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Challenges Facing People-Driven Development in the Context of a Strong, Delivery-Oriented State: Joe Slovo Village, Port Elizabeth

Marie Huchzermeyer

INTRODUCTION

The Joe Slovo settlement process on the outskirts of Port Elizabeth in the Eastern Cape was, in the first instance, about securing land and housing for a large number of desperate people, living in intolerable conditions that are now internationally referred to as 'slums' (see UN-Habitat, 2003) (Figure 1). In the international context of the Millennium Development Goal 7 Task 11 to significantly improve the lives of 100 million 'slum' dwellers by 2020 (United Nations, 2000), and the South African response through a new human settlement plan (Department of Housing, 2004), the Joe Slovo case gives important insight into the complex interface between organised low-income households, in this case members of the Homeless People's Federation, actively engaging in improving their living conditions, and government's housing delivery and urban governance machinery.

The Joe Slovo development process predated the revised housing delivery framework in the new *Comprehensive Plan for the Development of Sustainable Human Settlements (Breaking New Ground)* (Department of Housing, 2004), under which a new *National Housing Programme: Upgrading of Informal Settlements* (Department of Housing, 2005b) was developed. The new Housing Plan expects that 'communities and beneficiaries … be mobilised to partner the Department in the implementation of the new human settlements plan' (Department of Housing, 2004: 4-5). Emphasising a 'paradigm shift', the upgrading programme (Department of Housing, 2005b) makes funding available for community empowerment and building of social capital. The Joe Slovo case study indirectly gives some indication of the extent of the paradigm shift that will be required on the side of municipalities

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and elected politicians, in order to engage with mobilised and empowered informal settlement communities seeking to improve their living conditions.

The approach of the Homeless People's Federation is to mobilise residents into groups that commit to daily savings, as a route to self-reliance, and more importantly as a process of building communities through the rediscovery of collectivities based on trust. In addition to the creation of this "social capital" the savings groups are also community-based institutions of learning. They participate regularly in horizontal exchange programmes between different savings groups and from one settlement to another. For the Homeless People's Federation and its supporting NGO People's Dialogue, the Joe Slovo settlement process was also an opportunity to leverage a change process in city management, decision-making, resource allocation and wider urban policy.

The Joe Slovo settlement process spans the period of post-apartheid transition, during which municipalities were being restructured and policy was formulated. This context of transition, while causing delays and indecision, also presented unique opportunities to network with supportive government officials and politicians. Community-government partnerships emerged, but were limited in their continuity.

At the grassroots level where the savings groups operate, the Federation work has various components, facilitated by the savings activities and the regular meetings of savings groups. These include strategies for securing land, horizontal exchanges between different Federation settlements, enumeration or data gathering, the coordination of technical input in the planning for layouts, infrastructure and housing, book keeping, housing construction, and crisis management. Grassroots training is integral to all these components. These differentiated functions are the structural manifestation of a new form of governance. Instead of contesting state power, or seeking to force entitlements through confrontation, the Federation creates structures that roughly parallel state institutions. This informal 'government' becomes the basis for engagement and interaction with state institutions.

However, at the time of research for this case study (late 2003) the Homeless People's Federation acknowledged that it had become increasingly difficult to motivate Federation members to continue saving, particularly once they have acquired their house. Non-savers continue to consider themselves members of the Federation, but unlike the early years of democracy in South Africa, when Federation membership was increasing at impressive rates, the numbers of actively saving members is now declining (Nkopane and Jerry, pers. com.). This trend had implications for the settlement process at Joe Slovo, up to the time at which the interviews for this case study were conducted in December 2003. It appears that subsequently, there has been a 'resurgence' in the Homeless People's Federation,

strengthened by the May 2005 pledge by the current Minister of Housing, Lindiwe Sisulu, of R10 million to the Federation's uTshani Fund (Slum Dwellers International, 2005).

Joe Slovo settlement is by no means a showcase of the Homeless People's Federation. It is also not an exemplary case of an interface or partnership between government and community-based organisations. However, obstacles to successful partnerships or interface in the case of Joe Slovo are symptomatic of the community-driven housing environment in South Africa. They relate to the overwhelming scale of the demand for housing, the shallowness of representative democracy, and the paternalist delivery-oriented government approach that creates space for party-political clientelism.

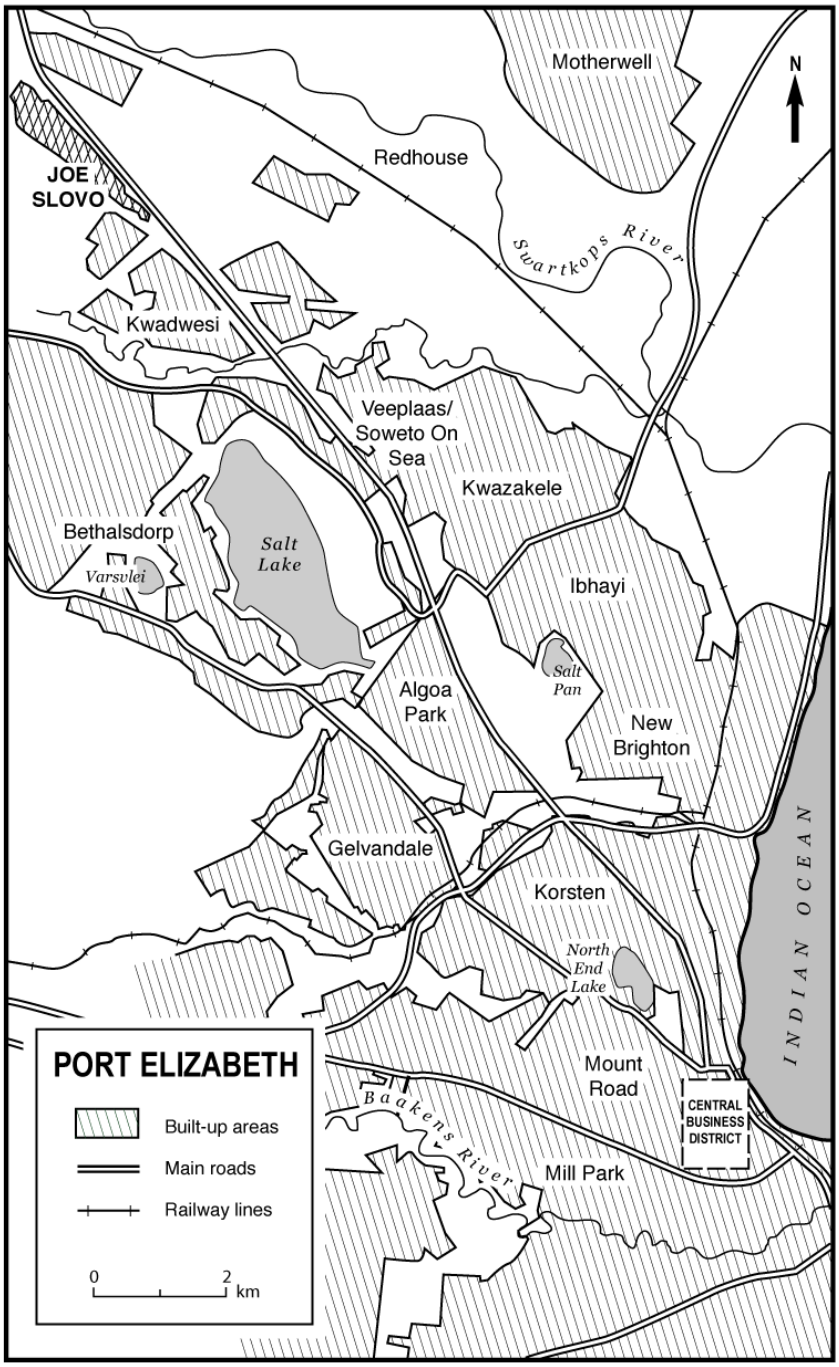
The increasingly fragmenting Joe Slovo community, and the fragile relationships it forged with the gradually transforming government, were a product of these factors. Relationships with national ministries were strategic, constructive and unprecedented, yet lacked continuity. The relationships with local government were restricted, first by the uncertainty associated with pending government restructuring, and later by opportunistic party politics.

