to take photos of the area. The code of ethics was always used as guidelines set up by national organizations that guide our research endeavours and protect respondents from harm (Neill, 2007).

4.9 Conclusion

This chapter set out the research methods used in this study report. It then indicated the aim of coming up with an abstract structure that allows the research to be managed resourcefully given the rampant time and budgetary constraints. Although the responses were encouraging, there were constraints encountered related to the non-availability of some of the identified respondents at the arranged time. For instance, some respondents refused to answer certain questions, especially those related to corruption and policy interpretation (Mahanga, 2002).

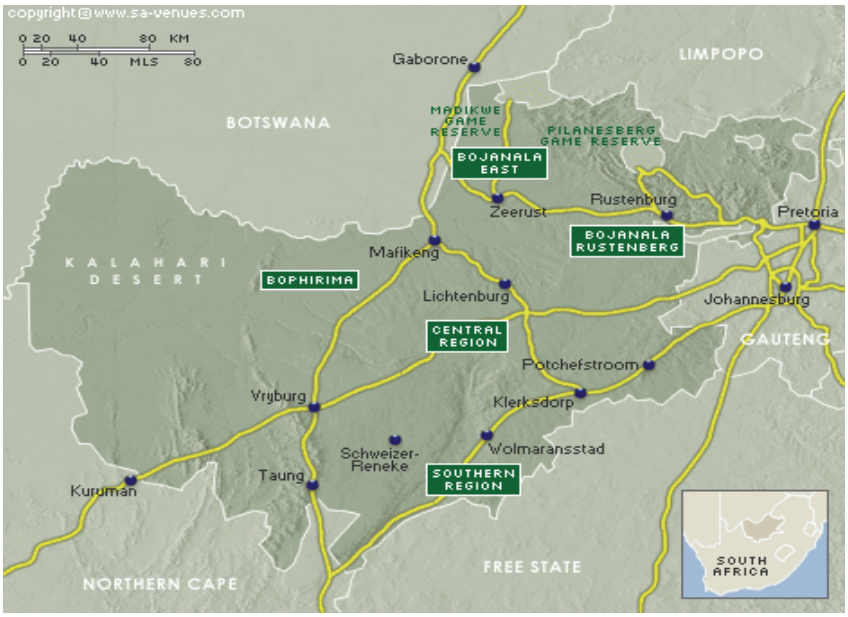
CHAPTER 5: CASE STUDY OF SERALENG

5.1 An overview

This chapter presents the case study of Seraleng, a relocated area. It seeks to understand the four key concepts (livelihoods, good governance, secure tenure and sustainability) in view of the process of resettlement of informal settlements. The research question in this study report has previously been affirmed as challenges of eradicating informal settlements through relocation in South Africa by 2014 to lessen the housing backlog and the problem of informal settlements proliferation. As in Tanzania (Mahanga, 2002) there is a tie between poor housing settings and poverty, poor insight of the function of enhanced shelter and its milieu in easing poverty and lack of gratitude of the gift and desire of the people in improving their housing and its environments so as to lessen their poor conditions. Informal settlements within the RLM have developed around mining activities and are often located along the mining belts.

This research report found that the RLM does not make use of Chapter 13 of the Housing Code, the Informal Settlement Upgrading Programme (ISUP). Instead, it seeks to eradicate informal settlements through relocation, which then raises complications such as inconsistencies or corruption in allocation, etc which the case study reveals.

Map 1: Map showing the location of the North West Province



Source: South African Venues (2009)

5.2 Background to Seraleng

Seraleng is situated in RLM, in the eastern part of the North West Province (see Map 1) beside the R510 highway. It is about 15 kilometers from the city fabric of Rustenburg. It is one of the pilot projects identified by the DoH in 2004 to combine informal settlements urgently into the broader urban fabric via a new settlement upgrading plan (BNG) to support the eradication of informal settlements efforts in South Africa by 2014 (DoH BNG, 2004a). According to the RLM, the municipality in 2006 planned to build 5 000 mixed housing units (3 200 low-cost houses, 1 000 social housing and 800 medium/high cost housing). Seraleng is bordered by Boitekong Extension 1 (west of Seraleng) and Meriting (south).

The population of Seraleng consists of families relocated from Mbeki Sun, Plot 14 and Sunrise Park (see Map 2). Mbeki Sun is situated alongside Portion 45 and Extention 10 Boitekong close to Paardekraal. It has been in existence for the past 13 years, and it is made of about 700 informal settlements with an estimated population of 1600. The municipality provided communal taps and ventilated improved toilets (VIP) toilets.

Residents of Mbeki Sun were relocated to Seraleng, and RLM claimed that relocation of Mbeki Sun went well without resistance from residents (RLM, undated).

Plot 14 was another original informal settlement situated close to Paardekraal Ext 3, East of Rustenburg in farm Paardekraal 279 JQ. This settlement was also in existence for the past 3 years, and there were about 300 shacks with an estimated population of 510. On the one hand, only 1 water tank was provided for the community by the municipality. On the other hand, residents of Plot 14 still used pit latrine toilets. Again, municipality alleged that relocation went well without challenges (RLM, undated). The research could not justify kilometers from the identified and original informal settlements.

Both relocations were carried out mainly because residents were living on the private land illegally, and these areas were not within the municipality's restructured zones (RLM, 2008 18). This implies that the municipality could not provide basic services to these areas. It must be stressed that residents of Mbeki Sun, Plot 14 and neighbouring areas used to derive their incomes mainly from the farms, especially as farm labourers or cattle herders. Actually, relocation process took place in 2006. I found that some of former informal settlements were demolished while others still existed by the time of writing this report. According to the municipality, demolition of informal settlements was vital in order to prevent further formation of informal settlements in those areas.

RLM (undated) claims that like other integrated human settlement housing project in Delft, Cape Town, Seraleng faces challenges, including illegal occupation of completed and completed houses. Some of residents of Sondela, neighbouring Seraleng, were allegedly the main suspects of unlawful occupation of houses. During meetings between representatives of the municipality and residents of Seraleng, Sondela community accused RLM of overlooking them when it allocated low-cost houses in Seraleng. They argued that they also needed housing and vowed to die for access to housing.

Further, residents of Sondela vehemently indicated, among others, that the municipality did not only overlook them during the allocation of houses in Seraleng. It had also violated their rights to access adequate housing. Another problem was the allegation that Batswanas were given roof tiled houses whereas those non- Batswanas, like Xhosas, were

allocated corrugated roofed houses. Sondela settlement is very dense and most of its beneficiaries erected backyard shacks around their low-cost houses and rented them out (RLM, 2.undated).

On 25 November 2007, certain section of Sondela community illegally occupied about 326 completed houses that municipal housing officials were allocating to legal beneficiaries. During this violent protest over houses, doors and windows of these houses were broken, and a case of malicious damage to property, trespassing and intimidation was reported to the police against perpetrators, although no arrest made yet by the time of writing this report. Eviction order was granted on 10 December 2007, but it was finally carried out on 04 March 2008 after several postponements. Besides, there was allegation that about 10 people were killed in a clash between legal and illegal occupants of houses (RLM, undated).

