

https://dspace.org/

A reflection on the strategies and tactics of a non-governmental organisation: the case of the inner city resource centre: Aiming to create a more just inner city of Johannesburg through activism--the case of the inner city resource centre

Tshuwa, Lesego Sebetlapelo Daphney

2016

http://hdl.handle.net/10539/22352

Tshuwa, Lesego Sebetlapelo Daphney (2016) A reflection on the strategies and tactics of a non-governmental organisation: the case of the inner city resource centre, University of the Witwatersrand, Johannesburg, <http://hdl.handle.net/10539/22352>

Downloaded from a DSpace repository. https://dspace.org/

UNIVERSITY OF THE WITWATERSRAND
SCHOOL OF ARCHITECTURE AND PLANNING

A reflection on the strategies and tactics of a non-governmental organisation

The case of the Inner City Resource Centre

Lesego Sebetlapelo Daphney Tshuwa
5 August 2016

Research report submitted to the School of Architecture and Planning, University of the Witwatersrand, 5 August 2016, in partial fulfilment of the requirements for the Master of Science degree in Town and Regional Planning, in the field of Urban Studies. Supervised by Doctor Margot Rubin.

Johannesburg, 2016

DECLARATION

I, Lesego Tshuwa, declare that this research is my own, unaided work submitted for Master of Science degree in Town and Regional Planning, in the field of Urban Studies at the University of the Witwatersrand,

Johannesburg.

_____

Signature

Date: 5 August 2016

ACKNOWLEDGMENTS

This research report has by far been the most difficult to submit. I have had great moments of learning but there has been a great of amount of stress and frustration for me. Emotionally, physically and spiritually I have had challenges and it is therefore important to thank all those who have been supportive of me throughout this journey:

My funders

- National Research Foundation – without the support of the NRF the 2013 academic year and studies to date (and consequently the research) would not have materialized.
- Umama Wothando Trust- you have been too good to your students and I thank you for empowering us always.

My Mother- Life would simply not be the same if you were not with me every step of the way. Thank you for being my rock

My family- Thank you for all your support in all I do.

My supervisor, Doctor Margot Rubin, you have been supportive over and above your call of duty, thank you for all the guidance and knowledge you have imparted, I am truly a better person than I was yesterday. This journey has been very interesting at times, but you never gave up on motivating me to try my best always.

My mates Thembani Mkhize, Loyiso Tunce and Edward Molopi, going through this journey with you guys has made this road much easier.

My sisters and brothers from the Wits community, Itumeleng Mafatshe, Lerato Motaung, Tokelo Nhlapo...this journey would never have been this interesting without you guys. We shall conquer all obstacles because we are all destined for greatness.

Dumisani Dube, you walked into my life at the perfect moment. You are truly amazing and appreciated.

Lastly, a very special thank you to all my respondents:

Kate Tissington (SERI), Zeenat Sujee (CALS), Moray Hathorn (Webber and Wentzel) and Charles Beckenstrater (Moodie and Robertson Attorneys). The Inner City Resource Centre team, Shereza Sibanda, Philemon Makweng, Veronica Matshobeni, Emily Kolobe and Mujinga Yabadi. City of Johannesburg Officials, Pumla Bafo and Jak Koseff and lastly those also working within the inner city space, Mike Makwela and Anne Steffny, because of all of you my research is of better quality and I have matured as a student.

ABSTRACT

This research report is interested in telling the story of activist work by looking at the work that is done by the Inner City Resource Centre which is an NGO operating within the Johannesburg area. The intention of this study is to understand the effect of activism in an environment that is highly contested by reflecting on different viewpoints of those involved in inner city work and dynamics where housing is concerned. The views of different stakeholders working within this space therefore become highly critical. The narratives by the different individuals highlight the strategies and tactics employed by various actors and institutions in shaping processes in order to achieve goals.

TABLE OF CONTENTS

Section	Description	Page
1.0	CHAPTER ONE – INTRODUCING THE RESEARCH	1
1.1	Introduction	2
1.2	Problem Statement	5
1.3	Research Rationale	7
1.4	Research Report Questions	8
1.5	Aims and Objectives	9
1.6	Hypothesis	9
1.7	Conceptual framework	10
1.8	Outline of Chapters	11
2.0	CHAPTER TWO – Research Design and Methodology	13
2.1	Introduction	14
2.2	Purpose of this research	14
2.3	Research Strategy	16
2.4	Research Method	17
2.5	Meeting the interviewees and reflections	18
2.5.1	Site visits and observation	22
2.5.2	Drawing themes from the interviews conducted	25
2.6	Limitations	26
2.7	Reflections	28
2.8	Conclusion	29
3.0	CHAPTER THREE – Theoretical Underpinnings	30
3.1	Introduction	31
3.1.1	Negotiating for space in Johannesburg	31
3.2	Regeneration in inner city Johannesburg: a clean-up or a challenge	34
3.2.1	Policies and Interventions: Actions by the state	34
3.3	The context of activism in apartheid and post-apartheid South Africa	41
3.3.1	Activism in theory and practice in South Africa	42
3.4	Litigation and Constitutional rights to the right to the city	47
3.5	Conclusion	56
4.0	CHAPTER FOUR – The Inner City Resource Centre	58
4.1	Introduction	59
4.2	Challenges relating to the housing issue in Johannesburg	61
4.3	The history of the Inner City Resource Centre	67
4.3.1	The structure of the organisation	83
4.3.2	Learning to adapt to changing contexts	88
4.3.3	Challenges involved in activist work	94
4.4	Conclusion	98
5.0	CHAPTER FIVE: The views on the work of the ICRC by multiple stakeholders trying to effect change in the inner city of Johannesburg	99
5.1	Introduction	100
5.2	The limits of litigation: expectations, experiences and the hardening of hearts	100
5.3	Actions by social movements- strategies employed to effect change and influence policy	106
5.3.1	The strengths of the ICRC	107

5.3.2	**What if the ICRC did not exist?**	**109**
5.4	**The possibilities of bridging the gap**	**111**
5.5	**Conclusion**	**114**
6.0	**Chapter Six: A Summary of the research findings**	**116**
6.1	**Concluding Remarks**	**117**
	REFERENCES	**120**

ACRONYMS

ANC- African National Congress- This is the Republic of South Africa's current ruling party (http://www.anc.org.za/show.php?id=172).

CALS- Center for Applied Legal Studies- a public interest legal organization based at the University of the Witwatersrand (Tissington, 2010).

CBD-Central Business District

CoJ-City of Johannesburg

COHRE- Centre on Housing Rights and Evictions- an international NGO which focuses on the right to adequate housing (Tissington, 2010).

GDS-Growth and Development Strategy

ICRC- Inner City Resource Centre- an apolitical inner city residents' rights association (Tissington, 2010).

JHB/JOBURG-Johannesburg

SERI- Socio-Economic Rights Institute- non-governmental organization set up to provide socio economic rights and assistance to individuals, communities and social movement, an organization dedicated to making socio-economic rights work to overcome poverty and inequality (Tissington, 2010).

TABLE OF CONTENTS – FIGURES/MAPS/ORGANOGRAMS

Figure	Description	Page
Figure1.1	ICRC Members and supporters marching in the CBD	5
Figure 1.2	'Key Concepts and their linkages'- A diagrammatic representation of the study's key concepts	10
Figure 3.1	A timeline of the policies and interventions adopted by the CoJ from 1992- 2013	40
Figure 4.1	The Inner City Resource Centre Pamphlet; pages 1 and 2.	79, 80
Figure 4.2	Inner City Resource Centre members marching with the Rivoningo Women's Forum Banner	81
Figure 4.3	Staff Structure of the Inner City Resource Centre	85
Figure 4.4	The Inner City Resource Centre's Facebook Page	91

Chapter One: Introduction

1.1. Introduction

Wilson (2011) observes that by the late 1990s, the City of Johannesburg (CoJ) had identified the inner city as a priority area for urban renewal and instituted a number of interventions. The involvement of the City was to address the issue of decline in property investment, thus ensuring clean and safe environments was critical. The Inner City Regeneration Strategy (ICRS) was introduced in 2003. This strategy was aimed at stimulating property values in the inner city by encouraging private sector investment. However the challenge of the ICRS was that there was no mention of what should happen to the residents of urban slums (or 'bad' buildings, as they are referred to in the ICRS). In that context the CoJ began evicting people but provided no alternative accommodation (ibid). According to Rubin (2013: 1) in 2004, the situation that was prevailing in the inner city of Johannesburg came to a head in the Olivia Road Case, in which four hundred poor residents who were being evicted by the City of Johannesburg fought back, taking the case all the way to the South African Constitutional Court. The case was reported on, not extensively, but sufficiently to keep those who were interested and concerned about inner-city housing issues aware of what was happening.

Tissington (2010) observes that South Africa is a relatively new constitutional democracy that is still grappling with apartheid spatial, institutional, and racial and income inequalities (ibid). This suggests that for many South Africans the realisation of socio-economic rights is still not tangible. Many are still disadvantaged in various ways; most live far from economic opportunities on the peripheries of cities and cannot access the same resources as those who have better social standing. Johannesburg is identified by many as a city that can compete on a global scale. Therefore "the strong economic growth resultant from this competitive economic behaviour" has been expected to drive up city tax revenues, private sector profits and individual disposable income levels (Joburg 2030: IDP 2003/2004). The essence of this argument is that South African cities are still suffering from the effects of apartheid.

Coming from the private sector are prestige projects which have been identified as City Improvement Districts (CIDs). CID Management which is the cornerstone of CIDs - may include slum-clearings and broader attempts at formalizing the informal in an attempt to 'extract value from the city'. According to Lipietz (2004) some of these activities can be seen to characterize the present-day City Council, and in the process seemingly bring it into the fold of international homogenizing practices in the realm of urban development (Lipietz 2004). Miraftab (2007) points to the recognition that CIDs are challenged from both within and outside of their managing structures by contentious local issues and in particular by vast social inequalities and citizens' historical struggle for inclusive citizenship and the right to the city. However, whether and how CIDs' inherent limitations can be overcome to address socio-spatial inequalities is an open question (ibid).

> 'Yet the urban landscape is always a contested terrain, where the propertied, privileged and powerful seek to establish one set of rules governing the use of urban space that is compatible with their city vision, and, conversely, the propertyless, underprivileged, and powerless make use of whatever means are at their disposal to challenge the status quo' (Murray 2008: 14).

The quote above emphasises that through initiatives to create better liveable and managed public spaces property investment by entities from the private sector has often favoured people with middle to higher incomes. Therefore the argument by Miraftab (2007) that property owners are effective in urban regeneration holds true. This has meant that the poorer people from the city are often marginalised as they may not be able to afford to stay in an inner city where property values and rentals are monopolised to make profits for investors. Wilhelm-Solomon (2010) contributes significantly to this argument by pointing out that the encouragement of private sector investment by the CoJ without offering some solutions for lower income groups is highly problematic because it reflects that city development is steered in a direction that disadvantages the poor. Moreover the state seemingly has the same goals as the private sector

which reinforces that relationship between the two. Research has also shown that many people living in such environments "remain threatened, devalued and dictated to within the precincts set by an empowered minority" (Coggin and Pieterse 2011: 258).

Chenwi (2008) argues that there are negative impacts for the poor because those most affected by evictions and processes of displacement from the inner city are socially and economically disadvantaged. This has led poorer people to respond with a range of tactics and strategies/and forms of activism; the poor have also been supported by different organisations which strive for social justice and to uphold the human rights of inner city dwellers. The broad aim of this research is to investigate the work done by the Inner City Resource Centre[1] (ICRC) by understanding the strategies and tactics employed by the NGO to make those goals realisable this as described in Ramanath and Ebrahim (2010: 21) can be a useful vehicle for clarifying an organisation's theory of change. To explore the work of the ICRC will help to gain some understanding of the nature of inner city activism, its strengths and limitations.