The case study in this paper spans eight years (1996-2003), beginning with the search for land on the north-western outskirts of Port Elizabeth, early attempts at building a constructive relationship with local government, the occupation of land, a successful partnership to secure tenure, and the ongoing demand by outsiders to join the settlement. The case study traces the establishment of a collective legal entity for the ownership of the land, and the subsequent development route that was embarked upon, including incremental planning and the initial development of infrastructure. It also discusses the emergence of opposing development demands—on the one hand for the community to drive the development, and on the other hand for development to be delivered by the Municipality. The case study traces how these differences were exploited by political aspirations and party politicking, and resulted in deepening confusion and conflict. Predominantly ineffectual mediation and facilitation, and increasing sidelining of the Homeless People's Federation, led to the largely deadlocked status of the development at Joe Slovo at the time of the research (December 20003).

The case study is based on background documentation and twelve in-depth interviews with key informants that have been directly involved in the Joe Slovo process, through the Homeless People's Federation and the NGO People's Dialogue, through the opposing grouping at Joe Slovo settlement, through different tiers of government, and as consultant to the community property association. The list of interviewees is not exhaustive. Additional interviews would have added richness, complexity and detail, but were beyond the scope of this study.

Figure 1

Map of Port Elizabeth



A FLOOD-AFFECTED COMMUNITY SEEKS ACCESS TO HABITABLE LAND

A long and unsettling history of tenure insecurity had led various people to risk their lives and possessions by joining an informal settlement on a flood prone portion of land among the low-income townships to the north-west of Port Elizabeth, en route to the industrial town of Uitenhage. The informal settlement, named Veeplaas (Cattle Farm), was tolerated by government. One of the residents had become aware of the need for collective action in order to improve her living condition. She had found interest in the principles of the Homeless People's Federation, and organised her neighbours into a Federation savings group. This grew to some 100 members. Inspired by the strategies of other Homeless People's Federation communities, the group decided to secure more suitable land (People's Dialogue, undated, a). A solution was first sought from government, and therefore the group consulted with the Port Elizabeth Municipality. A Councillor had informed them that a relocation from the flood-prone land could not be undertaken in the next three years (Jerry, pers. com.). It became clear that the Municipality's approach was linked to political agendas and would not accommodate an 'independent initiative of the poor' (People's Dialogue, undated, a).

Unwilling to tolerate the waterlogged conditions for a further three years and reluctant to be served by those with political agendas, the savings group investigated various pieces of vacant land. Physical suitability for housing, and the town planning status (ownership and land use zoning) were considered. In 1996, after a failed attempt to occupy municipally-owned land adjacent to the lower middle income township of KwaDwesi, the savings group identified an abandoned farm nearby. The privately owned land was elevated and covered in natural scrub. Transport connections were favourable, as the land bordered the Uitenhage Road. A sewer servitude created an access route onto the land.

The Regional Co-ordinator of the Federation supported the occupation of the farm. Other savings schemes in the Uitenhage area were mobilised for moral and physical support. They brought drums of water to the site and assisted in clearing the scrub. A campaign was initiated through general meetings of all Homeless People's Federation savings groups in the area, to get more people to move onto the land. Entire savings groups relocated, one from a railway reserve in KwaZekele, another from the large informal settlement Soweto-on-Sea. These Federation members kept their belongings in their shack in the other settlement, and constructed a second dwelling on the newly invaded land. One bold Federation member decided to move with all her belongings. The invasion grew rapidly. Within two months, 200-300 shacks had been constructed in two distinct settlements on either

side of the access road. The southern side was occupied by the group from the flood plane, led by Evelyn Benekane. The group from the railway reserve settled on the northern side, led by Margaret Befile (Jerry, pers. com.).

INVOLVING GOVERNMENT IN EFFORTS TO SECURE TENURE OF THE INVADED LAND

At the time of the occupation (1996), developmental policy frameworks for South Africa, and indeed the Constitution, were still being formalised. Within this context, conservative political groupings and inflexible bureaucracies were able to steer in a non-developmental direction. The Despatch Municipality, under whose jurisdiction the occupied land was at the time, was governed by a right-wing party and responded to the occupation by issuing an eviction order. However, the invaders were coming from within the jurisdiction of the Port Elizabeth and Uitenhage Municipalities. This raised questions as to which Municipality should take responsibility for the occupation. Local government responsibilities were only resolved four years later, in December 2000, with the incorporation of Despatch and Uitenhage Municipalities into the new Nelson Mandela Metropolitan Municipality (NMMM).

While political space in the new representative democracy was fraught with opportunism, the principles of the governing ANC (African National Congress) were nevertheless pro-poor, and therefore the state and the poor to some extent shared the same agenda (Bolnick, pers. com.). This led the Homeless People's Federation, with support from the NGO People's Dialogue, to seek high-level political support from within government for permanent settlement on the occupied land. The settlement was named 'Joe Slovo,' after the popular first Minister of Housing who had died during his term early in 1995. At the time of the eviction notices from Despatch Municipality, the Homeless People's Federation and People's Dialogue had made contact with two national Ministers: Land Affairs Minister Derek Hanekom; and Safety and Security Minister Sydney Mufamadi.

The Minister of Safety and Security gave his support by instructing the police in Despatch to protect the occupiers and not to carry out the eviction. Despatch Municipality then informed the private landowner of the occupation, and made it clear that responsibility for removing the occupiers lay with him. This required a further strategic relationship, namely that between the Homeless People's Federation and the landowner, backed by support from the Minister of Land Affairs, who was concerned about the non-developmental approach of the Despatch Municipality. First of all, sympathy with the homeless needed to be awakened in the landowner, who was found to own many other portions of land. Poor weather conditions at

the time assisted the Federation members in convincing the landowner of their plight (Jerry, pers. com.).

The message of support from the landowner was not well received by the three affected municipalities, Despatch, Uitenhage and Port Elizabeth, who were lobbying against permanent settlement on the invaded land on the grounds of risk. Danger posed by the national road in such proximity to the settlement was highlighted as the main objection to residential occupation of the land, besides access to water and removal of refuse. The Provincial Departments of Health and Transport also attempted to convince the Homeless People's Federation of the unsuitability of the occupied land. The media predicted many road deaths. However, the wider network of the Homeless People's Federation had experienced the same risks in other settlements, and a strategy was in place to counter every argument. The risks related to the road were dealt with in the layout planning, and the NGO People's Dialogue provided money for the installation of a water tank. (Jerry, pers. com.)

In September/October 1996, the Despatch Municipality was placing pressure on the landowner, threatening legal action. However, full support for permanent settlement on the land had been secured by the Minister of Land Affairs, who agreed that his Ministry would provide funds for the purchase of the entire 273 ha farm, of which only a small portion was occupied. (Jerry, pers. com.)

Homeless People's Federation and People's Dialogue had built a relationship with the Minister of Land Affairs, Derek Hanekom. He had already visited the nearby Kleinskool settlement, where the Homeless People's Federation had begun building houses. He had met with the then Director of People's Dialogue, Joel Bolnick, with people from the equivalent Indian NGO, SPARC (Society for the Promotion of Area Resource Centres), and the President of Slum Dweller's International, and had joined an exchange visit to Bombay. This relationship with the rapidly growing Homeless People's Federation, through the NGO People's Dialogue, was seen as one of many partnerships that the Department of Land Affairs was entering into at the time. The spirit was to learn from one another through partnership (Hanekom, pers. com.).