5.2.1 Location of Seraleng

Seraleng is situated on the outskirts of the City of Rustenburg as indicated in the map (see Map 2). Although there is a R510 highway and its branches which serve as major routes by taxis, buses and mining trucks, there are relatively no proper infrastructures in Seraleng such as roadways. This has led taxis and buses to be cautious of going inside Seraleng due to lack of proper road infrastructure especially when the area is water-logged. As Khanye (2003) has indicated, the highway does not benefit residents of Seraleng at the moment. Seraleng is surrounded by many informal settlements which also have serious challenges of accessing low-cost housing and basic services.

Map 2: Map showing the location of Seraleng



Source: Google Map (2009)

5.2.2 Education

There are many educational challenges in Seraleng. Broadly, the educational status within the RLM depicts very low skill levels. While about 15.1 per cent of the population older than 20 years lack any form of any schooling, about 19.7 per cent only have primary education. This means that about 35 per cent of the full adult population is functionally illiterate. Low literacy levels constrain the capacity of Seraleng households to find better job opportunities that arise within both the private and the public sectors such as mining industries (SDR, 2006).

In assessing the extent of this condition, the shortage of skilled personnel in the municipality is attributed to the fact that most of the experienced professionals such as town planners, electricians and environmentalists are lost to the mines and the private sectors. As a result of the shortage of skilled personnel, the local economic activities are affected, thus, distorting the economic growth within the district. The core element to

note is that Seraleng accessibility to educational facilities in Seraleng is non-existent. There are no schools in Seraleng therefore children still walk long distances to the neighbouring schools. This means also that residents will face low output in terms of improving their economic conditions and growth. Their livelihood strategies are constantly constrained. It is admitted that the apartheid education plan put back human capital development more than a generation, forming the most serious of all economic constraints on the future growth of the economy of a free South Africa.

5.2.3 Environmental management

As indicated above, the development of a low-cost housing programme has involved building serviced townships on urban outskirts, which in turn presents a myriad of environmental, social and political challenges (see Figures 3 and 4). There are severe environmental impacts in Seraleng because of lack of proper sanitation facilities, roads, and disturbance of fragile ecosystems such as estuarine or wetland areas. The study also revealed that most of the Seraleng residents are exposed to waste including gaseous, liquid or any blend thereof generated from residential, commercial, agricultural or industrial areas as an undesirable or surplus by-product, emission, residue or remainder of any process or activity. Ultimately, this has caused a range of health risks impacting on the aquatic biodiversity in the area (Bench Marks Southern Africa for Corporate Social Responsibility, 2007). Mining companies and other industries are also the major cause of pollution resulting in slimes dams and groundwater contamination.

The RLM is experiencing high rate of urbanization due to the boom in the platinum markets which have caused a new growth of mining activities culminated in the unparalleled range of development. This boom, together with the fact that influx of migrants and the rise of informal settlements around the mines often present deteriorating environmental and social conditions (Ololade *et al*., 2000).

It is crucial to note that high demand of basic services like housing has increased due to the process of urbanization. Similarly, migrants have come to work, to be with family, or

to look for better health care and education. High levels of urbanization and high demands for decent housing frequently cause pressure on the natural environment in poor urban households.

Figure 3 showing a mining shaft in Seraleng



Source: Author

The municipality is also expected to collect domestic wastes through a routine of door-to-door collection services. These services are contracted to private waste contractors such as the Millennium Waste, C & D Plastics, but Seraleng is not serviced(see Figure 4)... But the boom in the mining industries has put pressure on the environment, destroying environmental assets (Rustenburg, 2008a; Rustenburg, 2008b; Bojanala Platinum District (BPDM), 2007). The research identified the lack of waste collection within Seraleng.

This lack has forced residents to dump household wastes in the open field, exposing themselves into opportunistic diseases such as cholera (see Figure 4).

Regrettably, the municipality's Environment and Waste Unit involved with a range of waste management schemes through educational awareness and community participation seems to be lacking institutional facilitation and communication skills as the lines of communication are definitely unclear. In addition to lack of coordination, budgetary constraints caused by inadequate budget allocations, the non-payment for services rendered, and illegal dumping are contributory elements which have left the municipality without sufficient budget for waste control, or a skilled staff to ensure that an equitable waste management service is offered. Most of these services normally take place in the elites' residential areas within the local municipality while residents of Seraleng are not receiving this service at all (BPDM, 2007).

Low levels of education among the Seraleng community also affect their contribution to global environmental issues such as the global climate. Residents are not well-informed in terms of harms linked with the environment problems. Eventually, there are arrays of issues that need to be taken into consideration at both spheres of government (Fadane, 2006). The sad reality is that residents of Seraleng do not have tools to cope with the effects of climate change.

There is evidence that suggests that dumping sites are being mismanaged with regard to access, conditions on site and monitoring of the difference wastes (Rustenburg, 2008a). There is also no trace of waste entering and leaving the site while other ablution services and fencing-off of the dumping sites are absent. The study has found that the RLM is in a desperate need for a new land-fill site which can cater for the neglected areas such as Seraleng (*ibid*.). Moreover, there is lack of autonomous environmental monitoring and air quality at both local or at district levels. Due to the rise of a number of platinum smelters in the area there are huge carbon dioxide and sulphur dioxide emissions increasing the respiratory illnesses of people of Seraleng (Bench Marks Southern Africa for Corporate Social Responsibility, 2007).

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Notwithstanding the completion of stages one and two of the strategic environment assessment (SEA) plan for the RLM, RLM still faces constraints with the mining actions 'to preserve the biodiversity of the town, particularly species unique to Rustenburg' (SDR, 2006: 60). This has caused weak participation between the stakeholders while allowing mining companies to do very little in terms of preserving the environmental settings (*ibid*.). It can be concluded that environmental conditions within the district are very poor and there is no access control around most of these dumping sites (BPDM, 2007).

5.2.4 Affordability

Most of the Seraleng families earn less than R1 600.00 per month. About 6.8 per cent of all family households earn more than R6 400.00 per family per month (BPDM, 2007). There are limited opportunities for the inhabitants of Seraleng to get permanent employment to bring food to the table. Ironically, for those who are working, their incomes are insufficient and too irregular to cover for both domestic services and transportation costs. , Their incomes are too low to move their urban households out of poverty.

Although the RLM is the prime contributor of the economy in the BPDM, unemployment rate is disappointing. Only few residents were employed mostly in irregular jobs while others were unemployed. This trend depicts that residents of Seraleng are not economically active. The boom in the platinum mines has also influenced per capita income in Rustenburg, 'where the comparative per capita incomes are approximately R19 000 and R20 000' (BPDM, 2007: 7). The lack of sustainable employment has culminated in high levels of poverty causing serious challenges for accessing proper services to residents of Seraleng. Given the unique situation of South Africa, lack of affordability is attributed to the legacy of apartheid based on inequalities in the quality of services, housing and environment (SDR, 2006).

Repeatedly, neo-liberal macro-economic planning policies have deepened the marginalization and poverty of residents of Seraleng. These policies cause very high rates of unemployment. At the one extreme, the poor are unable to pay for the basic services transport and a healthy and sustainable urban living (BPDM, 2007). Neo-liberal policies frequently circumvent funds offered for community, welfare-oriented programmes, meaning that the low-cost housing project in Seraleng is under-funded, constructed on a dreadful land on the urban periphery, thus, ending in housing of poor value. At the other extreme, the failure of the municipality to collect revenues has resulted in unfunded mandates as the culture of non-payment for municipal services is leading to the collapse of the city.