Dube (2008) writes that many court battles have occurred between the South African State and low-income residents. The attempts at the range of strategies to stay in the inner city by low income residents have at times been met with limited success. In most instances those who have sought help have been supported by a number of organisations including and especially litigation and the ICRC. The question is then

- What have been the strategies and tactics of the ICRC in this context– why do they do what they do?
- How do they do it?
- What has worked and what has not?
- Who have been the key players in helping the ICRC achieve their goals?

[1]The Inner City Resource Centre, http://www.icrc.org.za



Figure 1.1. ICRC members and supporters marching at corner Plein and Joubert Street, Johannesburg (Source: The ICRC; http//icrc.org.za/, 2011).

The ICRC operates in a fluid environment where there is limited popular and collective mobilization. Therefore the role of such an organisation and its leadership is important. In Metin and Coşkun (2016: 5) leadership is a component of how NGOs are run; therefore leadership is "the process by which an individual influences the behaviour of another person or group" and leadership is "the ability to influence the group in the achievement of a vision of set goals". The ICRC is a small organization that is linked to the key personality of its director, who attracts strong loyalties, and personal links with a number of other organizations, and volunteers. This report will try to illustrate and provide a reflection on linkages between individualities and institutions in this context. The ICRC has over the years shifted from housing centred issues to women and migrant welfare support (and access to rights and resources) – empowerment groups issues.

1.2. Problem Statement

The Inner City Resource Centre is an NGO that assists communities in Johannesburg with housing and legal issues and serves as an advisory centre. Through activist work done by the ICRC and

the Centre for Applied Legal Studies (CALS)[2] at the University of the Witwatersrand, Johannesburg, a landmark ruling of the Olivia Road Case by the Constitutional Court ordered municipalities to enter a process of meaningful engagement before evicting people from their homes (Everett, Gotz and Jennings 2004). Rubin (2013: 1) describes how In 2008, after the Constitutional Court had ruled on the case, the Centre for Applied Legal Studies (CALS), its affiliates, the Centre on Housing Rights and Evictions (COHRE) and Webber Wentzel Attorneys' ***Pro Bono*** practice, pronounced it a victory:

> "*The success of the relocation shows what is possible when the constitutional rights of the poor are taken seriously by the state", said CALS Head of Litigation, Stuart Wilson. "This is a victory for the Bill of Rights and the rule of law. It is noteworthy that the residents of San Jose and 197 Main Street relocated freely and voluntarily. Not one person was forcibly evicted from either of the properties. I hope that this spells the end of forced evictions in the name of inner-city regeneration".*

It can therefore be argued that activists from organisations such as the ICRC have been instrumental in preventing people residing in "bad buildings" in the inner city of Johannesburg from being evicted without being afforded alternative accommodation by the CoJ. The courts have said that in some circumstances, it may be reasonable to make permanent housing available and, in others, to provide no housing at all (Cox and Seale 2008). The main intention is to analyse how the ICRC conducts its work within this context.

In their action the ICRC has been viewed by Johannesburg residents faced with the threat of eviction and by human rights lawyers as an instrumental organisation. Often these activists serve as mediators between legal experts and the affected residents which is a critical role through the strategies and tactics undertaken by the ICRC affected residents have achieved some success in the cases which have been fought for the urban poor. However, these cases have been met with resistance by the CoJ. This role of being a broker between different stakeholders

[2]Helping those living in poverty stricken communities:
http://www.wits.ac.za/law/cals/16858/home.html

is critical. Analysing such relationships is important as little has been written about contemporary activism in inner city Johannesburg outside of the legal battles.

1.3. Research Rationale

The research is of interest and relevance to Urban Planning because in the ICRC's work there are spatial dimensions of their actions which include targeting buildings, especially 'bad buildings' in the inner city. I am interested in this study because observing the effect that the work that activists do in the inner city of Johannesburg is very important. I also need to understand the context of urban governance and how it has spatial spin-offs especially in a city where many competing interests are prevalent.

Increasingly citizens living in metropolitan areas such as Johannesburg voice their concerns around the affordability of homes. This crisis of affordable accommodation remains unresolved despite the growing housing backlog. There have been attempts however to rectify such challenges through a variety of planning and non-planning instruments such as in spatial development frameworks, inner city plans and of importance, legal action. The question around legal activism relates to planning questions of agency, participation, communicative planning theory, concerns over urban governance and the limitations of policy and planning which are all critical to understand as an urban planner.

Research on activists is limited; I am trying to fill some of that gap because we know more about litigation than activism in the inner city. The city is constantly changing and thus there is a growing need for planning students to understand the local context in which these processes of balancing the interests of various stakeholders occur. Through the knowledge and background to the work by the ICRC I wish to learn as much as I can about what it means to be an activist especially in contemporary Johannesburg which is a highly contested space.

1.4. Research Report Questions

The study will investigate the following key question: **What are the strategies and tactics employed by social activists working within the inner city of Johannesburg: the case of the ICRC?**

The study will be guided by the following sub-questions

- What is the ICRC trying to achieve? What is its goal/vision?
- What have been the strategies that the ICRC has employed in its work?
- Why has the ICRC chosen its specific set of activities?
- How and why have these evolved over time?
- How does the ICRC navigate the terrain of the Johannesburg inner city?
- What connections/relationships does it have with other organisations? And state officials/or the state? Why has it chosen these relationships? What do these relationships mean in this context?
- How do these relationships shape its identity as an NGO?

Lastly, the work will speculate and discuss what the organisation sees as its successes and failures.

To date, there are many inner city residents that fight through mediators or third parties with the state or private owners against evictions. As such the City of Johannesburg is seen to be failing to provide alternative accommodation for those affected. Litigation and partnerships by NGOs such as the Inner City Resource Centre have therefore become quite pertinent so as to provide some hope for those facing the threat of losing their homes. In cases where alternative accommodation is provided there have often been complexities and challenges such as families being forced to share communal spaces and the expectation to provide housing for themselves after a period of time (Koseff 2013; Sack and Tshuwa 2013). This highlights that the state is currently not catering for the needs of the urban poor leaving NGOs such as the ICRC in a difficult position to effect change within the current context. Therefore my main argument is that NGOs who are engaged in contestations with the state are forced to continually change their ways of operating in order to achieve their mandate or mission; what this means is that the

ICRC continuously has to adapt their strategies and tactics to remain current and to be able to continue with the work that they do.

1.5. Aims and Objectives

- To develop an understanding of activism and how it can work in the context of an NGO such as the ICRC

- To understand how processes which activists engage with different stakeholders can change or influence shifts in housing policy

1.6. Hypothesis

Work done by the ICRC requires that an activist/leader be driven to make changes despite the prevalent challenges. By fighting battles using the legal system as the ICRC has been known to do, many complexities may arise. The reliance on the law by the ICRC is indicative that each organisation can alter its strategies and tactics to fit the context in which it works and in hope for better outcomes for the cases fought on behalf of their clients. Activism conducted by the ICRC has offered the opportunity for engagement between different stakeholders- those suffering on the ground and institutions of authority. There are implications for the processes followed by the ICRC. In some cases there have been successful gains in the form of important legal precedents being set, but also, alienation from the state because of the nature of the different relationships (or lack thereof with different stakeholders) being formed. Over the years changes have occurred within the scope of the work being done by the NGO depending on the context in which it operates.

1.7. Conceptual Framework

Figure1.2. is a diagrammatic representation of the study's key concepts. The diagram is an illustration of the central conceptual issues concerned with the research study. In the design, the study's key concepts are rooted in a broad scope and have been boldly highlighted so as for them to be visible. Moreover, the key ideas that the main concepts present have been highlighted to indicate the linkages prevalent between the different spheres highlighted.

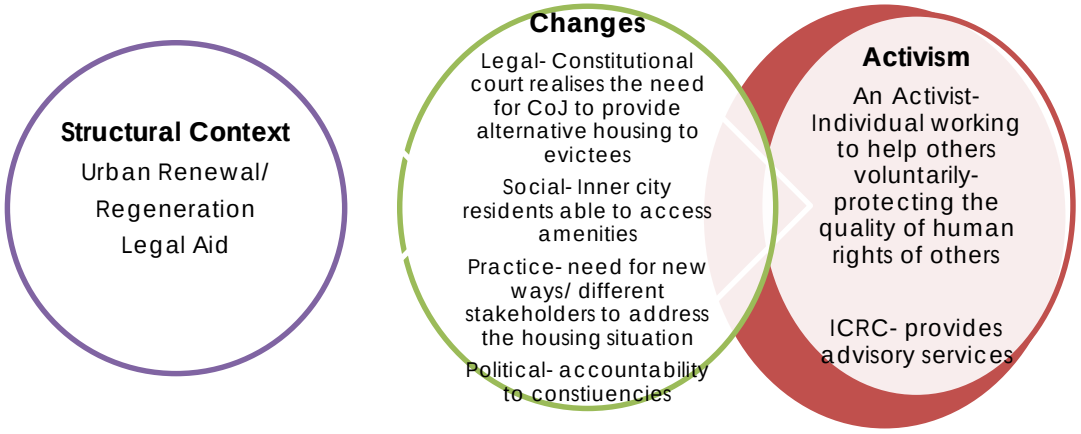


Figure 1.2. 'Key concepts and their linkages'- A diagrammatic representation of the study's key concepts

What my thesis is trying to clarify is that the ICRC is a key player in the inner city of Johannesburg. That this is an NGO that is working with very influential organisations within the Johannesburg area and despite its limitations and challenges it is on the right path of gaining the recognition that it has sought for many years. Through their persistent hard work and everyday activities that expose the ICRC even more the NGO may soon be in a position to actually influence policy change as it has been working towards that through those relationships that it has grown and fostered over the years. Therefore there is relevance in following the work done by NGOs and

social movement activists especially since Urban Planners work within Municipalities and other spaces that need to take notice and acknowledge that our cities have a great number of challenges and we need the support of other agents to really understand what is happening within these "bad buildings" etcetera with which we are trying to deal, moreover decision making cannot continue to be made for the people but rather we should be striving for cities that allow for partnerships that are beneficial for all.

1.8. Chapter Outline

Chapter two will discuss the research design and method as well as the techniques of data collection and data analysis used to complete this research.

Chapter three will discuss inner city Johannesburg, its regeneration and consequences for the urban poor. A discussion on the litigation and constitutional rights to the right to the city will follow. A section on activism will be critical; social activism strategies and tactics represent the core ideas of this study; to present the different arguments around the processes and the implications for actions taken by social activists is important. The theoretical underpinnings will encapsulate the argument that increasingly NGOs such as the ICRC may rely on different tactics and strategies, at most times involving litigation to advance their goals. Understanding these processes and where different stakeholders become important in assisting or disadvantaging the NGO will help in terms of the analyses chapter in this report.

Chapter four is intended to unpack for the reader the history of the Inner City Resource Centre. The chapter will explore the evolution of the ICRC over the years. The chapter will discuss the structure of the ICRC followed by the work done by the NGO. There will be a discussion around the ways in which the NGO strategizes and manages its day to day proceedings given its limited resources. Therefore taking the reader through this history will be beneficial in terms of displaying the level at which the ICRC works and how it is consequently viewed by other stakeholders.

Chapter five this chapter will present the views of different stakeholders. Some of the stakeholders have engaged with the ICRC through various projects and therefore the views they hold are important. In the case where stakeholders have not worked with the ICRC their work has been affected by legal processes that social movements and NGOs have been engaged in which is important for this report. This chapter will deduce from the analyses what the different views held by the various stakeholders mean for the ICRC as well as what the presence of the ICRC symbolises in the current Johannesburg housing context given the different issues highlighted in the chapter.

Chapter six will offer some concluding remarks and a summary of the work done in this report.

Chapter Two: Research Design and Methodology

2.1. Introduction

The research design and method as well as the techniques of data collection and data analysis used to complete this research will be elaborated upon in this chapter. The chapter will begin by discussing the purpose of the research followed by an explanation as to why my particular research strategy was chosen in this context. The research method will then be explained followed by who I interviewed and the reasons behind why those particular people were approached. I will also describe the limitations that this study may have and reflect on the processes that I have undertaken in my work.