Hanekom emphasised in an interview, that the Joe Slovo settlement was the first case in South Africa, where the Department of Land Affairs decided to purchase land and transfer ownership to a community that had occupied or invaded the land. This was a bold new step by the Ministry, which had no intention to encourage land invasions. Two relevant Acts that were to govern security of tenure (PIE—Prevention of Illegal Eviction from and Unlawful Occupation of Land Act; and ESTA—Extension of Security of Tenure Act) had not yet been passed. While not setting out the approach of purchasing occupied land, the draft policy frameworks

allowed for flexibility, and unlike civil servants, the Minister had the power to make decisions.

Minister Hanekom's prerogative at the time was to find the best solution for the situation. He was faced with three options:

- to apply for an eviction order, evict and bulldoze the settlement, possibly considering alternative accommodation;
- to ignore the invasion, and let the landowner apply for an eviction order and carry out the eviction (as was requested by the Despatch Municipality);
- to purchase the land from the owner, and to give formal recognition to the dwellings that had been erected. Ownership would rest collectively with the community (Hanekom, pers. com.).

Whereas land-related matters such as that of the Joe Slovo occupation might today be dealt with by Provincial Ministers or MECs (Members of Executive Committees), at the time of the occupation in 1996, portfolios of the MECs were ambiguous. However, there was active collaboration between the Ministry of Housing and that of Land Affairs. While the agreement was that the Minister of Housing would deal with urban land, and the Minister of Land Affairs with rural land, serious urban land issues were usually referred to the Department of Land Affairs (Hanekom, pers. com.).

Minister Hanekom's approach towards the occupiers of Joe Slovo was critical but supportive. He personally met with the Federation leadership at the settlement. He made it clear that they had no entitlement to invade the land. His Department did not approve of their actions, as they had not first sought a political solution through its channels. However, a solution was now required. His Department would be prepared to purchase the land, if any additional occupation of the land was prevented. While the Federation had admitted its inability to curb the ongoing occupation, the Minister had insisted on giving the Federation this responsibility (Hanekom, pers. com).

The Homeless People's Federation negotiated a purchase price with the owner. The original figure of R2 million (US$434 000 at the time) was brought down to R1.5 million (US$325 000 at the time), which the Department of Land Affairs, guided by valuers' reports, was willing to pay. The Minister of Land Affairs noted that due to the location of the land (surrounded by subsidised low-income housing developments) there was probably no private market for the farm. The price specified by the valuers and paid by his Department was probably above the real 'market price' (Hanekom, pers. com). The situation looked promising for the Joe Slovo community. Savings groups were well mobilised and active. Minister Hanekom

visited the settlement on various occasions, and was impressed by the incremental planning that the Federation was undertaking.

THE POWER OF NUMBERS—CONTINUING INVASION AND EMERGING COMMUNITY FRAGMENTATION

Before the land deal for Joe Slovo settlement was finalised, the sense of insecurity in Joe Slovo settlement led the Homeless People's Federation to seek a direct relationship with the ANC branch in a large formal township in the Despatch Municipality. In anticipation of the next national election in 1999 and local election in the following year, and preceding any discussion about establishing metropolitan local governments, it was in the interest of the ANC branch to increase the number of ANC-supporting people in Despatch. The branch therefore supported and encouraged ongoing invasion at Joe Slovo.

Thus late in 1996, despite the responsibility placed on the Federation by the Minister of Land Affairs, hundreds of new people were joining the Joe Slovo settlement. This had implications for the internal structures of the Homeless People's Federation at Joe Slovo. The intention clearly was that everyone in Joe Slovo settlement should be a participating member of a savings scheme. But the reality was that all kinds of homeless people wanted to move to Joe Slovo. Those joining the occupation agreed to take out a savings book and join a savings scheme. However, with the rapid growth of the community, it was impossible to train all new arrivals on the principles of the Federation. Therefore support for the Federation was not as deep as is usually the case when the Federation recruits new members. Initial differences within the community were around the use of the land, as only a small portion of the 273ha were occupied. Differences also emerged as to how and to what extent to engage the Municipality in the services (Jerry, pers. com.).

One savings group in Joe Slovo disagreed with the route of collective ownership and development, and preferred the route of municipal delivery. It was assumed that the leader of this savings group also had ambitions of challenging the position of Evelyn Benekane, whom the Joe Slovo residents had chosen as their leader. Similar disputes were to re-emerge later in the settlement history. In this case, the Port Elizabeth Mayor was called upon. In what was probably the only effective conflict resolution at Joe Slovo to date, the Mayor gave the savings group the option of either conforming to the Federation's development approach, or moving to a neighbouring portion of municipally-owned land. The decision was to move, and the problem was therefore resolved (Zenza, pers. com.).

COLLECTIVE SECURITY OF TENURE: THE COMMUNITY PROPERTY ASSOCIATION (CPA)

According to draft legislation at the time, a legal entity had to be formed for the Joe Slovo settlement, before ownership could be transferred to the community. Despite evidence of an emerging lack of cohesion within the Joe Slovo community, the establishment of a legal entity was pursued. Early in 1997 a Community Property Association (CPA) was set up with assistance from the Department of Land Affairs. The Joe Slovo community elected their Federation leaders to serve on the executive committee of the CPA (Jerry, pers. com.). The Regional Co-ordinator of the Homeless People's Federation, Eldridge Jerry, who had played an important role in the process of securing the Joe Slovo settlement, departed soon after the establishment of the CPA, to take up a post in Cape Town, and returned only in September 2000.

As the funding for the purchase of the land was from the Department of Land Affairs, an agricultural component had to be included in the development of the land. Only a small portion of the farm was occupied at the time, and 200 ha could be set aside for future agricultural use by the community. The NGO People's Dialogue made funds available for the construction of a fence, to prevent invasion of this land.

At this stage, it was not entirely clear how the rights to the actual use of the different portions of land would be managed. However, for the residential plots, the Federation had envisaged the transfer of titles from the CPA to the individual households (Hanekom, pers. com.). This would result in the conventional tenure arrangement of individual plot-ownership. As will be evident later in the case study, this early commitment to a conventional individualised outcome was later ignored by those opposing the Federation at Joe Slovo. This faction to date claims that individual plot titles can only be achieved if ownership of the entire occupied land is transferred from the CPA to the Municipality, and developer-driven delivery on behalf of the Municipality is pursued.

The various municipalities adopted a hands-off approach towards Joe Slovo settlement. As the land was not municipally owned, they regarded Joe Slovo as a private development, for which they had neither responsibility nor power to intervene. This is also the approach of the new metropolitan government (the NMMM). According to the then Minister of Land Affairs, Derek Hanekom, this approach is not determined by the local government framework, and the Municipality is mistaken in its stance. For the Joe Slovo community, this mistaken attitude has been an obstacle in building an effective relationship between the CPA and the Municipality.

THE CHOSEN DEVELOPMENT ROUTE, AND EMERGING DEVELOPMENT CONFLICT

Incremental Planning

The collective Homeless People's Federation experience in community-driven layout planning, in particular the lessons from the Victoria Mxenge settlement in Cape Town, benefited the development of Joe Slovo settlement. A layout team had been composed and a layout drawn on paper and submitted to the Department of Land Affairs in the negotiations over the purchase of the land. According to the Federation leadership, small mistakes in this community-planned layout were later corrected by the engineering consultant who assisted the CPA (Benekane, pers. com.).