The lack of reliable and affordable public transport exacerbates affordability problems. This report reveals that some inhabitants normally walk to the city every day, although these trips are not safe. 'It is difficult for residents to frequent the city considering their low-income level' to access services (Khanye, 2003: 59). High transportation costs often exclude the inhabitants of poor households from the city and other economic hubs. Thus, they are cramped in Seraleng, 'which is sterile in terms of development and job opportunities. This further entrenches households into poverty' (*ibid*.: 59).

Figure 4 showing environmental conditions in Seraleng



Source: Author

5.2.5 Problems of land acquisition

There is strong evidence that the population of the RLM is growing more rapidly than the surrounding municipalities. It is assumed that about 2 950 hectares of land would be needed over the current decade (2005-2015) to house the projected urban growth in Rustenburg. Land tenure in RLM is complicated by the fact that much of it is still held under a system imposed by the apartheid government for agricultural land. The land on which Seraleng is situated on was donated to the RLM by the Royal Bafokeng Administration (RBA) and it was mostly used for agricultural purposes (SDR, 2006). This signifies that the RLM faces massive problems of land suitable for low-cost housing.

There are structural problems in terms of land acquisition for titling purposes to ensure that the urban poor have access to quality urban areas closer to job centres. It has been revealed that land is available in South Africa but, land is mostly affordable to the elites while the urban poor are frequently forced to look for shelter elsewhere, possibly in informal settlements. Like other towns in South Africa, Rustenburg is dominated by the race zones implemented by the notorious policy of apartheid. Despite the end of

apartheid, these inherited town planning laws still remain on the statute books, thus, perpetuating peripheral locations (Berrisford, 1998).

5.2.6 Security of tenure

This section takes as its point of departure the significance of security of tenure. The municipality planned to built 5 000 mixed housing units, namely 3 200 low-cost housing units, 1 000 social housing and 800 medium cost housing. This housing provision is based on the BNG which is demand-based. Low-income housing formation in South Africa, including Seraleng, was mainly financed via the housing subsidy, especially a once-off capital grant. This section is concerned with low-cost housing development or those whose combined household income does not exceed R3 500 per month. Although residents of Seraleng are owners of low-cost housing units, this tenure is bedeviled by numerous challenges. These include the peripheral location of housing development, poor workmanship, lack of assistance, illegal occupation of houses, high transportation costs and lack of basic infrastructure.

5.3 Conclusion

The chapter presented background for the case study of Seraleng. The emphasis has been on challenges of eradication of informal settlements taking into account the four key concepts: livelihoods, good governance, secure tenure and sustainability. The chapter indicated the severe social inequalities and urban disintegration due to peripheral locations while residents face problems of affordability, land problems, low educational levels and environmental discrimination. It was shown that relocation still follows the notorious policy of apartheid. In the next chapter I focus on analysis of collected from respondents and direct observation from Seraleng.

CHAPTER 6: RESEARCH RESULTS AND ANALYSIS

6.1 An overview

This chapter presents and analyses data collected from respondents (community leader/ward councilor, residents, municipal and provincial authorities in RLM) and the North West Province regarding Seraleng. The purpose of this chapter is to try to affirm the research findings in order to come up with supportive conclusions and recommendations in Chapter seven. As Verster (2008) pointed out, the post-apartheid Reconstruction and Development Plan (RDP) houses bear a striking similarity of the apartheid so called matchbox houses. Hence, 'the segregated Apartheid city structure has also not changed much since democracy' (*ibid*.: 1).

A point of departure of the report was that despite the wide delivery of low-cost housing in South Africa since 1994, the provision of low-cost housing provision is still taking place on the city's peripheries. Housing development on the edge of cities often presents many environmental, social, economic and political problems to beneficiaries. These concerns include unemployment, illegal occupation, transport costs, social amenities, corruption, poor quality, waste removal and inconsistent community involvement. All these issues are relevant to Seraleng community. The three (3) Seraleng respondents involved in the study report indicated that the new township compromised their livelihood strategies and they are less economically viable. Settlement upgrading is seen as a positive step towards safeguarding their livelihoods, good governance, security of tenure, and sustainability. These results are based on the analysis of problems of eradication of informal settlements.

6.2 Livelihoods of residents of Seraleng

With such limited prospects for adequate and dependable salaries, I heard numerous anecdotes of respondents working very hard to put food on the table. In probing the livelihood strategies of respondents of Seraleng, I found that many respondents were not

earning salaries as they were not in a job to help them improve their awful conditions. Those who were working often earned less than R1 600 per month as contract/casual workers in the mines and retail companies. Given these limited opportunities, most residents are forced into livelihood methods which are to a varying degree 'dangerous, illegal, and antisocial, including theft, drug dealing, sex work, trade in women and children, and child labour' (WB, 2009b: 45). I established that residents often plan their own jobs as garbage hunters, nannies, prostitutes, cleaners and dealers. All 3 respondents mentioned lack of stable jobs while depending on uneven paid and erratic casual labour and paltry trades, mostly not sustainable. This was happening even though there was a boom in the platinum mines. What I observed was that my respondents were seldom engaged in a permanent job (Mabilo, community representative, Pers. Com., 2008; Ledwaba, resident, Pers.com., 2008).

Mabilo, Pers.com., 2008) states that it is very common to find a family of about five members unemployed while providing for the basic needs of a family of five or more without proper jobs is very difficult. Most of these households are often headed by a female with low level of education or no education at all. In addition, families headed by women are struggling to put food on the table (*ibid*.). To cope with such precarious livelihood conditions, residents are constantly hunting down temporary jobs. They view better livelihood opportunities as very remote from them while their economic conditions are worsening (*ibid.)*.

In Chapter 5, it was established that the majority of the population within the municipality are functionally illiterate. Low levels of education usually constrain chances of the urban indigents to secure decent and well-paying employment to uphold their livelihoods in urban areas. Lack of socio-economic amenities like schools, libraries, and early learning centres perhaps impact on them and the next generation. As a result, residents do not have the required skills to request for better paying positions mainly in the mining industries (Mabilo, Pers. com., 2008). What I observed was that the area reflects serious concentration of urban poverty.

Due to lack of opportunities in rural areas, respondents migrated from the countryside and beyond into the RLM in search for greener pastures particularly working as wage labourers in informal sectors, mining companies and domestic services. Respondents frequently recognized the importance of the remittances generated from these temporary jobs to their families left in rural areas, but they increasingly hold negative views of migration as a livelihood method. This process is associated with housing problems, stiff competition for jobs between locals and foreigners. It has also culminated into extreme housing crisis with consequences that range from awful housing conditions, lack of basic services, socio-economic ills to conflict and confrontation. Unfortunately, those migrants who lack the ability to thrive in the city have suddenly become victims of its fury because they end up living in informal settlements. The downtrodden migrants are often accused of taking jobs for the locals, housing backlogs, illegal occupations of houses, and criminal activities (Ledwaba, Pers.com., 2008).