2.2. The purpose of the research

This research aims to understand the strategies, tactics and modes of work of the Inner City Resource Centre (ICRC) and largely to answer the question of how they operate. The ICRC's work is mostly within the Johannesburg Central Business District (CBD). Other parts of Johannesburg where the ICRC has done work include Orange Grove and Marlboro which are north of the Johannesburg CBD. The main focus of my work was on the people who work for the ICRC. The views of other stakeholders that have worked and continue to work within the inner city space were also very valuable for this research and helped to verify and provide insights into the manner in which the ICRC operates. They have also engaged with me around what other questions my research raises which have been very useful.

My Masters project was influenced by my honours research, which looked at how residents mobilise against evictions in the inner city of Johannesburg. In my studies of the Degree of Master in Urban Studies we had a course called 'Community Participation in Urban Governance', Wits University 2013 facilitated by Professor Claire Bénit-Gbaffou in which my interest towards how activists organise and can contribute to policy grew. This project that our class undertook is part of a broader research project that is spearheaded by the Center for Urbanism and the Built Environment Studies (CUBES), at Wits on local leadership and activism

(Benit-Gbaffou 2013). During that course we had gone out and conducted interviews with activists from different communities; all of which are trying to effect change within their spaces because they have identified the needs of those with whom they share communities with and seen the gaps that the state may be struggling to fill in terms of really addressing the socio-economic challenges which people are faced with in this country. Our aim as a class was to document the work of these activists that most often are not known on a large scale so in essence the compilation of the various stories was aimed at trying to give those whose work has been described as thankless by Mike Makwela from PLANACT (2013) a voice.

Through other research conducted by the Wits School of Architecture and Planning I met the director and founder of the ICRC- Shereza Sibanda and I became interested in activism by social movements and NGOs that aid people from being evicted without alternative accommodation being provided by the state. My interest in wanting to learn more about the strategies and tactics used by activists in the inner city of Johannesburg particularly through the ICRC is because my Honours research explored dynamics around mobilisation where the affected residents were in the forefront of their struggle but had very limited understanding of how to stop their eviction, which did ultimately take place and destroyed a community. The implications of these strategies and tactics for social movements and NGOs are therefore important to understand. Furthermore, as is described in Benit-Gbaffou (2013: 19, 20) having the work of an NGO such as the ICRC documented may be important for particular reasons. First, it can bring forward the 'forgotten voices in the present'- the stories of people post-apartheid also need to be heard and told. Also, there is a challenge because 'accounting for the 'local' and the 'ordinary people' is often considered of lesser importance than building narratives of national or regional movements' as (Nieftagodien 2010) has been quoted. The 'everyday heroes' are seldom known beyond their local communities or municipalities (with very few exceptions) but the work they do structure both their lives and the possible fate of their

neighbourhoods, sometimes of their city (ibid) and for that this research has been important for me to grapple with and try to build on for future contributions to be made.

2.3. Research Strategy

Naoum (2008) writes that there are eight types of research strategies that can be used, namely:

- Action research
- Case studies
- Surveys
- Experiments
- Ethnography
- Phenomenology
- Grounded theory and,
- Mixed methods

A research strategy is a plan of action that the researcher undertakes to give direction to the work to be done; this allows for a particular focus to be adopted rather than the researcher working without a plan (ibid). Each of the above approaches has their own strengths and weaknesses, with each one having the ability to be applied in different situations depending on the research objectives and strategy. A case study is defined in Flyvbjerg (2011: 301) as "An intensive analysis of an individual unit (as a person or community) stressing developmental factors in relation to environment". This definition has come to be accepted more generally as there are often complexities when trying to define the case study (ibid).

Yin (1981) explains that the case study does not imply the use of a particular type of evidence. Therefore case studies can be done by using either qualitative or quantitative evidence. There are different types of case studies; explanatory; exploratory, and descriptive. Furthermore, what the case study represents is a research strategy, to be equated to an experiment, a history, or a

simulation. Therefore case studies may be considered alternative research strategies (ibid 1981, 1994).

The importance of case study research is that it attempts to provide a holistic portrayal and understanding of the research setting (Philip 1998). This strategy is then highly relevant in this context of trying to establish the strategies and tactics employed by activists from the ICRC in the inner city of Johannesburg. As noted in Flyvbjerg (2011) the point of using such a strategy by the researcher is to learn as much as possible rather than to prove anything. Ultimately I sought to understand different truths as presented by different people or at least what each individual considers to be their own truth.

This research adopted a qualitative approach to understanding the strategies and tactics used by an NGO in a highly contested terrain. According to Creswell (2009) and Philip (1998) a central characteristic of qualitative research is the use of multiple research methods or sources of data to realise a particular event or phenomenon. The multiple sources of data include library research (academic literature, policy documents, newspaper articles related to the research topic), audio-visual material (photography, recordings and videos); diarisation of observations and the conduction of interviews (ibid).

2.4. Research Method

I have worked alone on this research. To address my main question-What are the strategies and tactics employed by social activists working within the inner city of Johannesburg: the case of the ICRC? - I prepared semi-structured interview guidelines. Denscombe (2008: 166) observes that the main advantage of open questions is that 'the response is more likely to reflect the full richness and complexity of the views held by the respondent'. I conducted twelve interviews which varied in length ranging from thirty minutes to over an hour and a half in some instances. The interviews were conducted in English except when the interviewee was more comfortable using another language. The questions asked guided interviewees to reflect upon their

experiences of working within the inner city and how they thought their action (in their position) had driven forms of change. In most instances I tried to lead the conversation in the order of my interview guide, but I also allowed the personality of my interviewees to come forth. These conversations that were established with the interviewees were very often directed by the interviewees themselves.

Given the different fields and the experience that each interviewee has there was thorough understanding of the choices they have had to make in their work which concerns the inner city of Johannesburg. Thus fair assessments were made on the achievements and failures that have resulted from their actions. Moreover because of the nature of this study the limitations and failures were also mentioned. I cannot generalise the evidence collected from my own work on the ICRC and from my interviews as reflective of what applies in other contexts (Yin 1994). One thing that now stands out for me as a student that is now in the professional planning space is that when one is a full time student with no work experience there are limitations in terms of fully understanding what different stakeholders that are expected to make changes within their different roles can actually achieve; at the time of first engaging with this study I could not contextualise the challenges with which each professional is faced. I know have a better idea around how processes can take time to manifest in space and how there is so much effort that needs to be put in to realise any changes.

2.5. Meeting the interviewees and reflections

I decided to focus on interviewing the staff members from the ICRC, an urban management expert, an individual working for another NGO, legal experts and City officials because all of them would provide me with information and responses that are related to my actual topic of discussion. Each interviewee has experience in understanding inner city housing dynamics and complexities; by recording these discussions I have been able to document these stories about the inner city from different perspectives. Most of the discussions around the history of this NGO

were taken from the director and founder, Shereza Sibanda. This was supplemented by visiting the ICRC website www.icrc.org.za (2011); the website has been updated in 2015. The new website has announcements for when the next meetings will take place, information on the latest marches, reports that can be accessed as well as press releases, and by reading various other materials. The recollections of the history of the ICRC have varied thus I have attempted to balance the narratives in order to produce a coherent history of the ICRC.

I interviewed twelve people from different fields. From the ICRC:

- Shereza Sibanda- Director and founder
- Mujinga Yabadi- Coordinator
- Veronica Matshobeni- Volunteer
- Emily Kolobe- Administrator

The ICRC website indicates that there are new volunteers/ staff members that have joined the team; but personal observation at the ICRC offices in April 2016 also confirmed this.

Going into this research I expected the director and founder of the ICRC to be dominant in our discussions as she has extensive knowledge of activist work and this kind of work requires a confident and strong individual. Inevitably some interviewees were very confident and forthcoming, and that is due to the different personalities that one would encounter. At times I found that I was nervous because of my position as a student, but all of them pleasantly surprised me in terms of how they were able to accommodate me and help to make my research experience meaningful.

From the legal sector, I interviewed:

- Kate Tissington- Socio-Economic Rights Institute (SA)[3]
- Zeenat Surjee- Centre for Applied Legal Studies
- Moray Hathorn- Webber and Wentzel[4]

[3]Working with communities that are affected by socio-economic issues: http://www.seri-sa.org/

- Charles Beckenstrater- Moodie and Robertson Attorneys[5]

The Socio-Economic Rights Institute researcher Kate Tissington was approached because there has been an on-going relationship between SERI and the ICRC. Tissington was engaged with because of her knowledge around the work done by the ICRC and to provide insight into some projects that have been done together with the NGO that have yielded some achievements and set legal precedents. The litigation team at SERI seeks to assist communities and social movements and NGOs to develop legal agendas for change; therefore they help to complement and reinforce the activities, campaigns and strategies of those with whom they work.

The ICRC has also worked very closely with the Centre for Applied Legal Studies at Wits University; this was where the ICRC was actually accommodated until it moved its offices to Braamfontein. The long standing relationship between CALS and the ICRC has made lawyers such as Zeenat Sujee work closely on some matters with the NGO and it was for her experience in such matters that her views were considered useful for this report.

Moray Hathorn from Webber and Wentzel has been instrumental in some cases in which the ICRC has been involved and because of the ICRC's reverence and respect for the lawyer I approached him to get an understanding of where all these legal processes began and what they have implied. All of the above lawyers are interested in issues that affect the inner city poor. Their work is one that relies on NGOs such as the ICRC and social movements as this is how they often get to meet the people which are affected by various human rights issues which they represent.

---

[4]The Pro-bono unit helps those who cannot afford legal assistance: http://www.webberwentzel.com/wwb/content/en/ww/ww-home

[5]Their expertise is focused on issues that differ from other legal firms to a certain extent: http://www.moodieandrobertson.co.za/index.html

Charles Beckenstrater was approached as he has worked within the inner city space on cases where Moodie and Robertson Attorneys were representing the property owners as opposed to the victims of eviction. This opposing perspective is indicative that different interests have to be protected in the inner city; this is indicative that the 'rights' of property owners are also taken as seriously as those of the poor. Beckenstrater's views have been valuable and are critical for the section on analysis and findings in this report.

From the City of Johannesburg Metropolitan Municipality:

- Pumla Bafo- Assistant director: Housing
- Jak Koseff- Director of Social Assistance: Department of Health and Social Development[6], Jak is now Special Advisor: Priority Projects in the Office of the Executive Mayor, City of Johannesburg where much of his responsibilities are around the strategic development of some of the Municipalities priority projects[7].

The CoJ officials from two departments that deal with housing related issues and NGO related matters were approached because Pumla Bafo as a housing expert was able to provide me with an understanding of what the City is doing to respond to inner city housing challenges. This engagement was critical in that the City has been approached by the ICRC on various occasions therefore that relationship or lack thereof is important for this report. Jak Koseff was interviewed because he heads up a department that works closely with NGOs within the inner city. The ways in which such a unit operates can shed light as to how NGOs are able to succeed in helping the poor or how or why they fail to access resources which can be useful when I analyse my work.

---

[6]'Helping those who help others' (2012): http://joburg.org.za/index.php?option=com_content&view=article&id=7683:helping-those-who-help-others&catid=127:social-development&Itemid=210

[7]LinkedIn Profile review https://www.linkedin.com/in/jakoseff?authType=NAME_SEARCH&authToken=FkJ7&locale=en_US&trk=tyah&trkInfo=clickedVertical%3Amynetwork%2CclickedEntityId%3A4185733%2CauthType%3ANAME_SEARCH%2Cidx%3A1-1-1%2CtarId%3A1467885586138%2Ctas%3Ajak%20kose

From the NGO sector:

- Mike Makwela- PLANACT[8]
- Anne Steffny- Central Johannesburg Partnership (CJP)[9]

Anne Steffny was approached because of her extensive knowledge in urban management issues. The views from Steffny would provide for a rich background and understanding of how different stakeholders interact within the inner city space and how certain matters are dealt with. This different aspect into understanding inner city dynamics is highly beneficial for the researcher as a holistic approach is brought to the fore.