The land was allocated for different purposes: residential, commercial, industrial and environmental. The official planning restrictions regarding access off the national road to Uitenhage were investigated. However, the Federation held that these road standards were over-designed, and instead applied its own standards of safety, modelled on international practice observed in the other developing countries with which exchanges had been conducted (Bolnick, pers. com.).

A civil engineer (and friend of a People's Dialogue employee) had assisted the Federation at Joe Slovo in the instalment of a tap, and was also asked to assist in formalising the layout planning, along with foreign experts who had been invited by the NGO People's Dialogue. While sympathetic of the Federation's approach, the South African engineer was aware of the rigid framework for layout approval. He therefore had difficulties in accommodating the suggestions of the foreign planning experts who did not have knowledge applicable to the local context.

Bypassing the Housing Subsidy Restrictions

Housing subsidies in South Africa are structured in the form of a lump sum or capital subsidy allocated to individual households. The subsidy covers the purchase of the land, the cost of the necessary planning procedures, the infrastructure development and the top structure or house. The mainstream subsidy mechanism is the project-linked subsidy, which is paid out in phases to a developer constructing a low-income housing project (see Department of Housing, 2000). Qualifying beneficiaries are then allocated these houses. The new Nelson Mandela Municipality has supplemented the subsidy amount through its own revenues, in order to deliver a bigger house (the so-called 'Metro House'). As will be clear as the Joe Slovo case unfolds, promises of this 'big' house, delivered for free by the

Municipality's developers, has become the main development issue around which political clientelism is structured. In 2001, the Ministry of Housing introduced a compulsory cash contribution of R2 479 (US$ 392), to reduce the perceived lack of ownership and pride by subsidy beneficiaries. However, the NMMM appears to have found ways around enforcing the cash contribution.

The following alternatives to the project-linked subsidy are available for developments such as Joe Slovo:

a) The institutional subsidy, which is paid to a housing institution on behalf of qualifying beneficiaries, and ownership is collective (with rental or rent-to-buy agreements), at least for the initial years.
b) The People's Housing Process (PHP), through which beneficiaries provide 'sweat equity' in the place of the R2 479 cash contribution. This subsidy mechanism is being mainstreamed, as a way to serve those that do not have sufficient savings, but applies mainly to the house construction. Infrastructure development through a PHP subsidy is usually treated similarly to the project-linked subsidy, with an external contactor implementing the works. It should be noted that the NMMM is handling PHP subsidies very flexibly, allowing contractors to do the development in a conventional manner (Ndzotoyi, pers. com.).

The Federation at Joe Slovo, while in agreement with the principles of the People's Housing Process, decided that the highly individualised project-linked subsidies, through which the infrastructure development is planned and implemented by a contractor, would disenfranchise the poor. Federation members had been on an exchange visit to India and Pakistan, and had learnt how to install sewer lines without the help of professionals, and at a much lower cost. They therefore requested a lump sum of R4 million for the installation of infrastructure in the settlement. Again, the Joe Slovo community benefited from the partnership between the Department of Land Affairs and the Homeless People's Federation. It could be argued that the land was rural or peri-urban. Thus the Department of Land Affairs was able to grant a R1 million loan against the infrastructure component of the housing subsidy at an interest rate of one percent per annum. (Applications were later made, and approved by the MEC, for People's Housing Process [PHP] subsidies, through which the loan was to be paid back.) This was in agreement with the then-Minister of Housing, Sanki Mthembe-Mahinyele (Stemmett, pers. com.). The loan was for the installation of infrastructure only in the first portion of the settlement, south of the sewer servitude, for some 350 households.

The development concept of the Homeless People's Federation centres around skills transfer, empowerment and access to information. This requires collective activities such as regular meetings, training and community-based administration. Office and meeting space is organised in the form of a Building, Information and Training (BIT) Centre. In 1998/1999, the Homeless People's Federation, with sup-

port from the NGO People's Dialogue, sought funding for a BIT Centre at Joe Slovo. The British High Commission agreed to fund the construction, and the then Minister of Land Affairs, Derek Hanekom, attended the opening.

The professional engineer, was again called upon to assist in the community-driven installation of the infrastructure. The loan of R1 million from the Department of Land Affairs had been paid into the uTshani fund account of the Homeless People's Federation. In 1998/1999, infrastructure was installed for 360 houses. As municipal restructuring and the creation of a Metropolitan Municipality was by then eminent, it was anticipated that the Joe Slovo land would be incorporated into the new Metropolitan Municipality. The planning, as well as the water meters, were designed to the full standards of the Port Elizabeth Municipality, and was approved by its officials. Dummy *erf* numbers were allocated (Stemmett, pers. com).

Community Conflict around the Development Route—Federation versus Development by the Municipality

The political emphasis on the size of the house, exemplified by the Municipality's additional subsidy for its large 'metro-house,' meant that house size became the overriding criteria to subsidy beneficiaries in their choice of a housing approach. A hundred houses were built at Joe Slovo through loans from the uTshani Fund. The engineer observed that these first houses compared favourably with those built by the Municipality's contractors.

Many Joe Slovo residents, as the engineer commented, were primarily interested in the end product. In the absence of a deep conscientisation of the Federation's principles (including its approaches and goals) among the majority of Joe Slovo residents, the primary concern of the residents was whether the housing product of the Federation compared favourably with the house size delivered by the Municipality. The Federation route versus that of the Municipality thus became the line of division in the Joe Slovo community. Turmoil emerged in Joe Slovo, even claiming the life of one of the residents. Development stood still until mid 2002.

According to the engineer, some dissatisfaction within the community was caused by the fact that people were not always truthfully informed about development options. A divide emerged between the grouping that wanted to save money by installing the infrastructure themselves, and therefore being able to build bigger houses, and another grouping that wanted the Municipality to install the services and the large metro-house, assuming the Municipality would deliver this all for free.

Engineering facts were in favour of the Federation approach, particularly if simply analysed on the money available for the house construction—this is the pri-

mary calculation concerning the municipal officials and politicians to date. The engineer, with the Federation, was able to install infrastructure at R1 800 (US$284)/site (on a cost basis, which was not necessarily replicable), for the first portion of 350 households south of the sewer servitude. The Municipality at the time was budgeting R9 500 (US$1 500)/site for infrastructure. The directive from the Housing Ministry was to use no more than R4 500 (US$711) of each subsidy for the services. According to the Municipality's budgeting, however, the amount of R5 000 (US$790)/site above the directive was to be cross-subsidised through Municipal revenues. This meant that the additional Municipal subsidy was not contributing to a larger house, but to more expensive service installation (Stemmett, pers. com.).

Development choices were complicated by the mistaken position by the Municipality (NMMM) that it could only install the infrastructure if land ownership were transferred from the CPA to the Municipality. As mentioned earlier, the former Minister of Land Affairs confirmed that the Municipality was mistaken in its stance (Hanekom, pers. com.). The serious result of the Municipality's position (which it maintained up to the time of interviewing), is that the CPA continues to be seen as the primary obstacle to infrastructure and housing delivery by the Municipality, there being only two choices:

1) to do away with the CPA, transfer the land to the Municipality and for the Municipality to deliver infrastructure and housing through the conventional contractor-driven approach;
2) to maintain the CPA and involve all residents in the community-driven Federation approach, whether they approved of this or not.

The either-or situation gave no individual choice to residents, other than to align themselves with either the Federation, or its opponents. Given evidence of a violent division in the community, a responsive Municipality would have sought to increase choice for the individual residents. Based on the former Minister of Land Affairs' comment, the Municipality could have investigated the alternative of working with the CPA and the Federation, allowing those residents that so wished, to have their infrastructure and housing delivered by the Municipality, and others to follow the Federation approach. Instead, every external intervention in the Joe Slovo settlement appears to have driven the division to greater depth.