In relation to the question on whether the residents of Seraleng felt that their conditions were improved or not due to relocation, residents indicated that it felt good to own a house. However, respondents complained of unattainable and worsening economic conditions. 'Every day there are more jobless people around the neighbourhood all day long' (Mabilo, Pers. com., 2008). Seraleng communities live in extreme poverty as they do not have luck and skills. This is attributed to the lack of infrastructure and services, the poor quality of housing and poor quality sites. These structural barriers contribute to cycles of poverty as they do not have money to fix their peripheral and poorly built houses. Residents of Seraleng generally face the desperate burden of housing and living environments which exacerbates their vulnerability (*ibid*.).

Due to the extreme vulnerability of residents of Seraleng coupled with the peripheral locations, there were feelings of insecurity and fear created by violet illegal occupation of houses and lack of access to instant help when and where it is needed. Respondents raised concerns that they face difficulties in accessing life-saving services such as ambulance due to lack of roadways or infrastructure. A minor cuts or gunshot wounds pose a threat which could result to death, slower healing, and greater possibility of long term disability.

In this case the ignored injury is of extreme concern to the family livelihood and food security (Ledwaba, Pers. com., 2008).

Zwane, a resident, Pers. com., 2008 and Ledwaba, Pers. com., 2008 contend that residents rely on social grants and food vouchers to ease the impact of poverty. Grants such as the Child Support Grant (CSG) (for children up to 15 years) are often used to buy food, clothes and paying for their children education. Food vouchers (at R1010.00 each) are offered to the distressed families for a period of three months while waiting for the approval of the CSG. In contrast, respondents indicated that they would like to get sustainable jobs so that they can support themselves, for obvious reasons.

According to the municipal officials, Seraleng families are not allowed to erect backyard rooms or run home-based enterprises (HBEs). Residents were warned against infringing the rigid municipal by-laws and would be prosecuted and/or their goods confisticated. The problem with the municipality is that backyard rooms would develop into informal settlements particularly around mining areas (Mulemba, municipal town planner, Pers. com., 2008). Nevertheless, the municipality emphasized that residents should apply for permission to run the HBEs. However, no demarcated business stands were in place by the time of writing this report. It means that the municipal regulations and licensing make many diversified livelihood methods of the urban poor households unlawful. , Residents of Seraleng view these measures as limiting their chances to earn a living.

Problem of ability to pay for the municipal services

This section is an analysis of beneficiaries' ability to pay for the municipal services in Seraleng. It takes as its point of departure the neo-liberal macro-economic policies known as the basis of failures in addressing sustainable habitats in urban areas. Such policies led the South African government to cut social expenditure; resulting in a decline in what were already very inadequate levels of investments in basic services such as water, electricity, sanitation, garbage collection and health care.. Yet, most of these services were contracted to private service providers for maximum profits to the detriment of the

urban poor who cannot afford the payment due to their irregular salaries and high unemployment rates.

Moreover, irregular and lack of sustainable jobs are a cause of concern in Seraleng. The projected unemployment level for the district currently stands at about 40 per cent. These numbers show that a huge share of the district population has very low rates of affordability with a limited possibility to pay for services at a standard above the minimum required. Economic recession is reducing their chances of gaining employment and it also affects their capacity to pay for housing services. Residents of Seraleng confirm that malnutrition is rife which in turn implies that lower income groups are vulnerable to poverty and diseases (Zwane, Pers. co., 2009; BPDM, 2007).

The report identified that the municipality connected water, but there was no water billing system in place. The main stumbling blocks cited by the municipality were the problem of the illegal occupation of houses, budget and violence. However, residents of Seraleng are concerned as to who would be accountable and responsible for paying for water bills currently being used by the illegitimate occupants as the *de facto* beneficiaries are not staying in these houses. It also has to be appreciated that residents associate this problem with poor planning on the part of the municipality (Shekinah, informal settlement and municipal official, Pers.com., 2008).

Perpetuation of social exclusion and breakdown of social networks

The South Africa Constitution of 1996 affirms that every person has the right to have access to adequate housing. The Housing Act of 1997 expounds on the creation and maintenance of socially cohesive and viable communities to ensure the removal of informal settlements. Both these policies empowered municipalities to contribute in housing developments by performing as a developer to supply new housing stock to the poor. However, the community representative, Mabilo (Pers. com., 2008) and the community resident, Zwane (Pers.com., 2009) maintain that they feel very much excluded from the urban fabric similar to the situation during the apartheid settlements.

Despite of social problems associated with informal settlements, residents indicated that families in these settlements were socially cohesive and closely-knit social networks which are non-existence in the new relocated area in Seraleng. This contradicts the BNG's assertion of creating integrated sustainable human settlements. Seraleng is now divided into two schisms between Xhosa and Tswana speaking residents due to illegal occupation of housing. Xhosa speaking people are accused of illegally occupying completed houses in Seraleng. It was alleged that in 2006, this confrontation led to the loss of about 10 lives due to tribal fight over the access to housing. A number of houses were still under illegal occupation during the time of this report (Shekinah, Pers.com., 2008; RLM, undated).

The cost of transport from new locations to jobs and income generation activities have been recognized as the major financial dilemma for residents of Seraleng. In 2008 a single adult trip by a taxi from Seraleng to the town of Rustenburg could cost R6 which amounts to about R240 per month. Under such severe conditions some residents have devised strategies like walking to the city in the morning and taking a taxi in the evening on condition that they have such a taxi or bus fare. These factors, together with other households commitments such as food, education and health aspects, residents felt excluded from the city fabric (Zwane, Pers. com., 2009).

Another major problem raised by residents is that resettlement of informal settlements affected the livelihood strategies of the urban poor such as stokvels, burial societies and saving schemes. As residents correctly indicated, to pursue these strategies in a new location is very difficult and unsustainable. Unfortunately many respondents were cynical to engage in these activities with strangers or illegal occupiers. That sense of mutuality and collectiveness which existed in informal settlements had degenerated into autonomous and selfish practices.

The process of good governance in Seraleng

This section examines the process of good governance to ensure sustainable housing development in Seraleng particularly by involving the affected communities during and after the relocation process. Despite of the South African Constitution and the Housing Act affirming the importance of community involvement in housing development, community members were least engaged in this process. Their contributions regarding relocations were marginalized and decisions were imposed on them.

RLM official Mulemba (Pers.com., 2008) states that the municipality used media instruments, such as radio and newspapers, door-to-door campaigns and pamphlets to invite to or inform residents of community meetings. Meanwhile, the municipality also introduced the train-the-trainer programme aimed at training the ward councilors in community activities to perform their community duties effectively. Despite having these initiatives in place, few members of communities attended communities meetings. In addition, community field workers or train-the-trainers never improved the situation (*ibid.)*. However, according to community members, a major problem associated with workers was that instead of addressing the genuine concerns of residents such as lack of schools, councilors were biased towards their political careers (Zwane, Pers.com., 2008).

The illegal occupants and legal beneficiaries

There is a wide-spread tendency of unlawful occupation of completed houses in Seraleng largely at the expense of the *de jure* beneficiaries. Residents of Seraleng complained of and cited various flaws of the municipality, including its inability to implement policies, ineffective and corrupt dispute resolution mechanisms, and a failure to evict unlawful occupants. This mismanagement of affairs has negatively impacted the poor residents of Seraleng most (Zwane, Pers.com, 2009). In light of these issues, inhabitants have lost confidence in the municipality, the court and the South African Police Services for failing to ensure that legal beneficiaries have access to their housing rights since 2006 (COHRE, 2009; Zwane, Pers.com., 2009).