The work done by PLANACT is closely related to that which the ICRC undertakes. The organisation also adopts its own strategies when working with the poor. PLANACT also has training sessions for councillors and engages more with informal settlement dwellers. The ICRC and PLANACT have been funded by the same organisations in some instances. Mike Makwela was engaged with to understand more around the issues that NGOs deal with and how they are able to continue working towards helping the poor despite the constraints faced by such organisations. All the interviews were transcribed and I reviewed the content of the text to understand the key themes and concepts underlying my study.

2.5.1. Site visits and observations

Observations are "useful in exploring topics that may be uncomfortable for participants to discuss" (Creswell 2009: 179). My visits to the different people I had approached for my research tended to be limited to the greater Johannesburg area because of the inadequate time frames I had but also because of the focus of my research. I went to the ICRC as often as I could while I also tried to complete other semester courses. The challenge I faced was that I visited the ICRC only by appointment in order to understand their work; therefore the results or insights I would

[8]Non-governmental development organisation http://www.planact.org.za
[9]Private, non-profit company focusing on the revitalisation of the city http://www.cjp.co.za

have gained did not fully materialise. In our discussions I had hoped that more information would have been shared with me for this research. Even when I had gotten to interview Emily Kolobe Mujinga Yabadi and Veronica Matshobeni was by chance; I recall that we had all been sitting in the passage outside the office of the ICRC waiting for Shereza to arrive, and the ladies haven known that I had been meeting with Shereza various times to understand the work by the ICRC allowed me to also get their stories about how they came to be involved with the ICRC and their perspective on the NGO.

There was more that could have been done in terms of attending workshops hosted by the ICRC or even shadowing the volunteers and staff in the door to door handing out of pamphlets or attending to calls that residents would make in the face of receiving eviction notices and notifying the ICRC but I was really limited in terms of my time management as a student and the actual ability to navigate when those events were taking place. Shereza Sibanda was very understanding as to how I interacted with the ICRC, for her most of the work that takes place within these buildings is over the weekends when most of the residents are at home, or after hours when people have come back from work. Therefore given the timing it would be difficult for a student be fully present at all times. These limitations have had disadvantages of how one would in totality understand the scope of the work done by the ICRC; to be fair, it was more recently in 2016 when I had engaged with Sibanda that I could allow myself to be more flexible in moving around because of the availability of a motor vehicle. Some of our shortcomings as students can be based on some things that some could take for granted such as mobility. It is therefore worthy to note here that even during the course for 'Community Participation in Urban Governance' we relied on assistance from our peers that had cars to navigate to interviews and really use our time wisely. I acknowledge and take responsibility for the fact that I still need to volunteer my time to the ICRC in a more meaningful manner as my information about the NGO has come from desktop studies and discussions with the people that know about and are a part

of the organisation, therefore another study at this point to really delve deep into the NGOs issues and day to day workings might be necessary.

There were many difficulties for me to really encapsulate the work done by the NGO. In as much as Sibanda and I had deep discussions, I have struggled to write and document the work of the ICRC. To me, it has felt as though the ICRC is Shereza Sibanda and Shereza Sibanda is the ICRC; this framing therefore makes it very difficult to separate information. I personally understand that Sibanda has invested so much of her time to making a difference to the lives of many but at times I have questioned the level at which the ICRC (the NGO) has made achievements; the NGO I have felt has lacked in really pushing through and being completely recognised by the state and perhaps the private sector despite all the hard work that the activists do. The NGO is aligned with some powerful organisations such as SERI and CALS but it is not receiving the same kind of respect. The one concern that I have is that if Sibanda chooses to walk away from the NGO will it still run as it has been where its partners recognise it as an organisation that is important especially in the Johannesburg area given all that the ICRC has encountered or will the NGO fail as a result of its leader no longer being a part of it.

It is important to note here that one personality that was in some way linked to the ICRC is Graeme Gotz, where he in his capacity as a City Official had recognised the work done by the ICRC, but when he resigned the ICRC could not and did not have any relations with the City as the connection had been lost, Gotz would have been critical in advancing the goals of the ICRC at that time given the history that he knew about the NGO and how trust and an understanding of the work by the NGO had developed over the years. I unfortunately could not reach Gotz for this study, I struggled to do so as I had struggled to reach Zunaid Khan who was the Head of Housing at the City of Johannesburg during the time of this study.

Pursuing this study around the strategies and tactics by the ICRC has definitely changed the way in which I had understood the South African housing problem. I can now respect the work that

goes into making projects work and I have learnt that housing issues transcend beyond municipal boundaries. It is a sector in our government that still needs a great deal of capacity and political will if we are ever to get to a point of stability. Housing presents some of the most difficult issues, all of which expand into other household stresses that the South African population contends with on a day to day basis. It is for this reason that I can commend my interviewees for playing the roles that they play. In as much as there can be disagreements between the sectors, there is clearly some input into some aspect or the other that each person is affected by. Most important however is that the responses received indicate that there are things happening on the ground; whether fast enough or even for the 'right' numbers of people is a different discussion.

Overall the process that I have undertaken to complete this report has been interesting. I was able to secure interviews with the above mentioned interviewees through prior relationships that were established. I was also referred to most of my interviewees by my supervisor, Dr. Margot Rubin; her help in this regard has been invaluable. It was difficult to meet with certain people due to their time constraints and some individuals that were approached did not respond at all when I tried to set up interviews with them. I hope that I have acted ethically in as far as being honest with my interviewees from the onset of our communications about what this research is centred around and how their views will be presented in a neither non-judgmental nor compromising manner.

2.5.2. Drawing themes from the interviews conducted

Interviews, predominantly one-on-one interviews, are a useful type of data collection for qualitative researchers because not only do they allow the researchers the line of questioning, they also assist researchers to get historical information from informants about the phenomenon under study (Creswell 2009). As a planning student I established that there is tireless effort especially by activists in trying to make each day better for inner city people affected by

varying issues. I have to also acknowledge that every interviewee described how they were aware of the problems prevalent in inner city Johannesburg and how they wanted to see things get better. From the interviews I was able to draw out themes and concepts by grouping different ideas together from different individuals to narrow the focus of my work to ideas related to the research topic.

Admittedly, more needs to be done in the inner city, which group of people or companies etc. will benefit from these changes is another discussion. A major concern by most is that there is a great deal of friction and a lack of cohesion by different sectors in trying to deal with the inner city housing problem in this context. My work is merely intended to document such struggles and be explicit in terms of expressing the different views that all those spoken to represent. By documenting such stories lessons can be learnt and there is an opportunity for those who will read this research report to make use of it. Those with power to effect change can draw from the report what they can deal with or follow up on. Moreover they can try to push towards initiating workable projects from which those living in the inner city of Johannesburg can be involved or educated about in terms of what's needed to change peoples' expectations and perceptions in creating a city that is for all.

2.6. Limitations

The limitations to this study have been that I cannot generalize my results; contexts differ and what applies in this case may not be assumed to be the same as anywhere else. Even though I have tried to remain neutral I have the potential to be biased because of how I expect the ICRC to be described by CALS and SERI lawyers (Atkinson et. al 2001; Potter 2002). I have had to at times distance myself from my work so as to try to remain neutral as my intention has not been to choose sides in this research. My concerns have been around getting too attached to the research especially the issues with which the ICRC deals. One of the challenges has been to get as many different views as possible; I had to be careful not to be too dependent on only

working with people from the ICRC hence my decision to speak to other stakeholders. This research process has had alterations as I have had to reflect on my work and add more as time progressed; this also meant trying to secure interviews with more people for broader views around my topic.

One of the things that I really struggled with was to gain clarity and this was in part because of the methodological path that I had taken where I had relied very much on one source and unfortunately that source was not as open as she could have been. One of my other concerns has been the relevance of such work; as a student my exposure to what really affects Town Planning had been limited and I could not fully understand where this work would fit or the difference it would make to land use or development planning. It has really required some confidence to continue writing or rather taking the first steps to document stories around activist work which is definitely a space that has not really been fully explored, but the appreciation I have grown to have for courses offered at Wits University by the Planning Department; which do address the everyday activist's motivation to do something despite the challenges is inexplicable.

My hope is that I have respected all of my interviewees and the views that they hold. I would have liked to continuously verify my interpretations as part of my ethical obligation, however given that these are very busy people I was limited by time. I apologise for not engaging with each interviewee face to face on an on-going basis, I have communicated with them through other means to access information. I have merely wanted to learn a great deal in this research process (Yin 1994) and mature in how I conduct my work as an urban planning student that would one day be in spaces that do need for changes to be effected in a meaningful manner in a professional sense.

2.7. Reflections

Due to the lengthy transcription process I had to rearrange some meeting dates. I was also very dependent on the availability of my interviewees as each had their own schedule which sometimes clashed with the classes that I had to attend. I have taken my research very seriously and have tried to generate quality material so as to benefit the students that will be reading this report. There have been challenges however as the writing process has not been easy. Many days outside of the school hours have been spent trying to grapple with the topic at hand. This means that my research questions have been altered from time to time and multiple visits or email conversations have had to occur to understand aspects of work lost in translation. I have truly learnt a great deal about myself through this research. I have often wanted to give up as I have had personal struggles while trying to complete the report but I have concluded that failure is not an option and I can only hope my efforts have been noted.

As observed in Benit-Gbaffou (2013: 23) "There is obviously power involved in an interview situation" -many activists are people who are able to gain the respect of their peers as well as those fighting to achieve similar goals. The ICRC is identified by most of the interviewees as an NGO that allows for the voices of the poor to be heard which is important given the space in which this activism is conducted. In the interviews with the ICRC it became prevalent that these community leaders which I had spoken to were aware of the politics of language and speech therefore they were generally able to use this to their advantage (Ibid). There were however times where I would feel powerless because even though the ICRC was able to help me as a student, I did not have the opportunity to help them as each staff member was often busy with their own tasks. This space is one where there can be great tension; working within the inner city space and with such highly complex situations is a challenge. To really understand or document the internal daily struggles with which the ICRC is faced would require a deeper level of interrogation of its work and at this level of study, that is something that might not be achievable

as yet given the maturity required to carry out a more detailed and focused study on an NGO such as the ICRC.

2.8. Conclusion

This chapter has described the research design and method, and the techniques of data collection and data analysis that were used to complete this research report. The next chapter will be a literature review on activism and the inner city of Johannesburg followed by a chapter on the ICRC and the context in which it does its work. In my analysis and findings section I will break up the views. On one hand there will be a write up on the views of the NGO communities and legal practitioners and on the other hand those of CoJ officials and those in the private sector. This analysis will be focused around the successes and failures around activism by the ICRC as a result of the strategies and tactics used and thus how effective they are in their work will try to be established.

Chapter Three: Theoretical Underpinnings

3.1. Introduction

This chapter aims to first document the different theories around the right to the city of Johannesburg; here how different actors negotiate for space becomes reflected. By documenting the arguments of different researchers the chapter aims to illustrate the views held with regard to whom the city "belongs" because for the poor the city is starting to represent only a place for those with financial stability. Here a discussion on the regeneration narrative and its implications in the inner city become critical. The chapter will then continue to write about the context of activism in apartheid and post-apartheid South Africa. The main aim is to understand the role that activism plays as well as how strategies and tactics employed by the Inner City Resource Centre manifest in (city) politics. Litigation and Constitutional rights to the right to the city will also be discussed as litigation has been used as a tactic and strategy by different members of society. Understanding the advantages or disadvantages of applying the law as in the context of social movements and NGOs will be outlined below. Critical to note here are the different viewpoints of stakeholders affected by such processes; this will be explored further in the analysis chapter. The arguments established in this section are important because they will offer insight into the complexities of policy making and how processes employed by activists can yield some successes for residents.