The either-or situation at Joe Slovo settlement led the Federation leadership into adopting strategies, which are not necessarily honest or defendable. While the loan of R1 million from the Department of Land Affairs for infrastructure was made on behalf of those Federation members at Joe Slovo willing to follow the Federation's development route, the engineer observed that the Federation had inflated its membership numbers at Joe Slovo, creating the false impression that all residents had

agreed to a community-driven infrastructure development (Stemmett, pers. com). This was in order to obtain sufficient subsidy money from the Department of Land Affairs to service a substantial part of the entire settlement. However, many of the people who had been permitted to settle in Joe Slovo were not true Federation supporters.

The Federation route could only be pulled through, if this impression was maintained, or the situation reversed to blanket support for the Federation. Faced with this difficult situation, the Federation leadership became 'top-down and control-oriented' (Bolnick, pers. com.). The then-director of People's Dialogue, Joel Bolnick, had advised the Federation leadership at Joe Slovo that the CPA needed to be more inclusive, so as to also represent other interests in the community. The engineer recalled that early allegations that individuals had their hands in the CPA kitty were hushed up rather than investigated, in order not to create any grounds for further dispute (Stemmett, pers. com.).

As will be evident in the following chapter of the Joe Slovo development, the either-or situation at Joe Slovo was an ideal breeding ground for party political clientelism. This was despite the fact that most Joe Slovo residents, including the Homeless People's Federation and its leadership, are strong and consistent ANC supporters.

EMERGENCE OF PARTY POLITICKING (1999 TO DATE)

Conditions for Effective Partnerships Erode

In the South African model of representative democracy, the link between the grassroots and local government is via elected councillors, who represent their constituencies via a ward committee. Councillors are usually aligned to political parties and should ascribe to their party's values and principles. In the Joe Slovo situation, this model translated into a very shallow form of democracy, which could be exploited for personal gain. The ANC, having the overwhelming majority support in the Eastern Cape Province, thus not needing to compete effectively with any other party, was not committed to disciplining their candidate from Joe Slovo, although he appeared to be violating the party's principles. Conditions for a 'partnership' with local government through this form of representation were non-existent.

Minister of Land Affairs Derek Hanekom had sympathised with the Federation, and supported its initiatives. During his term, which ended in 1999, six Homeless People's Federation settlements across South Africa had benefited from direct intervention by Minister Hanekom. His successor, the current Minister of Land Af-

fairs, does not approve of the Federation approach, therefore the partnership between the Federation and the Ministry came to an end. The former Minister, Derek Hanekom, however, continued to be involved in the Joe Slovo settlement process, in his personal capacity, in his capacity as a board member of People's Dialogue, and as a prominent member of the ANC.

'Since 1999, things have been standing still' (Benekane, pers .com.). The daily savings groups had been active, but people started leaving the savings schemes. The Federation places much blame for this situation on the arrival in 1999 of an individual who started challenging the Federation leadership. This was at a time when the community at Joe Slovo was no longer cohesive, and was increasingly divided over the choice of a development route. The new arrival sided with those demanding municipal delivery for free. To the committed Federation members, it appeared as though he seized on every aspect of the existing divide, not to promote development, but to obstruct it in order to build a personal power base.

ANC Aspirations, and Allegations of Federation Corruption

The new arrival was Chair of the local branch of the SACP (South African Communist Party, which is in alliance with the ANC). He joined a friend already living in Joe Slovo settlement, first boarding, then looking after the friend's house. He was not a Federation member. He enquired of the then-Chair of the CPA (and Federation leader), how he could go about acquiring a house in Joe Slovo. The Federation principles and the role of the CPA were explained. As he was able to secure housing assistance from his employer, the CPA wrote a letter to the employer. On that basis, he was able to build a house in Joe Slovo. He had also joined a Federation saving scheme.

The new arrival had aspirations of creating an ANC branch in Joe Slovo. In the view of the Federation members, the community was already supporting the ANC, and there was no need for an additional structure. Very soon they had the impression that the new arrival had ambitions to disband the work of the Federation and instate himself as leader. It appeared that the new arrival capitalised on the development delays by initiating rumours of corruption on the part of the Federation, the engineer and the former Minister of Land Affairs Derek Hanekom. The Federation itself did not have the capacity to prove these allegations wrong (Hanekom, pers. com.). The majority of the residents were Federation members at the time. The new arrival challenged them to show him their savings books, so that he could recover their money out of the corrupt hands of the Federation leadership.

Eldridge Jerry, the former Regional Co-ordinator of the Homeless People's Federation, on his return to Port Elizabeth in 2000, was drawn into the ANC's local

government campaign and was enlisted to stand as Councillor in the December 2000 elections. He was tasked by the ANC with the task of setting up an ANC branch in Joe Slovo. This request came on demand by people from Joe Slovo, evidently via the new arrival. It was portrayed to the ANC that the Joe Slovo residents had expressed the need for an alternative structure to the savings groups of the Federation. This placed Eldridge Jerry in a difficult position, and inevitably his relationship with the Federation leadership at Joe Slovo deteriorated. What emerged then was a split between those supporting the local ANC branch, and those supporting the Federation (also loyal ANC supporters) (Jerry, pers. com.).

According to the Federation leadership, the new arrival, 'stopped' the infrastructure development that was underway, requesting a different contractor from the one that had won the tender and who was working with the CPA and the Federation. This was in the wake of the 2000 local election, and the new arrival was telling residents that if they voted for him, he would investigate what had happened to the R1 million made available for infrastructure, which he alleged had disappeared. He also promised 'everything for free,' and those believing him began abandoning the savings schemes. Well aware that they had started Joe Slovo with their savings, they thought that the new Councillor, once voted in, would do everything for them.

The new arrival had set his mind on becoming a Councillor—Councillors have a guaranteed salary, at least R6 000 (US$948) at the time, a relatively good income for someone residing in an informal settlement. He referred to himself as the 'Alliance' (ANC and SACP). In the view of the Federation leadership, he began building his power base in opposition to the Federation, even though the Federation is not a political party, and its members are mainly ANC supporters.

There was a wider political split around the new arrival aligned at the 2000 elections. The South African National Civic Organisation (SANCO), which has a tiered structure with street committees in most low-income settlements, is generally aligned to the ANC (see Mayekiso, 1996; Seekings, 1997). Certain SANCO leaders had not been put forward as candidates in the election, and therefore decided to split from the rest of SANCO and stand as independents in the election. The ANC saw these individuals as causing problems, and the development question became highly politicised around this dispute. In Joe Slovo, the new arrival was associated with the ANC-aligned SANCO, whereas the Federation was seen to be associated with the 'independents'. Whereas the SANCO divide was ironed out after the 2000 local election, politicisation of development escalated (Ndzotoyi, pers. com.).

Derek Hanekom, was asked in 1999 to facilitate a solution to the tension between the Federation and the so-called 'Alliance', represented by the new arrival.

The tensions were such that he had to meet separately with the two groupings, and it became evident that both structures were unable to mobilise significant support within the Joe Slovo community. The Federation had not allowed its leadership to be tested. Across the country, Homeless People's Federation leadership elections were only introduced in 2002 and 2003, in the wake of a bigger crisis of legitimacy. At Joe Slovo, those splitting away from the Federation and its daily savings meetings, including the new arrival, were labelled by the Federation as troublemakers, and were shown hostility (Hanekom, pers. com.).