On the question of whether residents of Seraleng felt that the allocation of low-cost houses was fair and transparent, the study revealed the absence of transparency in the housing subsidy scheme programme as a key failure of municipality, which has contributed to beneficiaries' frustration. Residents state that the lack of transparency has also resulted in names of applicants being removed from the waiting list without explanation. According to the RLM official, Shekinah (Pers.com 2008) names of applicants were processed in the provincial Department of Local Government and Housing.

The study further detects that the municipality had hired a private company to compile the list in collaboration with the Provincial government while the municipality was not involved. Ironically, applicants frequent the municipal offices to enquire about the status of their applications. This has led to some of the residents given house keys different to the ones they had initially been allocated due to lack of transparency and illegal allocations (Zwane, Pers.com., 2008).

6.3 Security of tenure for residents of Seraleng

This section analyses the security of tenure of residents of Seraleng in view of the spatial increase of informal settlements in South Africa. It takes as its point of departure the widening gaps in the distribution of wealth and resources. It is understood that civic and private formal land and housing delivery schemes cannot react to the needs of residents of Seraleng. Respondents alluded to the fact that they have title and individual ownership. Other forms of tenure such as, mortgage and rental tenure options would be introduced incrementally

Further, some of the goals of the BNG (2004) are to create integrated sustainable human settlements focusing on providing tenure options and creating of economic opportunities for the urban poor by using the house as a catalyst and an asset to eradicate poverty, promote social inclusion, empowerment and merging of the first and the second economies. However, the research identifies that residents of Seraleng indicated that the municipal by-laws are deepening economic exclusion and chronic poverty. While residents have access to title deeds, they argued that invasions and various types of urban

hostility have gone past the limits of Seraleng, and the inhabitants in general have been cast in the roles of villains. Notwithstanding the attainment of the title deeds, the municipality has failed to promote the social integration of Seraleng into the broader urban fabric (Mabilo, Pers. com., 2008).

In summary, the security of tenure is a key element for the integration of the residents of Seraleng. Residents are normally said to have secure tenure only when they are protected from intermittent evictions from their land. Protection of residents of Seraleng from evictions is a requirement for the inclusion of informal settlements into the cities. However, provision of security of tenure for the residents has been weakened by the decline in the revenue of many urban families, and growing disparities. The problem of illegal occupants has also led to the increased social exclusion and spatial segregation.

6.4 Sustainability of the residents of Seraleng

This section analyses the concept of sustainability of the residents of Seraleng to realize the sustainable human settlements. Sustainability is part of international agreements and countries dedicated themselves to sustainable development for the urban poor such as residents of Seraleng. However, for residents of Seraleng, the immediate challenge is the need for healthy shelter at an affordable price. Most of the respondents argued that without improvements in job opportunities and better salaries, whatever is done within the housing sector can yield positive results. In fact, peripheral locations often present a myriad of environmental problems to the residents of Seraleng. In addition to this new housing developments often lack fundamental basic services to ensure sustainable human settlements.

Responding to the question about access to the land they occupy to reduce poverty and empowering communities, one of my respondents argued that they found it difficult to access building materials to improve their surroundings due to lack of housing finance and employment. Residents of Seraleng complain of the poor quality of the housing delivered, such as severe housing cracks. Generally, residents cannot maintain or afford to hire building contractors to fix these problems (Ledwaba, Pers.com., 2008).

Responding to the question of identifying and acquiring suitable land for the residents of Seraleng, respondents alluded to the problem of land acquisition. It was also found that most of the land is owned by private and traditional land owners (Mulemba, Pers.com., 2008). However, private land is mainly meant for agricultural and luxurious housing development purposes. The only cheap and available land is on the periphery of the city (*ibid.)*). Residents of Seraleng disputed the fact that the peripheral land lacks spaces for communal activities such as halls, clinics and informal trading stands (Ledwaba, Pers. com., 2008).

Provincial officials dealing with informal settlements in North West, Modise (Pers.com., 2008) and Zakumi (Pers.com., 2008) could not respond to a question related to corruption practices. Responding to the question of whether the province could eradicate all informal settlements in the province by 2014, provincial respondents said that the province was in the housing delivery racetrack in delivering houses to the poor (North West Provincial Government (NWPG), 2008; Modise, Pers. com., 2008). The NWPG (2008) stressed that it is the concurrent function of both the province and national spheres to deliver houses. Municipalities, as the local sphere of government, have responsibilities to ensure that beneficiaries were identified, identification of land, identification of informal settlements for eradication and so forth (*ibid.*). However, the provincial government acknowledged that 'the capacity and ability of municipalities to deliver housing remains a challenge until today' (*ibid*.: 28).

Responding to the capacity to monitor and assess the project to ensure compliance, both municipal and provincial officials (Moloi, planner, RLM, Pers. com., 2008; Modise, Pers. com., 2008 and NWPG, 2008) argued that the whole Department of Local Government and Housing was in the process of finalizing arrangements to acquire satellite imagery and to put in place a monitoring mechanism. This mechanism would need to improve information gathering of the occurrence and proliferation of informal settlements.

Given the poor conditions of the new settlement of Seraleng in terms of lack of proper services, waste collection, and poor access roads, residents appeared dissatisfied with the service they get from the municipality (see Figure 5). Unfortunately, there is no provision for the garbage collection system to tackle needs of the residents of Seraleng effectively (see Figure 3). This has led to the accumulation of garbage on the open fields between houses and a harsh environment. When the garbage is not collected, it causes health problems and extreme flooding during the rainy times. Further, another challenge for residents of Seraleng is that the area becomes water-logged during rainy times due to the lack of proper infrastructure such as paved roads or pathways (see Figures 4 and 5). The situation is worsened by the fact that residents do not have tools to cope with poor housing quality and climatic conditions. Houses are also covered in overgrown grasses (Zwane, Pers.com., 2009).

Environmental constraints are linked with ill health and can lead to death. Regrettably, municipal respondents were not truthful enough in responding to questions related to non-collection of waste in Seraleng. It appeared that the municipality only delivered housing to the beneficiaries of Seraleng, and could not take into consideration the environmental management issues. RLM official, Mulemba (Pers.com., 2008) indicated that this service was contracted to a service provider. According to the BPDM (2007) the district municipality agreed that indeed the Technical Services Department has failed to do its duties effectively. Financial budgetary constraints and lack of coordination as well as privatization of the municipal services remain problematic and, it affects service delivery to the residents of Seraleng (*ibid*.).

Responding to the question of whether beneficiaries are aware of the environmental issues in Seraleng, the research report found that beneficiaries are not aware of the environmental education (Mabilo, Pers. com., 2008). It appeared that there was no genuine community involvement during planning, construction and maintenance of the Seraleng project. Another concern is that Seraleng lacks vegetation to make it attractive, natural and environmental friendly. Although mining companies play a vital role in terms of job creation and social responsibility, respondents contended that these mines are the main cause of social environmental problems such as pollution. The lack of effective

municipal action to deal with the challenge of illegal invasions is also compromising the advancement of social integration (Mabilo, Pers. com., 2008).