3.1.1. Negotiating for space in Johannesburg

Johannesburg is a city that is highly contested. On the one hand, it is a space where many property owners want their assets to be surrounded by the best services; therefore they create liveable and healthy environments that are attractive for more investment. On the other hand, it is a space where the poor want to be accommodated in spaces that offer comfort and are close to economic opportunities. The COHRE (Everett, Gotz and Jennings 2004) however has observed that poor tenants in central Johannesburg are regularly subjected to illegal evictions, random electricity cuts and other violations of their rights. In their stance as an institution for all,

the City of Johannesburg (CoJ) has in many of its publications indicated that it strives to remain an entity that can balance the competing interests of different stakeholders (City of Johannesburg Metropolitan Municipality 2013).

Miraftab and Wills (2005: 202) argue that increasingly the poor are forced to work through challenges of finding a place to call home in Central Business Districts (CBDs). Moreover, "in any formulation or argument of citizenship in post-apartheid South Africa the question of housing and basic services occupies the centre stage". Important to note is that in the South African context the idea of 'belonging' or 'having the right to' is highly sensitive and transcends class and race into complexities of nationality at times (ibid).

In order to understand the kind of project that the ICRC is undertaking it is relevant to note the concepts around the right to the city; essentially one would argue that the ICRC is actually fighting for the right to the city. The theory around the right to the city helps us to understand the motivation and reasons why the ICRC engages in what it does because they frame their understanding of the city as a right to the city kind of idea which is also why they head toward litigation because they are interested in claims and rights which is imbedded in the legalistic language, so it is that kind of a relationship. Marcuse (2009) explains that Critical urban theory can provide some illumination on why there is a situation of those who have more being in constant 'misunderstanding' with those who are marginalised or alienated. It has to do with the question of whose right to the city is involved, who the potential actors, the 'agents of change', are and what moves them either to propose or oppose basic change (ibid: 189). In Marcuse (2009: 189) Henri Lefebre's definition of the Right to the City is

'…the right to the city is like ***a cry and a demand****. This right slowly meanders through the surprising detours of nostalgia and tourism, the return to the heart of the traditional city, and the call of existent or recently developed centralities'.*

Therefore in theory and in practice it is important to understand 'whose right'; as is the case for the ICRC the demand is of those who are excluded, those who are alienated will aspire for more recognition as the demand is for the material necessities of life, the hope is for a broader right to what is necessary beyond the material to lead to a satisfying life (Marcuse 2009: 190). When viewing things economically the cry for the Right to the City comes from the most marginalised not from those who have better economic standing (ibid). Despite ANC promises of houses for all and a real state effort to 'deliver' houses as reflected in both the 1994 electoral platform, and the 1996 South African Constitution, which recognise the rights of all citizens to access adequate housing and basic services (Miraftab and Wills 2005; Tissington 2010) evictions are an everyday reality for many low-income residents, especially those living in the inner city of Johannesburg (Tissington 2010). For many South Africans the realisation of socio-economic rights is still not tangible. Many are still disadvantaged in various ways; most live far from economic opportunities on the peripheries of cities and cannot access the same resources as those who have better social standing (ibid). As South Africa is a relatively new Constitutional democracy there are still challenges of apartheid spatial, institutional, as well as racial and income inequalities (ibid).

For Coggin and Pieterse (2011: 260) there is an endeavour towards a South Africa which 'belongs to all who live in it, united in our diversity', which strives 'to improve the quality of life of all citizens and free the potential of each person' and which is founded on values of 'human dignity, the achievement of equality and the advancement of human rights and freedoms' (ibid). Moreover, the view held by Coggin and Pieterse (2011: 260) is that the city can be seen as a melting pot, as a site for encountering difference—'the city is the place where difference lives', with the right to the city's foundational emphases on ideals of inclusion, participation, tolerance, respect for difference and belonging the city is a space which many desire to be a part (ibid). Marcuse (2009) argues that for Lefebvre it is not the right to the existing city that is

demanded, but the right to a future city, therefore '[the right to the city] can only be formulated as a transformed and renewed right to urban life' (ibid: 193).

3.2. Regeneration in inner city Johannesburg: a clean-up or a challenge?

3.2.1. Policies and Interventions: Actions by the state

Inner city Johannesburg is a complex space. Parts of the city are well taken care of by the private sector while other areas need greater attention and intervention. This commitment in ensuring the upkeep of specific areas in the city often means that the private sector may feel entitled to certain privileges as it perceives itself as conducting tasks that should be facilitated by the state (Urban Genesis Company Profile 2013). This perception of influence has also contributed to views that the private sector is more important and its input in policy-making critical to drive city development forward. For researchers such as Peter (2013: 130) city residents can be affected when public-private partnerships develop as public-private partnerships are often heavily supported by private developers; the state is increasingly involved in encouraging private development in the city which has implications for the urban poor. Decision-making processes in some cases are driven by the private sector and where urban infrastructure development and management are concerned fragmentation of the urban environment can result. Consequently there can be uneven urban development and disparity of service provision across the urban landscape (ibid).

On the persistent changes and challenges faced the view of the Mayor of Johannesburg Mpho 'Parks' Tau is that "Johannesburg has always been and continues to remain a city of stark contrasts – between those who enjoy the highest standard of living, and those who struggle to make ends meet" (City of Johannesburg Metropolitan Municipality, 2011: 3). This description by the Mayor - Murray (2008) argues highlights that contemporary Johannesburg is a contested

space. Moreover, more than one percent of the city's population lives in "bad buildings" (Freund 2010). Realising the need for change the Mayor of Johannesburg describes how this "cannot be Johannesburg's only story and it cannot be the story that prevails into the future therefore the Joburg 2040 Growth and Development Strategy provides the basis for this change" (City of Johannesburg Metropolitan Municipality, 2011: 3). More recently the City of Johannesburg Municipality has publications around how the Inner City Roadmap will align inner city development projects with the City's Growth and Development Strategy[10] (joburg.org.za 2015); such articles only confirm the reinvention by the City of Johannesburg on the same narrative around how policies will take the interests of all into consideration and move the City forward in a positive manner where all will benefit. The description given around the difference between the two as explained by the Member of the Mayoral Committee for Development Planning Roslynn Greeff is that "The inner City Charter was a regeneration strategy focusing on property and environmental upgrades and the Inner City Roadmap is a transformative precinct-based approach" (ibid).

According to a forthcoming (2014) report by the Socio-Economic Rights Institute of South Africa (SERI) the regeneration narrative was established in the late 1990s during a period when Johannesburg was seen as a chaotic city in need of change. The CoJ website (2014) indicates that the Inner City Renewal Strategy (ICRS)[11] was approved by the City of Johannesburg Mayoral Committee on 27 February 2003. The main goal of this strategy was to raise and sustain private investment in the inner city thus leading to a rise in property values. Some components of the strategy relevant to this research included:

[10] Article on Inner City Roadmap intention as can be found on the CoJ website but cited by the JDA
http://www.jda.org.za/index.php/latest-news/1658-roadmap-to-shift-inner-city-regeneration-drive-up-a-gear

[11] Inner City Regeneration Strategy: Business Plan for 2004 – 2007: www.joburg.org.za/udz/04.doc; Reshaping Johannesburg's inner city:
http://www.joburg.org.za/index.php?option=com_content&id=126&Itemid=9

- Intensive urban management
- Strict enforcement of by-laws
- Upgrading and maintenance of infrastructure to create an environment attractive to both residents and business
- Discouraging "sinkholes", meaning properties that were abandoned, overcrowded or poorly maintained, and which in turn "pulled down" the value of entire city blocks by discouraging investment
- Encouraging "ripple effect" investments that can lift an entire area (ibid 2014).

The CoJ had identified the inner city as a priority area for urban renewal and therefore a number of interventions were instituted to address challenges of decline, and clean up crime and grime (Wilson 2011). As a result of the challenges identified, various programmes were developed by the CoJ; one of which was called the Better Buildings Programme; it was intended to address sinkholes.

Regeneration in inner city Johannesburg has been about property reinvestment and achieving the CoJ's vision of becoming a World-Class African City (Joburg 2030: IDP 2003/2004). The argument is essentially that policies drafted by the CoJ commonly represent principles and standards that are more supportive of private sector development as the goal is to create a "World-Class" African City. Moreover Coggin and Pieterse (2011: 258) observe that "the semantics of the term 'red ants', and their alarmist red colour, suggest a vision on the part of the City of Johannesburg to clean up and to marginalise undesirables, in pursuit of creating a 'world-class African city'— one that, although shiny on the outside, nevertheless hides away those harsh realities that make the city a quintessentially poor one" (ibid).

In his view Wilhelm-Solomon (2010) notes how Jonathan Liebmann, a project founder and Chief Executive of Propertuity, the primary investment company behind the Maboneng precinct contends that "one must be very careful about developing a downtown or inner city that only caters for the needs of the poor". Moreover Liebmann claims that to make a good city, "the middle income and the rich must also be looked after in addition to the poor" (ibid). The article by Wilhelm-Solomon (2010) illustrates how Liebmann controversially questions whether the developing neighbourhoods of the inner city are the right place for everyone and is noted as saying "maybe some people should be in the inner city and others should be on the outskirts of the city" (ibid). Such statements by private developers are relevant because they indicate that expectations are held by different stakeholders. This also indicates as mentioned before that private developers have an interest in the state protecting their rights as individuals and companies that are injecting funds into the city and not just addressing the concerns of the urban poor.

In other efforts to strive for balance there are reports such as 'Reviving Our Inner Cities: Social Housing and Urban Regeneration in South Africa' by the Housing Development Agency (2013: 10) where Central Business Districts have been identified as 'restructuring zones' (RZs). According to the Social Housing Act, No. 16 of 2008, the Social Housing Programme seeks to provide 'rental or co-operative housing options for low-income persons provided by accredited social housing institutions (SHIs) and in designated restructuring zones (RZs)' (ibid).

The definition of RZs is as follows: 'geographic areas identified for targeted investment based on the need for social, spatial and economic restructuring of the areas' (Social Housing Act, 2008). Within these areas, SHIs can apply for the Restructuring Capital Grant (RCG), 'nodes and corridors are likely to be suitable as restructuring zones because of proximity to both job opportunities and consumption opportunities' (Housing Development Agency 2013: 7, 8). Some

of the areas which can be identified as restructured zones are the Mary Fitzgerald Square, the Fashion District, and Ghandi Square to name a few (joburg.org.za 2014).

Over the years there have been many draft reports which seek to address some of the inner city housing challenges. These documents offer definitions and provide explanations for different models that the government, with the support of the private sector, plans to implement. However there is some concern from stakeholders as government has continued to develop new programmes and policies despite adequately mastering challenges within the housing sector as stated in existing documents (Tissington 2012).

The documents mentioned in the above paragraphs exemplify the state's effort to tackle the housing challenges in Johannesburg. However, holistic examinations of City policies have often indicated that most policies are good on paper but fail to address the needs of the poor (Tissington, 2012: 203) as they merely state intentions to rectify spatial deficiencies and other issues yet have yielded little to no success to change the circumstances of the poor to the extent that most people on the ground have expected. The converse is that documents such as the Joburg 2030: IDP (2003/2004) continue to write about Johannesburg as a city that has always been identified as one that can compete on a global scale and "the strong economic growth resultant from this competitive economic behaviour will drive up city tax revenues, private sector profits and individual disposable income levels" (ibid).

Johannesburg is also envisioned as a city that needs to meet world best practice where service delivery and efficiency is concerned. Municipalities such as the CoJ have to first demonstrate their competence and economic potential by proving themselves worthy of financial, political and economic benefits before resources can flow to them (Begg 1999; Peck and Tickell 2002). In reality there is a huge backlog in the delivery of services and most municipal entities have been

described as failing to meet the standards of the public (Bafo 2013). There is also great concern from institutions such as SERI because what the state is tasked to do is often handed over to the private sector and despite funding (Tissington 2013) being allocated to projects on the basis that deliverables will be met for the disadvantaged there are many challenges and complexities which exist in terms of how policies are implemented.