Whereas the CPA executive was composed of Federation leaders, it needed to represent and make decisions in the interest of the Joe Slovo residents as a whole. The Federation, having initiated the CPA, had a strong sense of ownership over the CPA, but this was not supported by the constitution of the CPA. The Federation had to recognise the need for inclusivity in the CPA. However, the so-called 'Alliance' was increasingly difficult to deal with, seemingly eroding the Federation's role and achievements at every given opportunity. Any moves towards inclusivity were not realistic to the Federation, at a stage when the 'Alliance' was displaying ambitions to obstruct every aspect of the Federation's work, and opposed every principle it stood for.

Councillor Elected—Confusion over the Development Status

In the 2000 local elections, the 'Alliance' candidate was voted Ward Councillor, and according to the Federation leadership was told by the Municipality that, should he wish to work in Joe Slovo, he should note that this was privately owned land, and he therefore needed to work with the CPA and the Federation. The Councillor had held instead that the people of Joe Slovo did not want the Federation or the CPA. Resorting to the worn development fallacy, the Councillor commented in the interview that the community had suggested doing away with the CPA ownership of the land, and handing the land over to the Municipality, so that every individual household could be given a title deed. Along with the Municipality, he was ignoring the fact that individual plot titles could also be achieved through the CPA and Federation route.

In mid-2002 (before the Councillor challenged the CPA executive) the consulting engineer had been approached again by the Federation leadership to enter into an agreement with the CPA to prepare the 'land availability and services.' The agreement tasked him with a wide range of duties: seeking approval for the township establishment; obtaining housing subsidy funding from the provincial government on a basis of an approved settlement layout and infrastructure design; supervising the installation of the services; enabling the provision of houses with

maximum choice to the individual residents; and registration and transfer of the revenue to the residents (Land Availability Agreement).

The applications made by the engineer in accordance with his legal agreement with the CPA had been approved six months after submission. However, township establishment was being delayed by the new Councillor, who was not willing to ratify the street names (People's Dialogue undated, b). He had also appointed an attorney to request the provincial government to allow for the land to be transferred from the CPA to the Municipality, thus undermining the development rights that had been ceded to the engineer through the land availability agreement. This led the engineer to sue the Municipality for the expenses he had incurred through this process. As a result of this legal challenge, the Municipal Councillor in charge of housing holds the mistaken position that the engineer 'claims he owns the land' and 'was purposefully delaying development.'

The Municipality decided to employ a legal team to investigate the situation at Joe Slovo. Three lawyers and a conflict resolution specialist from the University of Port Elizabeth began an enquiry as to who in Joe Slovo rejected the Federation, and why. They also investigated the allegations of corruption, made by the 'Alliance'. According to the Federation leadership, the finding was that there had been no corruption, and that the new Councillor had been undermining the Federation. However, the particular lawyer who had made this finding, was then blamed by the Municipality of being aligned to the Federation, and was dropped from the legal team.

Late in 2002, the NGO had recruited a new Director. She visited Joe Slovo and became aware of the deadlock, and the resentment in the community for the Federation. The approach of People's Dialogue is always to respect the integrity of the community, and not to impose the views of the NGO. Her approach towards the new Ward Councillor was to meet with him, to introduce herself as the new People's Dialogue Director, and to indicate her respect for his position as Councillor. However, he did not receive her in this spirit. To the Federation leadership in Joe Slovo, she had also suggested that it assess its membership and the extent to which they were actively saving. Federation members met in the BIT Centre, with their savings books. The hall was filled with people. However, some had not been saving for years, yet still considered themselves Federation members (Nkopane, pers. com.).

The new Councillor had started arguing that land ownership of Joe Slovo settlement needed to be transferred from the CPA to the Municipality. The People's Dialogue Director took the issue to the ANC. Former Minister of Land Affairs Derek Hanekom was deployed to Port Elizabeth to represent the ANC on this matter. However, the ANC did not have the capacity to resolve the dispute. It

appeared to People's Dialogue that individuals in the ANC were not willing take unpopular positions. People's Dialogue had expected the ANC to intervene and discipline the new Councillor, particularly as he actually had very little support in Joe Slovo settlement, and was displaying little commitment to the democratic principles of the ANC, as evident in the take-over of the Federation's BIT centre discussed below.

The Councillor Succeeds in Obstructing Development

The governance context in the NMMM allowed the new Councillor to obstruct development and then make false allegations to mobilise support for illegitimate claims. As a result, the frustration of the Homeless People's Federation leadership in Joe Slovo was driven deeper. The Councillor's strategies appeared not only to obstruct their activities, but also to isolate them from the remaining partnerships on which they could draw. Four concrete examples illustrate the undemocratic approach of the Councillor, and the freedom within which he was being permitted to act.

Firstly, he requested access to the Homeless People's Federation's BIT centre, which was owned and used by the Federation and the CPA. The People's Dialogue Director was called upon to assist in resolving access to the BIT centre. Whereas the building had been initiated by the Federation and built with funds donated directly to People's Dialogue, it was a community asset, from which everyone should benefit. People's Dialogue therefore suggested that an agreement be made as to who would make use of the centre and at what times. It was also suggested that a caretaker be elected. This was agreed upon. However, the new Councillor took the key from the caretaker, and the Federation no longer has access to the centre. The Federation leadership recounted that they were forcefully expelled from the centre by a mob that the Councillor had organised from outside Joe Slovo settlement. He since claims that the centre belongs to the Municipality. This outcome, which indirectly resulted from a People's Dialogue intervention, has strained the relationship between the Federation leadership at Joe Slovo and the NGO People's Dialogue.

Having unsuccessfully sought intervention from the Municipality and the regional ANC office, the Federation leadership reported the problem of the BIT Centre to the Homeless People's Federation's uTshani Fund, which then decided to hire an attorney. At the time of interviewing, the attorney was investigating whether it would be possible to sue the new Ward Councillor for the key to the centre. People's Dialogue would prefer a resolution that does not require legal steps and hoped that the Municipality could still be called upon to intervene.

Secondly, the Councillor applied a similar strategy to a 60m^2 school building (2 classrooms), which the Federation had constructed in Joe Slovo with an amount of R13 000 (US$2 054) made available by the uTshani Fund. The school for local children was run by unemployed teachers living in the settlement. The Federation leadership had sent an application to the Provincial Department of Education to have the school formalised and supported. This was approved. However, according to the Federation leadership, the Councillor had managed to divert the funding and a new school building was instead constructed in the neighbouring informal settlement in which he had supporters. As this area had not yet been planned or formalised for residential and educational land-use, the new school could not be approved by the Department of Education, which therefore did not provide teachers (and their salaries). Friends of the Councillor were now teaching at the new school, and the original school in Joe Slovo hosts a crèche run by one of the Federation leaders.

Thirdly, the Councillor obstructed the bulk sewerage works that were underway. In 1998, an application for a bulk sewer connection for Joe Slovo had been turned down, but was finally approved late in 2000. The consulting engineer had been appointed to design the work and put out the call for tenders. The new Councillor, once elected, disagreed with the contractor that won the tender. According to the Federation leadership (and indeed very likely in the particular governance context), he had his own choice of contractor in mind. Thus the bulk sewer connection was delayed to 2002. Infrastructure development was delayed in similar fashion.

Fourthly, the new Councillor organised two marches to the Municipal offices, to make the statement that the Joe Slovo people did not want the Federation or the CPA. These were illegal demonstrations, without permission, and obstructing traffic. 20 people were arrested. The new Councillor proceeded to claim to the police that the Federation leadership was instigating public violence, and theft. Two women from the Federation leadership were immediately arrested by the police for four days, and in the absence of any evidence, were released and the case postponed. The Councillor had then requested that the case be dropped. Clearly, the Federation supporters were angered by this incident. The Municipal Head of Housing, commenting on these incidents, confirmed the administration's hands-off approach, which continues to play into the hands of the new Councillor: The Municipality mistakenly states that, as long as the land is privately owned, it cannot intervene.