Figure 5 showing lack of street roads



Source: Author

6.5 Conclusion

This chapter presented the results and analyses of the data collected from respondents of Seraleng. Research observations were based on concepts of livelihoods, good governance, security of tenure and sustainability. It indicated that developing low-cost housing on the periphery of the city, away from low-skilled jobs that the residents of Seraleng livelihood usually depend on, is unlikely to be suitable and sustainable. The chapter also argued that giving residents of Seraleng legal title to a house which lacks proper and basic infrastructure, such as roads, sanitation, play grounds, crèches, schools

and clinics exacerbates social exclusion, poverty and marginalization. The chapter also highlighted the breakdown of social networks residents used to enjoy in their previous informal settlements. This chapter observed the serious environmental problems in Seraleng. When it rains, all the footpaths in Seraleng become water-logged, and the waste from the mines and latrines from the neighbouring areas rises to the ground. This problem often causes opportunistic diseases, such as cholera. Finally, the research report found that the above concepts were extremely compromised. The next chapter will deal with the conclusion and recommendation of the report.

CHAPTER 7: CONCLUSION AND RECOMMENDATION

7.1 An overview

This research report draws its conclusions and recommendations from the case study of Seraleng with regard to the challenges of eradicating informal settlements through relocation in South Africa by 2014. The report was written on the idea that there are grave challenges for the eradication of informal settlements through relocation as it often affects the concepts of livelihoods, good governance, security of tenure and sustainability. Peripheral relocations present a range of economical, social, environmental, and political concerns, thus, reinforcing the concentration of poverty. Neo-liberal macro-economic planning policies have frequently failed to solve social problems in South Africa. Housing rights of the urban poor households are being compromised. The study identified policy gaps in terms of policy implementation.

The research approach taken was initially to review the available literature on housing in South Africa and elsewhere, indicating impact on addressing problems associated with housing and poverty. A case study of Seraleng was carried out to indicate the causal relationship between eradication of informal settlements and in-situ upgrading, the latter seen as improving the living conditions. Given the peripheral locations of low-cost housing, the affordability rate of the urban poor to pay for municipal services was also negatively detected.

This research deals with the achievement of its objectives, constraints, summary of research and recommendation as well as future research arising from this important study. South Africa has some of the finest pieces of legislation and policies such as the BNG; but the question is how the municipalities make use of these policies to deliver service to the urban poor households.

7.2 Achievement of the research objectives

This research study aimed at stressing challenges and constraints with regard to the eradication of informal settlements in South Africa by 2014. Chapter 6 (Research Results and Analysis) indicates that eradication of informal settlements through relocation to Seraleng has posed extreme threats to the vulnerable livelihoods of the urban poor. The persistent relocating to low-cost on the periphery of the city presents structural barriers, such as lengthy trip to job centers, transport costs and lack of basic services. This poses a 'burden on the provision of subsidized public transport to the inhabitants of such schemes' (Behrens and Wilkinson, 2003: 155). This means that, through document analysis, personal observation and respondents' answers to questionnaires, answers were provided to the research questions raised in Chapter 1.

The findings were also able to respond to the hypothesis which I initially posed, which argued that it would be impossible to eradicate informal settlements, taking into consideration the impacts of eradication on the poor urban residents of informal settlements. Though residents appear content with the provision of housing units, their lives have not improved. Instead social exclusion and poverty are worsening. Similarly, evidence from the respondents and literature review indicated that eradication of informal settlements via relocation cannot happen by 2014, taking into cognizance that municipalities are failing to plan and to provide for basic infrastructure.

However, there are constraints identified as stumbling blocks to the integration of human settlements: (a) lack of basic infrastructure and services (roads, lights, schools, clinics, etc.,); (b) lack of understanding and interpretation of the housing policies leading to incorrect implementation of projects; (c) illegal occupation of completed houses; (d) poor planning and weak intergovernmental relations at the local levels; (e) lack of understanding the complex nature, and livelihoods of residents of informal settlements.

I was also able to consult rich and diverse readings appropriate to the research topic. In the case of South Africa, the capitalistic policies are further promoted by the enabling housing market policy – the BNG, which aims at the housing development and integration based on the enhancement of private market capacity. This implies that

'markets can exclude the poor' and this impacts on the livelihood strategies of the urban largely because they are unable to afford services (Ntshudisane, 2008: 86). There is the global economic recession which can affect the delivery of housing to the poor. In brief, this study was able to respond to the research problem that I posed, which was also a challenging topic to undertake a study of this magnitude.

7.3 Summary of the research findings

South Africa has done very well in the provision of low-cost housing units meant for the urban poor and the attention it has dedicated to this cause, given the huge and fragmented housing backlogs inherited from the apartheid government. About 2.8 million low-cost houses were provided to the urban poor but the backlog still remains at 2.2 million coupled with the lack of spending, poor coordination, corruption and planning at the local sphere of government. Hence, informal settlements remain problematic for decades to come. This argument is guided by diverse and complex myriad of problems:

Eradication of informal settlements

This is a real, sensitive and expensive problem to manage. Eradication of informal settlements fragments urban poor households apart and affects their strategies: livelihoods, good governance, secure tenure and sustainability. Cities still depict dual economies. Implications of eradication of informal settlements are seen as compelling the desperate poor into exploitative rental accommodation, into an urban reality that consists of a journey from one eviction to the other (Huchzermeyer, 2008b). In addition, most municipalities use direct method of eradicating informal settlements thereby dealing with the signs instead of causes which have been found to worsen severely the living conditions of the urban poor. Eradication of informal settlements is constantly associated with new forms of isolation emerging in the context of a largely neo-liberal policy milieu. This triggers acute challenge(s) for policy-making, planning and community activism (Harrison, Huchzermeyer, Mayekiso, 2003). 'Housing instruments in South Africa cannot cope with the increasing demand for housing' and this challenge will not be appropriately addressed within the next 25 to 50 years (DAG, 2007: 2).

Unemployment/labour brokering and urbanization

Unemployment and casualisation have been found to be impacting on the livelihoods of the urban poor households, particularly the youth and women who are jobless. Causualisation of employment has rendered the available employment unsustainable to the urban poor. It is important for the government to initiate laws to control contract work, subcontracting and outsourcing. For South Africa to progress businesses need to alter their attitudes towards the government's inability and to start collaborating to end poverty, casualisation and poverty. In South Africa economic opportunity, poverty and inequality are extremely based in the cities and this has to a large extent contributed to rapid urbanization culminating in the increase on informal settlements. DAG (2007) argues that since most of employment are found in the cities, residents of informal settlements still live in squalor, extreme poverty because 'economic growth has not provided sufficient jobs or regular income' for them (ibid.: 1).

Importance of the Intergovernmental Relations

The main finding of the report is that despite of numerous policies and the enabling Constitution, the RLM has failed to improve living conditions for residents of Seraleng. This can be attributed to the poor coordination within the three spheres of government. Eradication should be seen as multi-sectoral responsibility involving various stakeholders who must work collectively to respond to the housing related problems via a range of complementary social and physical development approaches that address the urban poor livelihoods, secure tenure, good governance, sustainability to ensure social inclusion and environmental security. Therefore, there is a need for the municipalities to intensify the concept of intergovernmental relations that comprise all stakeholders to ensure the integrated human settlements and social inclusion based on networking, knowledge sharing, capacity building and planning while the central government must strategically positions itself as an effective leader and regulator while the provincial government supervises and supports municipalities.