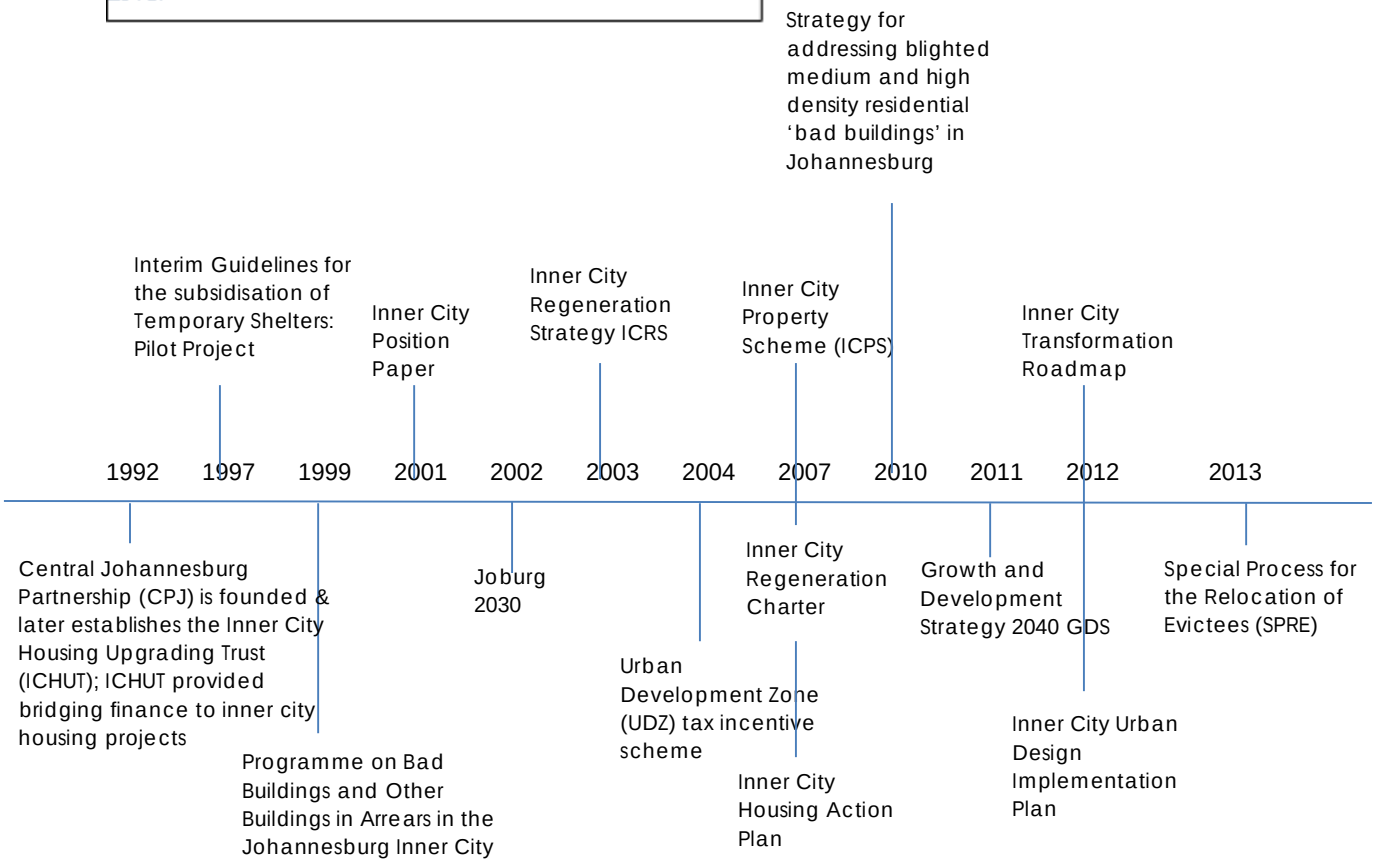
The aspiration to meet world standards quite often results in those who are unemployed or earn below a certain income level becoming vulnerable to evictions; as property values and rentals in the Johannesburg inner city region are often monopolised to make profits for investors (Coggin and Pieterse 2011). The private sector investment is often seen (by the state) to be a group that is self-reliant, therefore there is the view that for many projects and interventions the private sector might be more accessible in as far as having dialogues and discussions around development and transforming spaces; the disadvantage then is how solutions and open channels of communication are limited for the lower income groups and this is highly problematic and disadvantaging (Wilhelm-Solomon 2010) as the poor" remain threatened, devalued and dictated to within the precincts set by an empowered minority" (Coggin and Pieterse 2011: 258).

According to Marcuse (2009: 192) What Right? Is a question that also needs to be unpacked. "The right to the city is a claim and a banner under which to mobilize one side in the conflict over who should have the benefit of the city and what kind of city it should be. It is a moral claim, founded on fundamental principles of justice, of ethics, of morality, of virtue, of the good (ibid). The right to the city is therefore multiple rights that are incorporated; the right to a totality, a complexity, in which each of the parts is part of a single whole to which the right is demanded. Therefore "the demand is made as a right not only in a moral sense, a claim not only to a right

as to justice within the existing legal system but a right on a higher moral plane that claims a better system in which the demands can be fully and entirely met “ibid: 193).

Figure 3.1. Below represents a timeline of the CoJ’s policies and interventions as documented by SERI over the past twenty years. These policies and interventions indicate the City’s efforts to drive investment and urban renewal in the inner city of Johannesburg.

Figure 3.1. A timeline of the policies and interventions adopted by the City of Johannesburg from 1992 to 2013.



Lipietz (2004) argues that the future of the inner city remains a complex, ambiguous and uncertain outcome. Moreover current urban regeneration initiatives in Johannesburg’s inner city are not so much the result of a deliberate neo-liberal policy agenda being pushed forward in a

purposive and effective manner. Urban regeneration initiatives can also be viewed as the unfortunate effect of un-imaginative responses to dealing with the inner city environment (ibid). Also, as (Miraftab and Wills 2005: 203) argue "...the subsequent shift to this market-led development framework left the notion of universal citizenship in South Africa limited to its formal channels of participation, which are particularly inadequate in a society with some of the world's largest socioeconomic gaps and ranks of disparity". The manner in which such processes are challenged by affected citizens is therefore important for this research and will be discussed in the following section which addresses activist work.

3.3. The context of activism in apartheid and post-apartheid South Africa

Meyer (2004) acknowledges social protest movements as groups that make history. South Africa is a country where great opposition to the state has occurred especially during the apartheid era when many citizens' rights were violated. According to Allan (n.d: 3) during the apartheid regime civil society organisations (CSOs), non-governmental organisations (NGOs), and trade union activists defined themselves and their organisational activities in terms of their opposition to the state (ibid). This suggests that in many instances the view that was held by many was that

> "Violence had a cleansing effect since it represented the elimination of what was evil and unsanitary. Apartheid was a 'sickness' that, if not 'destroyed', would contaminate a new society" (Marks 2001: 115).

The above quotation reflects the justification for the use of violence by citizens during protests against government. Indeed in many cases where violence is exercised in South African communities many justifications are given. However, post the adoption of the new constitution in 1996, which is the highest law of the Republic of South Africa (ICRC Pamphlet n.d.), the new democratic state committed itself to defend democratic values and protect human rights; therefore giving people hope for a better South Africa. Although some social movements

operate by exerting violence to make their grievances acknowledged there are some who have adopted less confrontational tactics against the state.

Allan (n.d: 4) observes that as a result of the altered political and social context in which battles occur between different stakeholders many progressive CSOs have become uncertain about the kind of relationships they should pursue with the new democratic state. Consequently, a substantial number of ex-civil society activists have been seen to occupy influential positions within the new democratic state (ibid). Additionally, many organisations have become directly involved in the provision of public services as they have been entered into paid contracts resulting in their limited capacity for critical engagement with government (ibid). In the following chapters it will be made clear that the ICRC as an NGO strives to be critical of the government and its policies. However the outcomes of the social movement's tactics and strategies are dependent on a number of factors which determine its successes or failures.

3.3.1. Activism in theory and practice in South Africa

Meyer (2004: 127-128) observes that "activists do not choose goals, strategies, and tactics in a vacuum. Rather, the political context, conceptualized fairly broadly, sets the grievances around which activists mobilize, advantaging some claims and disadvantaging others". It is also useful to think collectively of NGOs tactics and strategies as comprising a repertoire; these are a limited set of routines that are learned, shared, and acted out through a relatively deliberate process of choice. The term repertoire of tactics is used to imply the same thing and it has been used to extend it to all kinds of tactics employed between NGOs and government organisations (Ramanath and Ebrahim 2010: 24). In this research the definition given for a strategy will be the "NGOs principal method to achieve a mission" and tactics will be described as "a set of actions that collectively help define and identify that strategy, tactics are actual interventions (action

forms) that fall within the broad category of a strategy" (Ramanath and Ebrahim 2010: 23). Therefore the strategy is the overarching force and vision that the ICRC or any other organisation may have and the tactics are the small little steps that the NGO can take to get there. Overall what the ICRC has done is that it has strategically aligned itself with a whole lot of organisations and it has thought carefully about placing itself in the inner city of Johannesburg. On the other hand its tactics are the small things that it does in community groups where it looks at capacity building, it sits in on the Forums in the city.

Despite the challenges that are prevalent in societies many people who fight for the rights of the poor do not give up. Activists are often committed to the work that they do and in many instances are willing to make sacrifices in order for those suffering to be treated with respect in society Meyer (2004: 127-128). According to Martin (2007) activism is action that goes beyond conventional politics, typically being more energetic, passionate, innovative, and committed. It is action on behalf of a cause, action that goes beyond what is conventional or routine. There are also many varieties of activism ranging from face-to-face conversations to mass protests, from principled behaviour to the dishonest, from polite requests to disagreeable interference, the most common image of activism is a public protest, such as a rally, march, or public meeting (ibid). Furthermore NGO-government relations are made up of complex and interdependent struggles with NGOs being both agents and effectors of this political economy. The interactions between NGOs and government are also not to be viewed as singularly cooperative or in conflict, but they may be better characterised by "uneasiness" (Ramanath and Ebrahim 2010: 24); which reiterates that organisations constantly have to adjust their actions to achieve some results.

Allan (n.d.: 1-2) observes that social activists and civil society organisations in South Africa have encountered challenges; in many instances they have missed many opportunities to ensure

improvements in the delivery of socio-economic rights. These missed opportunities are due to the following three strategic failures:

1. A partial understanding of the nature of South Africa's new Constitutional democracy;
2. The decision by certain organisations and social activists to work outside of the Constitution and the democratic structures of the new state as a means for achieving socio-economic rights, and;
3. The failure by many social activists and civil society leaders to engage critically with the Executive and public officials on their performance in meeting their Constitutional obligations.

The above mentioned ideas will therefore be applied to the ICRC so as to understand the manner in which the NGO operates in the next chapter.

Martin (2007) observes local activism as that which is about protecting the quality of life of a family or small community; much of the ICRC's work operates in this regard. De Souza (2006: 330) argues that oppressed groups are able to exert some kind of power on the basis of their knowledge; such a position by activists is critical and the impacts from such knowledge have also been stressed by Foucault (ibid). The more NGOs or social movements "use their 'local knowledge' (knowledge of the space, of people's needs and 'language') in terms of planning by means of combining it with the technical knowledge produced by the state apparatus and universities (in order both to criticize some aspects of this knowledge and to 'recycle' and use some other ones), the more strategic can be the way they think and act" (De Souza 2006: 330). This suggests that NGOs or social movement activists can take advantage of their knowledge by aligning themselves with parties, persons or institutions that can advance their goals. The disadvantage for such relationships however is that the NGOs or social movements may be expected to adhere to the principles of that given group or organisation (Pithouse 2006)

therefore limiting some of the organisation's scope. The discussion with Shereza Sibanda has indicated that this is precisely what the ICRC experiences. In essence this highlights that fundamentally an NGO such as the ICRC may have quite a reputation at the local level and generate a great deal of respect from affected patrons of evictions or other societal challenges but the reality may be that the organisation does not have as much control over some of its decision making processes as perceived, because there is another organisation involved in the financing and essentially the survival of the NGO.