Contestation of the CPA Executive

In line with the above, the Councillor's subsequent step was to contest the CPA, which at the time was chaired by a Federation leader. In the Councillor's view, the

CPA executive was not accountable, and therefore its composition needed to be changed. He claimed that as a politician, he was asked to intervene, to ensure a more accountable leadership. He requested that the executive of the CPA be replaced. In such a situation, the Act governing Community Property Associations required mediation, and the election of a new CPA committee was mediated on 20 October 2002, by a professor from Rhodes University. Through the mediation process, the Councillor was elected as the new chair of the CPA. The NGO People's Dialogue is of the opinion that the Councillor 'misused his office and public resources of the NMMM to influence the outcome of the CPA executive committee election', and that 'he has deliberately misled the inhabitants about the nature of the development proposed by the Federation and his own intentions for development' (People's Dialogue, undated, b). Delays were caused by the change in the CPA executive, and the Councillor not agreeing to the new elected committee, which included five of the previous members.

The People's Dialogue Director had ensured the Councillor that she respected his new position as the Chair of the CPA. She attended all the CPA meetings. However, the Councillor 'was using the CPA meetings only to discuss the ANC, he had nothing to discuss with the community' (Nkopane, pers. com.). The new CPA, under leadership of the Councillor, was no more accountable or inclusive than it had been before the mediation process.

Contestation over Ownership of the Land

Being elected as Chairperson of the CPA, the Councillor claimed that the land henceforth belonged to the Municipality. However, there had been no legal transfer of ownership. Displaying limited understanding of the legal situation, the Municipal Head of Housing had addressed the Joe Slovo community, confirming that, as the land now belonged to the Municipality, 'metro houses' would be built. The Federation leadership pointed out in the public meeting that there was a legal procedure that had to be carried through, for the land to change ownership. According to the Federation, the Municipality was angered at being misled by the Councillor. This led to yet another legal dispute, in which the Federation defended the CPA in court, and the court decision was for a further mediation. In January 2003, the same mediator, the professor from Rhodes University, organised a vote to establish whether a referendum should be held to decide whether or not the land should be transferred to the Municipality. According to the Federation leadership, the outcome had been that 2/3 of the residents were not in favour of such a referendum, but no referendum was held. According to the Councillor, a referendum was held in October 2002, and a decision was made by the majority.

'We are now one, we are now just waiting for the government to deliver the services' (pers. com.).

According to the Federation leadership, the Councillor, with the Municipal lawyer, continued to lie to the Municipality, claiming that the referendum had been held and the majority had voted that the land was to be transferred to the Municipality. The Municipality believed this claim.

Housing Subsidies and Development Budget

The loan of R1 million made by the Department of Land Affairs was to be paid back to the Department, once the individual housing subsidies for the first portion (350 households) had been paid out by the Provincial Department of Housing. The engineer pointed to the historical costs of this loan, which had accumulated interest of R78 000 (US$12 324). At the time of interviewing, the subsidies had not been paid out. According to the engineer, the Councillor was playing another obstructive card, claiming that the monies for the infrastructure installation in the first portion would not be paid out, as the infrastructure was inferior.

The engineer had proceeded on behalf of the CPA with the 1 600 housing subsidy applications for the entire Joe Slovo community. As the Federation leadership was aware at the time that the Councillor was canvassing to take over the CPA executive, and therefore feared further delays, they had rushed to submit the subsidy applications. The subsidies were approved late in 2002 by the provincial government, subject to the signing of an agreement with the Provincial MEC on how the project will be carried out. The engineer prepared an agreement that was favourable in terms of what the Municipality had to do. As had been suggested by the MEC, the engineer (via the CPA) would be responsible for phases 1 to 4 of the subsidy development (land release, township establishment, layout planning and infrastructure), and the Municipality would be responsible for phase 5, the top-structures or houses, through the People's Housing Process (PHP).

However, at the time of interviewing, the Municipality was claiming that the engineer was charging too much (namely R10 500/US$1 659) for phases 1 to 4, and that insufficient monies remain for the top-structures. This statement by the engineer was confirmed in a very brief interview with the municipal housing official, who also claimed that the engineer was wanting to use a bigger chunk of the subsidy for phases 1 to 4 than the Municipality does on other projects, and that insufficient money remained for the top-structures.

In fact, the engineer was budgeting only R6 500 (US$1 027)/site for phases 1 to 4. The engineer had provided a cash flow to the finest detail to the Provincial MEC. His tender had included the rates, and escalation at 5 percent. The Munici-

pality was claiming the escalation should be zero percent, wrongly assuming that the engineer is attempting to recover the R780 000 interest that has been accumulated through the delays. The engineer's fee was R300 (US$47)/site, for the management and co-ordination. To complicate matters, the Municipality had requested a re-design of the roads, as it had decided to make available an additional subsidy of R3-6000/site for a higher standard of infrastructure. It was therefore agreed that his fees should be R360 (US$57)/site, and that this would be subtracted from the housing subsidies. At the time of interviewing, the Municipality and engineer were awaiting the MEC's approval for change of the road standard, a further delay. The engineer had decided to write off the many hours of professional time related to many delays and unsuccessful meetings.

Hostility was evident within the Municipality towards the engineer. The Municipal Head of Housing, mistakenly regarded the engineer as 'the project manager for the Federation.' She conveniently blamed him for claiming to own the land and thereby obstructing the development, for taking the Municipality to court, and for delays in having the subsidies approved. However, there appeared to be no evidence of any delays caused by the engineer, who instead had been affected by countless delays caused by futile investigations that tried to force the community to accept either the Federation or the municipal route, and that had achieved no result.

The Federation had installed 3 standpipes in the second residential portion, north of the sewer servitude, for which the infrastructure installation had been delayed. The Federation had requested metered connections from the Municipality, as it was the members' intention to pay for their water consumption. They had later asked for free water on the basis of indigency, and at the time of interviewing were not paying for this communal consumption. In the first residential portion that had been serviced in 1998/99, individual water meters were installed on each site and each household was paying for its consumption. The new Councillor had asked the Municipality to install 3 standpipes in the third residential portion, which had been invaded most recently.

In a complete disregard of the need for coordination, the new Councillor had arranged for high mast lighting to be installed in between the shacks at Joe Slovo, without consulting the layout planning that had been developed by the engineer and submitted with the subsidy application. The location of the masts and the trenches for the electricity are in conflict with the formal layout plan. According to the Federation leadership, the Municipal Head of Housing confronted the new Ward Councillor about this. However, the Councillor had claimed that this was *his* Municipality, and as a Councillor he need not consult the engineer Mark Stemmett (Befile, pers. com.).

Resolution at the Time of Interviewing: The New Steering Committee

The Provincial MEC who was presiding over the approval of subsidy applications initiated an investigation as to whether Joe Slovo residents as a whole wanted PHP subsidies or the contractor-built Metro House (another either-or situation). Workshops were held in Joe Slovo, and a steering committee was created, with members of the Federation and the CPA, one representative from the Department of Land Affairs, one from the NGO People's Dialogue, one from the provincial government in Bisho, the Municipal Head of Housing, a municipal official, the Provincial MEC, and the new Ward Councillor from Joe Slovo.