Environmental hazards and waste disposal

Poor and unsustainable environmental conditions affect the general health of the urban poor households. However, the majority of residents of Seraleng are known to be suffering from opportunistic diseases such as diarrhea and respiratory diseases due to poor living conditions associated with lack of access to adequate basic services. There is a need to intensify the environmental awareness campaigns to ease environmental risks posed especially by the mining actions. RLM is consistently experiencing high immigration rate due to the boom in the platinum mines; and this trend has increased the demand for housing, services and putting pressures on the environment with regard to the housing development.

There is environmental discrimination where an unequal share of the environmental burden between the poor and wealthy residents occurs. High concentration of hazardous and pollution industries often affect the urban poor households than elites because waste can be gathered twice in elite suburbs but only once or not at all in areas like Seraleng.

These challenges affect communities in securing tenure, livelihoods, good governance and poverty alleviation. Environmental conditions in Seraleng are not conducive for human settlements as the area is choked with weeds, contaminated water, air pollution, alien bush and the houses were built in overgrown grass.

Increase of inequality gap and social exclusion

City of Rustenburg is an unequal town as it has failed to reduce inequality between the rich and the poor. Accordingly, the equality rate still resembles that of 1994; largely because the adopted GEAR macroeconomic policies have failed to solve social problems. Despite the reduction of national debt, inequality and unemployment remain very high and problematic in South Africa. Furthermore, urban households face huge inequality because of segregation and exclusion due to the zoning laws with regard to the land market. It can be argued that given the magnitude of poverty, macro-economic policies based on the commodity export impact negatively on the urban poor.

The experience of Seraleng depicts that residents within the settlements are divided from their neighbours; friends and relatives with whom they had build solid relationships over the years. There is evidence that suggests that eradication of informal settlements impact on these unique relationships. It was also found that because residents of informal settlements do not have access to bank loans, they use these informal relationships to save, borrow, and contribute money for burial societies and others. When informal settlements are eradicated through relocation it becomes very difficult for the urban poor to regroup in new settlements dominated by strangers. Eradication of informal settlements through relocation often affects urban-rural links. As a result, relocated urban households feel excluded from the cities, resources, and basic infrastructure.

Unlawful occupation

RLM has deferred to evict illegal occupants from the completed houses in Seraleng. Any delay to evict illegitimate occupants affects the socio-economic livelihoods of the legal residents of Seraleng as the latter cannot access their allocated houses. This is a mistake because integrated human settlements are meant to solve housing problems and to empower the affected residents. It begs a question about why the municipality does not act within reasonable time to avoid conflict, bloodshed, and vandalism of properties. This illustrates that the legal beneficiaries do not have access to decent houses as confirmed in the Constitution of 1996 (South Africa) thereby forcing them to revert to their informal settlements or become homeless as they cannot afford exorbitant rental amounts. The failure to act by the municipality against the actions of illegal occupants is costing the municipality and beneficiary's money; the latter is further excluded from the city.

Lack of land

There is a huge challenge of proper land for low-cost houses closer to the cities in South Africa. Land appropriate for low-income people is expensive (if available) and in most cases is under the traditional authorities and private land owners. In view of the above, the municipality is unwittingly reinforcing the apartheid urban plans, relocating the poor to the cheapest tracts of developable land. Housing delivery in these cheap and peripheral

locations often undermines social, economic opportunities, environmental and sustainability of the urban poor households.

Lack of municipal capacity and planning

The study exposes the myriad of problems at the municipal level with regard to capacity, planning and budget constraints in implementing integrated sustainable housing projects. The municipality has assigned one personnel to deal with informal settlement issues with little or no understanding of the livelihoods, knowledge of technical terms and concepts of human settlements. This shows that there will be constraints in tackling problems related with informal settlements.

Capacity at the municipality is also worsened by deployment policies ensuring that even people without qualifications and experience are appointed to municipal positions. As City Press, 25 October 2009 has pointed out, deployment is like 'a serpent that brought these institutions to their knees' (*ibid*: 26). Due to skills shortages at local government and a lack of management as well as leadership, many strategies, policies and programmes are not implemented effectively and efficiently, especially those reality to service delivery.

Planning at the municipality also remains one of the stumbling blocks which affect the integration of informal settlements into the city. But, how can the municipality justify constructing subsidized low-income houses on unserviced land without electricity, roads, environmental awareness, and social facilities. It can be argued that most municipalities face budget constraints but, lack of proper planning has been largely identified as the main problem. Devas (2004:95) asserts that 'the municipality capacity is hampered by historical model as monopoly suppliers of basic public services, with decision-making concentrated in the hands of a small but often ill-equipped group of officials [with] little participation by, or accountability to, citizens'.

It should be noted that reuniting the fragmented municipalities in South Africa has major consequences. According to Scott (2002), these municipalities are now expected to provide resources to the previously marginalized people. With lack of resources and

competent personnel, the task remains huge. However, there are huge gaps between what really happened in these matters and what policy makers said should happen.

Problem of policy implementation

The adoption of the BNG in 2004 culminated in the UISP which offers a platform to begin settlement upgrading projects which necessarily do not need project-linked subsidy finance. Ever since the approval of the UISP the main theme of the government has been to eradicate informal settlements by 'evictions or highly technocratic and often market-driven infrastructure development programmes' (DAG, 2007: 3). This illustrates that informal settlements are only seen as transitory areas which can be eradicated via generalized programmes of resettlement onto unserviced or site and serviced plots on the urban on the cheap land. This ignores the connection between economic security and the growth of informal settlements; therefore, these approaches are not addressing the growing inequality, discrimination and exclusion faced by the urban poor who are marginalized.

This study argues that the RLM has been given a platform to address the problems of informal settlements but, it appears to be failing to execute its tasks. For example, municipality reneges in the implementation of the Chapter 13 of the Housing Code while insisting on eradicating informal settlements via relocation without analising the policy intent of the Code. The Code confirms the prior installation of basic infrastructure like water, electricity and roads during Phase 1 of the project to ensure that residents have mobility within the area. This research finds that Seraleng was developed without roads and electricity making it difficult for beneficiaries to sustain their livelihoods. This illustrates that the RLM is focused more on the housing statistics of houses they build instead of improving the lives of the people on the ground, holistically.

7.4 Challenges developed from the research

A main challenge identified at the beginning of this research study was that South African urban centres are dominated by the escalation of informal settlements. Post-2004 this intervention has been associated with 'programmes to eradicate informal settlements

through large-scale capital intensive structural interventions (often as Roll-Over or Greenfield developments) have been underway' (DAG, 2007: 2). Many studies have found incremental *in-situ* upgrading to be the most housing intervention approach to improve or maintain bad living conditions of the urban poor as well as strengthening social networks and positively impacting livelihood strategies. However, it is seldom implemented.

Due to the gross inequality in South Africa, many people are still drawn to the cities looking for better socio-economic opportunities, therefore, 'the trend towards the urbanization of poverty and informality will continue' (DAG, 2007: 4). It has been argued that structural interventions to the urban development which fail to understand the complexity of informal settlements 'will invariably become unsustainable unless complemented with other strategies which address urban livelihoods, land tenure, cooperative governance, social inclusion and environmental security' (*ibid*.: 4).