This report will focus on referring to the ICRC as an NGO; in their own understanding of the work that they do the ICRC refers to their organisation as an NGO that does a great deal of work on the ground. In Metin and Coşkun (2016: 4) we learn that the ICRC does fit all the characteristics that describe NGOs. The ICRC can be seen as "an organisational type relying on professional staff, involving volunteers, being formally registered, having tax- free status and claiming applied expertise in social policy in terms of delivering social services or advocating solutions". There is a high level of commitment from the people that work and volunteer at the ICRC, and there is understanding that the work that they do is not based on profit making (ibid). The analysis of whether or not the ICRC complies with being a legal organisation in South Africa will be explored in the following chapter of this report.

Metin and Coşkun (2016) identify that NGOs have become crucial in developing countries. It is important to also note that NGOs employ a more complex and nuanced repertoire of strategies and tactics; it is also through an analysis of these tactics and strategies that we can reflect and try to understand the theory of change of that NGO; which is the illustration of how or why a hoped for change is expected to happen in a particular context, this is also what helps NGOs to have a framework which they can evaluate and assess their work (Ramanath and Ebrahim 2010). Ramanath and Ebrahim (2010) take up the discussion to another level in that they

hypothesize that organisations without a theory of change –explicit or implicit- run the risk of developing incoherent strategies and tactics; this makes the theory of change important if NGOs are to have an impact on problems such as housing the urban poor and if they are to exercise effective agency nongovernment's in order to achieve their goals (ibid: 37, 38).

One other important aspect of NGOs is the fact that members and volunteers of NGOs have no financial expectations and most of them show their presence in the NGOs with respect to making a difference for the community; which mean that there is no obligation to participate in the activities of the NGOs for volunteers as well as for members. In such a space and for the NGO to actually be sustainable there needs to be trust and confidence Metin and Coşkun (2016); in Chapter two I highlighted that Sibanda is quite a dominant personality in her organisation, but it is also important to note here that the people that work and volunteer at the ICRC have been very loyal to the ICRC which is quite commendable.

From interviews it is evident that the work done by the ICRC is highly focused on specific political and social issues which affect inner city residents; as such the interests of the poor are being highlighted by this type of group action. The number of people involved in working with the ICRC symbolises a network of large, sometimes informal, groupings of individuals or organizations and from their pamphlets and documents one can argue that their goals include to carry out, resist or undo a social change; in interviews the ICRC also wishes to contribute to policy change. Therefore the people that work for the ICRC represent activists or human agents for social change against prevalent social conditions in inner city Johannesburg (Dreier, 2012).

3.4. Litigation and Constitutional rights to the right to the city

The development of each social movement or NGO is dependent on the context in which it operates because in each country there are different ways in which challenges are addressed. In places such as Brazil's municipality of Porto Alegre and the Indian state of Kerala social movements have achieved some success because the processes that were engaged proved to the people in those countries that public participation from below can work in favour of those who are marginalised (Pithouse 2006). The democratic decentralisation of power in those countries legitimised the peoples' confidence in an alternative form of rule which was critical (ibid). Furthermore in the city of Mumbai, India three influential NGO's work and their interactions with the government with regard to slum and squatter housing is documented (Ramanath and Ebrahim 2010). The South African case is more complex because of the history of the country. "Insurgent Citizenship" or citizenship from below in Miraftab and Wills (2005: 202) "signify an alternative conceptualization of citizenship in which new meanings, agencies and practices of citizenship are articulated" (ibid).

Miraftab and Wills (2005) argue that South Africans that find themselves excluded from some processes take advantage of the formal channels presented to them whenever possible, but in many cases, they find these invited spaces of practicing citizenship, created from above by the state, unproductive at addressing the immediacy of their needs and concerns and enforcing just laws. The ICRC has in many instances indicated its interest in wanting to be part of Forums that are prevalent in the City of Johannesburg; for them having a voice within any progressive group seems quite beneficial in as far as the advancement of their goals is concerned. However, these processes can also take long in realizing the goals of NGOs such as the ICRC because they are dependent on various factors. In what Shereza Sibanda has described there seems to be more progression in achieving goals by such NGOs if there is a strong and influential

leader in place who has the drive and vision of the ICRC by way of example (Sibanda 2013). In instances where formal channels fail, the poor use innovative strategies, which create alternative channels and spaces to assert their rights to the city, negotiate their wants, and actively practice their citizenship (ibid).

Each stakeholder in society deals with challenges they may encounter in different ways. Von Holdt (2013: 1, 2) explains that states, social elites and subalterns may engage violence in the pursuit to establish or contest regimes of citizenship, justice, rights, and a democratic social order. For Cornwall the new conceptualization of citizenship and therefore these practices of citizenship that were explained in the previous paragraphs do not only extend beyond "taking up invitations to participate" in "invited" spaces of citizenship but they also extend to forms of action that citizens innovate to "create their own opportunities and terms of engagement" therefore to what has been termed "invented" spaces of citizenship" (Miraftab and Wills 2005: 202). This is also arguably one of the differences as to how informal shack dwellers would mobilise and address matters as opposed to inner city activists. Also, where formal spaces of participation have failed the poor and the marginalised in their attempts to reassert active citizenship the 'invented' spaces become very important as these are spaces that are occupied in an effort to defy that which is perceived of as unjust and disempowering. The protests which occur in communities however, are not merely actions directed at the goal of redistribution. These protests represent practices of citizenship calling out for acknowledgment of poor people's grievances, the fight for their history and their struggle for their plea to justice (ibid) which to some degree link to voting and larger political debates.

Many social movements and NGOs in South Africa are increasingly frustrated with not seeing meaningful change and social justice. This lack of the needs of the poor being addressed has resulted in a number of protests across the country. Those who organise themselves therefore

find strategies and tactics to further their struggle (Miraftab and Wills 2005) - the law is gradually being used to advance different groups' socioeconomic rights. The ICRC has been reliant on the law for quite a number of years which in essence has had implications on how it is viewed by the state. The state has also used the law to increase the cost of mobilisation through banning marches, arresting activists and prosecuting them (Madlingozi 2012). The legal terrain in South Africa is a fraught space where many actors can take part. Each contender enters into the law with the hope of meeting all their expectations however; many complexities are prevalent (Madlingozi 2012). For Rubin (2013: 4) "there is a need to examine the complexity of intra-state relations and expose the tangles and 'messiness' of these interfaces and, in turn, what they mean for state/civil society interactions especially in urban environments, which are becoming increasingly important sites of state/society engagement and contestation". Madlingozi (2012: 222) argues that "post-apartheid legal norms, discourses, procedures and institutions have provided significant discursive and institutional political opportunities and threats that have structured the emergence of social movements, NGOs, their trajectory and outcomes"- inevitably there are multiple layers and complexities involved when the law is applied to advance the rights of individuals and organisations.

Wilson's (2011) argument that the impacts of urban regeneration on the poor are many is critical especially since the effects of the processes involved drive those from NGOs and social movements to take a stand against the state. Increasingly NGOs are approaching legal practitioners and firms to gain assistance in fighting their battles and to highlight injustices experienced by the poor (ibid). For Tissington (2012) the reliance on the law for social change by social movements and NGOs and consequently the terrain in which contestations between the poor and the state occur presents difficulties; some include time, resources, energy and misunderstandings, this will be analysed further in chapter five. Dugard, in Tissington (2012: 209)

argues that as an institution, the judiciary has been slow to adjust to its role as adjudicator of socioeconomic rights claims, particularly those brought by poor people.

Tissington (2012) writes that "whether drawn into the legal system on unfavourable terms or proactively pursuing litigation as a tactic for social change, NGOs and social movements inevitably have to deal with lawyers and judges"; these relationships are however complex and require grooming because the law has a dual nature as it can be used as a resource and it is also a constraint for NGOs and social movements (Madlingozi 2012); thus the law is protective of all irrespective of who is wrong or right. A point, which many people may fail to understand; the work of the legal experts is therefore greater than merely fighting for social change but also requires that applicants that enter into these battles are educated about the terrain in which the law operates and this is where the relationships with NGO and social movement activists becomes important (Tissington 2012). This indicates that ordinary people often need education around the processes into which they may enter. NGOs such as the ICRC are therefore trying to bridge that gap in that they tackle the details of how people understand that with which they are faced in terms of the letters of demand for their evictions or cases that are brought against them as residents of bad buildings/buildings in arrears.

Furthermore Madlingozi (2012: 222) observes that the ways in which the law has shaped, facilitated and disciplined post-apartheid social movements and to some extent NGOs are two-fold. On the one hand "social movements have appealed to state law to frame their collective identities and grievances, to attract resources and public sympathy, to shield them from repression, and to extract concessions from the state. On the other hand, 'rights talk' and legal strategies have narrowed down the demands of movements, deradicalised some movements, and transformed 'comrades into victims' in need of the salvation of experts, non-governmental organisations (NGOs) lawyers and judges.

Sinwell (2010: 154) observes that in the South African context the use of the judiciary by those who are poor and want to defend themselves against evictions has been addressed by some academics which include Greenstein (2004) and Huchzermeyer (2003)- whose arguments have included the fact that South African courts on their own have no means to ensure changes in policy also, when the poor approach matters through the judicial system there is some reluctance from the judiciary to interfere in the affairs of the executive arm of government. There are different deliverables that each sphere of government has to meet; at the local level there is only so much capacity that can be given to address the needs of housing, and housing is predominantly a national priority which affects many South Africans, one can argue that the pressure from the National Housing Department is vast and unrealistic. Increasingly however, South Africans are claiming their constitutional rights through the legal route when all other platforms prove to be challenging (Rubin, 2013). This section will try to unpack how the constitution and litigation is used as a tool by the inner city poor in claiming their right to the city and how and why litigation has become a cornerstone of the tactics of SA social movements in seeking the realisation of their rights.

Miraftab and Wills (2005: 207) argue that legal procedures and formal channels provided by the new constitution are not entirely ignored by the poor but as Tissington (2012: 208) observes 'we can have no illusions in the law/courts precisely because the institutional framework is not class-neutral and is designed (at the macro level) to benefit and protect the interests of the dominant classes'. When dealing with the legal battles one would have to consider that the middle to higher income groups make more investments in terms of the representation they receive hence their drive to continue to fight for what they believe to be right. However, given the continuous challenges being faced by the poor and the lack of viable political solutions to the persistent socioeconomic problems, public protest and courts are relied upon as vehicles for recourse and

remedy as they are used when "advantageous and defied when they are found unjust" (Miraftab and Wills 2005:207). Many NGOs and social movements are willing to try out new tactics that include rights-based mobilisation and litigation (Tissington: 2012).

According to Langa and von Holdt (2012: 94- 95) there is also a clear challenge in which studies of social movements in post-apartheid South Africa assume an optimistic view of the potential for collective action/ social movement to expand citizenship rights (and because of this research NGOs will be included here), deepen democracy and struggle for a socialist future, but in essence the law is actually a gamble for most Citizens who choose to engage in that space However, caution should be applied in this regard because In South Africa the court is a division of the state, it (and the law) functions within a conservative socio-economic framework, thus its rulings will only be liberal at best (Sinwell 2010: 168). Furthermore as stated in von Holdt (2013: 4) post the adoption of the Constitution, "ANC policy choices have placed powerful constraints in the way of overcoming the legacies of apartheid" and due to the dual character of the protest movement and in the formation of political and civil society that exists in cases in South Africa we often find that there is a struggle to overcome persistent inequalities that exist. This is because those who are marginalised fight against a system that they themselves have voted for and yet seek alternative results but cannot attain change as they use the same channels that yield no changes to fight the very issues with which they are faced; this cyclical process is therefore a common pattern that has yet to be broken in South Africa for citizens to realise the change they demand.

Coggin and Pieterse (2011: 257) argue that the South African Constitution's entrenchment of the right to housing in this context, together with its guarantee of a fundamental right to equality, mean that urban design, policy making and regeneration processes have increasingly become legalized and will increasingly be tested for constitutional compliance. Therefore there is a need for NGOs that fight for the rights of the urban poor. De Souza (2006: 328) supports the above

points and argues that "civil society *as such* (especially social movements) should be seen as a (potentially or de facto) relevant agent in relation to the conception and implementation of urban planning and management strategies" because they are often the main groups that care about how those who are less fortunate are affected.