According to the Municipal Head of Housing, the role of this committee was to ensure that the development happened within the agreed parameters. At the time of interviewing, the Municipality was still waiting for the provincial government to approve certain aspects of the engineer's work. In her view, the conflict in the community would not be resolved. Instead, a strategy was needed to manage the conflict. This was now underway through the new management committee. However, the consulting engineer was less optimistic, as neither the Municipal Head of Housing nor the new Councillor in Joe Slovo had sufficient power to manage the conflict. In his experience, even the meetings of the committee were poorly managed—the new Councillor had taken to boycotting the meetings.

Despite the many problems caused by the new Councillor, not only for the Federation, but also for the Municipality, he had the political backing of the Municipal Head of Housing. It must be noted that it was her livelihood to make housing a success in Port Elizabeth, and inevitably she fell within the development trench that was being determined by the housing subsidy system. When she became Head of Housing, the Municipality was building houses that consisted only of pillars and roofs. She had disapproved of this, and had introduced the 'Metro House,' which was to be 40m^2 with the additional Municipal subsidy of R3 000 (US$474)/site. She was not convinced that people should be building houses for themselves. Nevertheless, given the Provincial MEC's support for the People's Housing Process (PHP), she had recently agreed to the concept of the PHP, and was no longer talking of the 'Metro House'.

However, the new Councillor at Joe Slovo stated in an interview that by early 2004 the government would build houses for the people of Joe Slovo, including provision of electricity. In the meantime, he argued, they were benefiting from the Municipality's 'four-peg policy,' allowing them to have access to plots and services. In the week following the interview, the Municipality would be preparing temporary roads, and complete the high mast lighting. The Municipality was also implementing refuse collection, with green bins along the road, and providing

refuse bags. In his view, the Municipality was still working too slow. Officials were taking too long to respond to requests, and these delays reflected badly on the politicians.

According to the Federation leadership, those remaining in the Federation continued to strive for development in Joe Slovo, hoping that those that had left would realise their mistake and return. At the time of interviewing late in 2003, people were returning to the daily savings schemes, as there had been no tangible development since 2000.

CONCLUSION

A partnership between government and a community-based organisation requires shared objectives and a shared willingness and commitment to finding a development approach that is appropriate to the social, economic, legal and physical context. In the Joe Slovo settlement, an initial partnership with a national Ministry of Land Affairs resulted in a community-based legal entity (the CPA) owning the occupied land. Local government, however, viewed this as an independent or private development outside of its responsibility. This justified a hands-off approach. Since being requested by a grouping in the community to become involved in the development, the Municipality promoted only one development approach, the mainstream contractor-driven housing delivery which has been mainstreamed through the project-linked capital subsidy. There was no attempt by the Municipality to seek a solution tailored to the existing community-based initiative and the fragmented social reality. The Municipality also ignored the legal situation, which did not allow for a simple switch from community-driven development to contractor-driven delivery and called for more a complex engagement with the status quo.

The vast majority of subsidised housing developed in South Africa since 1994 has been project-linked or contractor-driven. This approach encourages individuals to 'sit back and wait for government to deliver', as captured in the words of the new Councillor at Joe Slovo. This places on government authorities a paternalistic responsibility for delivery. In part, this approach is to blame for the situation that unfolded in Joe Slovo. The paternalistic development approach is popular with local politicians, whose support-bases within the communities are defined by the extent to which they are able to broker such delivery, be this through questionable deals with profit-driven developers, or even their own contracting businesses. As long as delivery happens in impressive numbers, Municipal Heads tend to support the endeavours of their Ward Councillors.

The shift in the housing subsidy policy in South Africa towards mainstreaming of the People's Housing Process (PHP), and the introduction of an Informal Settle-

ment Upgrading Programme, if implemented consistently by local governments, could make an end to this clientelist relationship between communities and the state. These approaches have potential to instead create space for direct partnerships between organised community groups and responsible and supportive organs of government. However, as one Councillor pointed out, the NMMM (Nelson Mandela Metropolitan Municipality) interpreted the PHP very flexibly, giving opportunities once more to delivering contractors. At the same time, unscrupulous practice by housing developers has resulted in increasing tightening of the PHP rules, to the extent that these have become hostile to development driven by grassroots communities. At the time of submission of this paper, the informal settlement Soweto-on-Sea had been chosen by the Eastern Cape Provincial government as the provincial pilot project of the informal settlement upgrading programme (Department of Housing, 2005a). It was too early to establish whether this was being approached in the sense of a partnership, and whether lessons from Joe Slovo were being applied.

The Joe Slovo settlement process, which at one stage had all the conditions for a successful community-driven development embedded and supported by a high level partnership with government, could barely survive in the local government context in which a seemingly comfortable delivery alternative lured. This could be exploited by undemocratic or opportunistic politicians, who are not disciplined by their political superiors. Sadly this has transpired in Joe Slovo where the political choices being taken oppose a development approach that is in accordance with the core principles of the ruling party and, what is more, is increasingly supported by national policy through the shift towards the People's Housing Process and increased emphasis on partnerships with communities. A partnership between local government and community in this context would require a common agreement to identify the problem, to seek to understand its causes, and to deal with the problem in an effective manner that is not determined by what is most beneficial in the short term for the political party with majority support. As concluded by the Federation leadership in Joe Slovo, in the wake of another national election in April 2004, a partnership on this basis did not seem be within reach.

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PERSONAL COMMUNICATION

Antony, Ivy (4.12.03, Port Elizabeth): Savings Group leader in Joe Slovo, and Regional Convener for the Homeless People's Federation.

Befile, Margaret (4.12.03, Port Elizabeth): Savings Group leader in Joe Slovo, and Regional Convener for the Homeless People's Federation.

Benekane, Evelyn (4.12.03, Port Elizabeth): Federation leader in Joe Slovo, and involved in the Kleinskool BIT centre.

Bolnick, Joel (23.9.03, Johannesburg): Urban Resources Centre (URC), and Slum Dwellers International (SDI).

Bungani, Councillor (4.12.03, Port Elizabeth): Ward Councillor, ANC, and resident of Joe Slovo settlement. His 'Alliance Committee' was present during the interview. They represent the ANC Youth League (Gcobani Mpat), the Ward Committee (Nelton Vaba), SANCO (Molo Mnikeli) and the ANC (Kati Faku).

Faku, Kati (4.12.03, Port Elizabeth): Joe Slovo resident, and ANC member on the Councillor's Committee in Joe Slovo.

Hanekom, Derek (19.12.03, Johannesburg): ANC Member of Parliament (at the time of interviewing he was on the Budgeting Committee), board member of People's Dialogue, formerly Minister of Land Affairs, 1994-1999.

Jerry, Eldridge (3.12.03, Port Elizabeth): Currently Proportional Representation Councillor, ANC, and development consultant, formerly Regional Coordinator for the Homeless People's Federation.

Langsen, Mr (3.12.03, Port Elizabeth): Housing official, Nelson Mandela Metropolitan Municipality.

Ndzotoyi, Councillor (3.12.03, Port Elizabeth): Proportional Representation Councillor and Depute Chairperson of Housing in the Nelson Mandela Metropolitan Municipality, Member of the ANC and of SANCO.

Nkopane, Nomaza (24.12.03, phone interview): Director, People's Dialogue (at the time of interviewing), Cape Town.

Sihlwayi, Councillor Nancy (3.12.03, Port Elizabeth): Head of Housing, Nelson Mandela Metro (Portfoio Councillor: Housing and Land), referred by Mayor Ncebu Fakou.

Stemmett, Mark (4.12.03, Port Elizabeth): Consulting Engineer, Engineering Advice and Services, associated with Ulwazi, erstwhile board member of People's Dialogue.

Zenza, Sydney (4.12.03, Port Elizabeth): Federation member in Joe Slovo.

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