7.5 Recommendations

My conclusion, as guided by the research results indicates explicitly that eradication of informal settlements through relocation destroys livelihood strategies of the very same urban poor the South African government intends to protect. Despite the reasons advanced by the RLM and the national Department of Human Settlements for relocations, this study aims to influence the dominant intervention towards informal settlements upgrading based on a pro-poor multi-sectoral approach informed by the principles of inclusive participatory development, public-private-community partnerships and participatory service delivery. In view of the eradication of informal settlements by relocation such as in the case of RLM and Seraleng, this study argues that in-situ upgrading is more likely to respond to the problem of informal settlements, poverty and exclusion. The reality is that settlement upgrading can improve socio-economic conditions of the urban poor households and further integrate an informal settlement into the wider urban mainstream than what the eradication process would have done. Relocation process causes disruption of networks and is unsustainable.

It must be noted that current strategies implemented at the municipal levels have far-reaching impacts, thereby extending vicious web of perpetual poverty. Women use informal industries like spaza shops, bakings, hairdressing and others but, due to the stringent municipal by-laws, these activities are severely compromised as they are not allowed to run informal businesses. Therefore, settlement upgrading and secure tenure remain vital in the struggle for gender and disability equity and mainstreaming. Yet, the problem lies with the execution of policies on the ground and this is largely a horst of structural constraints. To this end I argue that housing remains one of the contested arenas and it will be foolhardy to expect miracles to resolve housing backlogs by 2014 in South Africa. The Seraleng case study revealed corruption, dubious housing allocation and lack of dispute resolution by the RLM are some of the aspects which can hamper the lives of the urban poor.

Municipal by-laws

The municipality needs to rise to the challenges of urban poor households in order to meet their basic needs. There is a genuine need for relaxing these stringent by-laws to economically empower the beneficiaries through home-based enterprises. This is another method of improving the local economic development particularly of youth and people with disabilities coming from low-income households. It is recommended that through the intergovernmental relations forums, municipalities must engage private institutions, mining companies, and universities so that these youth and people with disabilities can be trained in a range of businesses and construction related courses such as, eco-construction, project management and communication technology.

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APPENDICES

Appendix 1: The Survey Instrument

Questionnaires: Seraleng Relocation Settlement for members of community, municipal and provincial officials

Introduce the survey

I am from the University of the Witwatersrand. I am conducting **Research Survey.**

I have randomly chosen some residents to be in this part of the study, and you were selected

The purpose of the study is to qualitative information from key stakeholders (Rustenburg Local Municipality and Local Government and Housing Provincial Department) and residents of Seraleng in regard to the implementation of Integrated Human Settlement.

I have some questions that I wish to ask you about your experiences before and after relocating to Seraleng.

ALL INFORMATION THAT YOU PROVIDE WILL BE CONFIDENTIAL

A. BACKGROUND

1. Give us a background of Seraleng (e.g. population size and composition)

   ……

   ……

   ……

2. What do you understand by an "integrated housing"?

   .....

   (a) In your opinion, is Seraleng an Integrated Housing Development Plan?

   Explain……

   ……

3. What were the reasons for *relocating* beneficiaries from their original settlement to the current location? ……..

(a) When did you start with relocation?

……

……

4. Why the province and municipality have decided on resettlement instead of an *in-situ* upgrading of the existing settlement?
Describe……

……...

5. When do think the pilot project can be fully completed and occupied?.....…….

……..

6. Did you encounter any form of resistance during the process?
(a) What were the challenges?

…….....

7. Which criteria used to resettle the beneficiaries?

.....

……

B. LIVELIHOODS

8. What are the livelihood strategies in place to safeguard the vulnerable assets and capabilities of the residents?.....
Explain……

……

……

……

9. Do you think this pilot project will improve these livelihoods?

.....

10. Are beneficiaries aware of these opportunities as sustainable livelihoods?.....
Explain……...

……

11. Are the municipality by-laws going to allow beneficiaries to conduct home-based enterprised like spazas, shops and others?.....

……

……

12. Has the project created job opportunities to the locals? Explain……...

……

13. In your opinion, has the project changed life of the citizens?.....

……

14. Are beneficiaries able to pay for their basic services (e.g. water, electricity and others)?.....

(a) What intervention tools in place for debt collection?.....

……..

15. Are government policies and institutions provide appropriate conditions for enabling the poor to unlock strategies for poverty eradication? ……

……

(a) What are the constraints or problems?

……..

C. GOVERNANCE

16. How do you find your new home in terms of link services listed in 14?.....

……...

17. In what stage of the project did you participate? Describe…….....

……

……

18. How do you normally get information regarding the implementation and monitoring of the project? Explain……

……

19. Do all residences share the same facilities like schools, parks and others?.....

…….....

20. Do you think relocation was the best option compared to an *in-situ* upgrading?

……

……

21. Were committee forums, officials and consultants directly involved during the relocation process?.....
……
……

22. What are the biggest problems in community organisations?.....
……

23. Do you often take part in decisions that affect residences?.....
……

24. Are you happy living in this area? ……
(a) Do you encounter any particular problem?.....
(b) Which ones?.....

25. Are vulnerable groups (women, youths and the disabled persons) involved in the implementation of the project?.....
……

26. Does the municipality has capacity to deliver, monitor and assess the project to ensure compliance?.....
……

27. How many units completed and how many are under construction?.....
……
(a) Do you encounter obstacles? (Explain)……..
……..

28. Does the municipality or the province encounter corruption practices?.....
……

29. Do you think the province can eradicate all the informal settlements in the province by 2014?.....(a) If not, what will be the constraints?(Describe)……
……

D. SUSTAINABILITY

30. Do you find it difficult to identify an appropriate land suitable for low-cost housing?.....

31. Do you think beneficiaries have access to land they occupy as an attempt to reduce poverty and empowering communities? ……...

32. Can you elaborate the size and the structure of the housing units?.....

……

33. Are you experiencing illegal selling of units?.....

……

34. Do you have any illegal occupation of the units? (Explain)…….....

……

35. Are beneficiaries aware of the environmental issues in their area? ……..

(a) Is this community involved in the environmental education of this area?

……

……

E. SECURITY OF TENURE

36. What type of tenure is offered to the beneficiaries? (Describe)…….....

……

……

37. Do you encounter challenges of tenure to improve shelter conditions of the urban poor?.....

(a) What are the impacts of tenure on children and women?.....

……

(b) What measures can be taken regarding tenure to induce improvement?.....

……

THANKING YOU IN ADVANCE FOR YOUR CO-OPERATION.

Appendix 2: List of interviwees

Ledwaba, Eddie. Seraleng Resident, 17 August 2008

Mabilo, Maria. Ward Councillor/resident, 28 September 2008

Modise, Elias. Provincial Housing Department Official, 10 November 208

Moloi, Samuel. Municipal Planner Official, 18 September 2008

Mulemba, Thomas. Municipal Town Planner, 8 August 2008

Shekinah, Andrew. Municipal Official, 17 August 2008

Zakumi, John. Provincial Housing Department Official, 10 November 2008

Zwane, Dudu. Seraleng Resident, 5 September 2009