The people of South Africa therefore identify with the constitution as being a powerful tool to which all can refer when fighting legal battles which involve their rights as citizens. Coggin and Pieterse (2011: 258) argue that the Bill of Rights contained in the Constitution has provided a channel for the marginalised to emphasize their citizenship within the urban fabric of South Africa. Sinwell (2010: 154 citing the SA Constitution 1996) writes that Section 26 in the Bill of Rights states that, "everyone has the right to have access to adequate housing. The state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right" (ibid). Therefore by using the law to make their claims the marginalised have not only brought to the fore the "schisms between the urban poor and the empowered but has also led to the development of a legal framework that guides public and private efforts to bridge these gulfs" (Coggin and Pieterse 2011; 258). Activists therefore seek to educate people about their rights and in so doing aim to achieve better living conditions for those who are disadvantaged by processes such as eviction as previously mentioned in this chapter.

In Tissington (2012: 206) Desai and Sinwell observe that even though court battles are good for NGOs and social movements, they do not necessarily advance a broader anti-capitalist struggle nor challenge the neoliberal status quo moreover "the key recognition in the political opportunity perspective is that activists' prospects for advancing particular claims, mobilizing supporters, and affecting influence are context-dependent" (Meyer 2004: 126). Harvey although discussing other contexts (2008: 39) notes that even if social movements fighting for the poor's

right to the city have been formed in several cities/countries, they "unfortunately are not strong enough or sufficiently mobilized to force through this solution" of always advancing desired outcomes of the poor hence the continuous struggle.

The relationships formed between NGOs and legal organisations are very important and need to be carefully understood. Tissington (2012: 201) notes that there is a "broad spectrum of highly nuanced and negotiated relationships" between these different stakeholders, which creates the "iterative process of contestation linked to the lack of systemic transformation in South Africa". Many South Africans have sought legal assistance for continuous socio-economic challenges that affect them thus the use of rights-based mobilisation by new movements of the poor despite the limitations. However viewing poor people or poor people's movements as 'pure agents' or 'a fixed, virtuous subject' may be problematic given the nature of the persistent challenges faced by communities, individuals and social movements (Tissington 2012: 202). Sinwell (2010: 153) also notes that scholars such as Huchzermeyer and Harvey critically engage with the ideas around court processes in that they have acknowledged the "limitations of the judiciary as a route to democratic access to the city"- admittedly some NGOs and social movements are making no progress in effecting change-whereas some scholars have seemed to "uncritically assume that the court offers the possibilities for redistribution and for the protection of rights of marginalised South Africans" as written by Gumede (2005) which to some degree is unrealistic.

In cases where deliverables have been instructed by the courts there may also be a lack of capacity from the state to materialise those verdicts. This suggests that in some instances the poor may actually be disempowered after a victory in court (Sinwell 2010). Court cases in South Africa have not always been successful in challenging the amount of resources provided by the state for the local level (ibid). Dugard in Tissington (2012: 209) presents the argument that 'the

post-apartheid judiciary has collectively failed to act as an institutional voice for the poor, the courts in South Africa have not adequately realised their potential to promote socio-economic transformation in the interests of materially-disadvantaged South Africans'; this indicates that the courts are aware of their lack of capacity to force through solutions as they rely heavily on the state for the implementation of socio-economic related decisions (ibid).

Furthermore it is clear that despite the constitutional entitlements, material change has not occurred for millions of South Africans in the past years of democracy. Additionally, while potentially transformative law and policy exist, implementation of initiatives and projects has been slow or skewed which indicates that those government departments and institutions that have been instructed with delivery lack to function with efficiency or in a pro-poor manner (Tissington, 2012: 203).

This reiterates that the law can simultaneously function as a resource as well as constraint for social movements and NGOs (Madlingozi 2012: 222). The ICRC as an NGO that recognises the challenges with which people on the ground are faced has used litigation as a strategy. In many instances this has worked for the organisation, but as mentioned above some victories do not translate into material gain for people and thus despite the assistance it offers to the ICRC, litigation has not been the only route which the NGO takes to make changes in peoples' lives as there are some limitations which it offers.

Madlingozi (2012: 223) observes that all movements, whether 'rights-based' or 'counter-hegemonic' rely on 'rights talk' and legal tactics to carry through their objectives. Furthermore this position has critical consequences for their political orientation and outcomes. According to Tissington (2012: 202) "the so-called 'turn to the law' by CBOs, NGOs and social movements has been met with both scepticism and hostility" and this is due to the misunderstanding of the

nature of legal currency, the space in which the law operates and its players. There are three kinds of issues that can be picked up on:

- Development NGOs and practitioners often find litigation too antagonistic towards the state, or have had bad experiences with the lawyers in the past.
- Academics think of litigation as not being radical enough in terms of their broader social change agenda
- Leftist activists often tend to be frustrated at the lack of politics infused in cases, and a lack of resonance with broader social struggles, and lastly
- Social movements as well as communities often get frustrated with the process and protracted timelines of cases (ibid).

For Tissington (2012) there is clearly an expectation that is too high on the outcomes of litigation, but an absence of recognising the challenge that there are no better alternatives (to using the law) available to communities (ibid). Furthermore as argued by Coggin and Pieterse (2011: 258) when many continue to suffer injustices such as being evicted or being left to be homeless "democracy begins to lose its currency for many living in urban centres...- It is then unsurprising that the disempowered have sought to claim a voice through the Constitution of the Republic of South Africa" in hope that their circumstances will one day change for the better.

3.5. Conclusion

Inner city mobilisation can be difficult to achieve in many circumstances, therefore affecting the outcome of cases by people who are affected by evictions. In some instances there should be recognition that court cases do not translate to victories for those suffering on the ground as indicated by various theorists and experts in this chapter. Perhaps until private developers can communicate and reach some kind of compromise with activists on behalf of residents affected by evictions, there will continue to be a persistence of the system marginalising people even

further. The work done by the ICRC is therefore critical in engaging in such matters and negotiating for the right to the city by the urban poor in a contested terrain. It is indicative from the nuanced views that each success story is determined by the context and scale to which the issue can be addressed. The following chapter will give a historical account of the ICRC and the work that it does in the inner city of Johannesburg. These theoretical underpinnings also inform the analysis chapter which draws from what is discussed here.

Chapter Four: History, tactics and strategies of the Inner City Resource Centre

4.1. Introduction

The aim of this chapter is to unpack the history of the Inner City Resource Centre. This chapter will explore the evolution of the ICRC over the years and discuss the structure and the work done by the NGO. Part of the argument of this chapter is that many people continue to remain hopeful that they will receive a home in South Africa but meeting the housing demand has presented complexities leaving NGOs such as the ICRC to continuously strive for channels in which change will manifest in a positive manner for those affected by socio-economic challenges in the Johannesburg area.

> "I'm certain that the City is supporting private sector based development in the inner city as opposed to anything for the poor. There's nothing for the poor…nothing at all. There's an RDP house somewhere which is actually a phantom because the housing list doesn't really exist…so basically there's nothing for the poor…That in fact it's not the golden city. That when you get here you are going to suffer and you're not going to find the opportunities that you thought were here. There's a theoretical policy but it doesn't come down to the ground level as anything really meaningful to most people. People have been on that housing list for about 20 or 30 years and it's never moved…the so-called demand data base…before that it was called the housing list. People have been sitting on that housing list for decades and one has to ask oneself why? There are ad-hoc housing developments around the place, but there is certainly no overall housing policy for the poor in Johannesburg or Ekurhuleni" (Hathorn 2013).

Moreover, housing initiatives that have been given much publicity by the Johannesburg municipality that are within the CBD are projects run by companies such as Joshco[12]; Joshco is a social housing company that can be seen to be helping the poor afford to live in decent places in the city. However private property owners have also been challenging the City to improve its

[12] The Johannesburg Social Housing Company: http://joshco.co.za/

conditions of working with them as even private sector players often feel that they are not met halfway by the state (www.cjp.co.za).

There will therefore be a discussion around the ways in which the ICRC strategizes and manages its day-to-day proceedings despite its limited resources. The chapter will proceed by offering a chronological account of the history of the ICRC that will map out the changing status of the ICRC. The ICRC has operated in a number of areas across Johannesburg, that include Hillbrow, Yeoville, Berea, Braamfontein, Joubert Park, Newtown, Kensington, Troyeville, Rossentenville, Turffontein, Jeppestown, Betrams, Malvern, and Bellevue (ICRC 2011), the ICRC has also expanded into the Marlboro and Booysens squatter camp areas (Sibanda 2016). Their aim has been to assist the inner city poor amongst their goals is the desire to "see the allocation of quality accommodation to all residents of the Johannesburg inner city". In Rubin (2013: 106) we learn that public action such as protests and demonstrations are considered by the poor as a legitimate mechanism to put pressure on the ruling party to advance their claims for services. The ICRC's fight is to educate inner city residents about their constitutional rights to basic services as well as housing; therefore the ICRC has served as an advice centre to tackle broader issues affecting this constituency and has undertaken their work with the help of various civil society organizations (ICRC Pamphlet n.d.). In their own words:

> "The aim of the ICRC is to build a better understanding to the communities of the inner city based on their human rights around the issues of housing, electricity, water, access to education, access to health care, access to social grants where people are able to exercise their rights irrespective of where they come from" (Sibanda 2013) hence the reliance on the legal partnerships where education around the rights of citizens is such an important aspect as to how the ICRC works and with whom it associates.

> "Our objective is to see that the people in the inner city live in better conditions, that they have access to the basic services. That they have access to housing, education and that there is better communication between immigrants and South Africans. That they live better together and understand each other" (Sibanda 2013); interestingly this is a point made by most other stakeholders that work for the City of Johannesburg, that "access" to housing etcetera is a goal and not a definite as is sometimes confused by NGOs and other social movements .

If and whether the tactics and strategies employed by activists has led to changes in policy making and implementation processes presents a different discussion, some of which will be addressed in the following chapter.

4.2. Challenges relating to the housing issue in Johannesburg

Wilson (2011: 132) observes that the 1990s was a period during which the inner city was seen as "a space slipping beyond the control of both national and local government", hence the adoption of the Inner City Regeneration Strategy (ICRS) by the City Of Johannesburg (CoJ) in response to the situation. The consequences of the ICRS were gentrification, evictions, termination of services, blitzes', harassment etcetera. Rubin (2013: 1) writes that "by the mid-2000s, local newspapers and news in South Africa were full of headlines about the decline of the inner-city of Johannesburg. Articles detailed the crime, grime and vice of dilapidated and overrun inner-city buildings, 'hijacked' by thieves and syndicates.

Rubin (2013: 11) explains Chatterjee's position that "the middle classes who are seen as legitimate rights-bearing citizens are able to access and utilise the formal institutions of the state i.e. civil society in order to represent their needs, access resources and influence decisions that affect them. Chatterjee also points out that urban dwellers living and working in situations of illegality or extra-legality are less able to make the same type of claims on the state" (ibid).

Therefore the housing situation in the inner city of Johannesburg provides a way in which the roles of activism undertaken by NGOs such as the ICRC become important for assessment in terms of establishing whether socio-economic rights are being realised given the goals of activists to protect ordinary citizens from injustices while working within a highly contested space. Therefore, they "have to find other forms of leverage and "buttons to push" in order to have voice, space and access to those in power to drive their agenda. Thus, they rely quite extensively on relationships with those in power i.e. politicians, local 'big men' to pursue their own interests, and so they enter into the realms of political society" (Rubin 2013: 11), in the case of the ICRC there has been little mention of who the NGO is connected to politically as they have spoken about mostly aligning themselves with other NGOs and legal practitioners.

A report by The Centre on Housing Rights & Evictions (2005) indicates that in terms of numbers, the state's overall achievement of delivering housing has been impressive. This has been done through capital subsidies made available to low-income households. However, with the increasing backlog in the delivery of houses many people have failed to benefit from state initiatives and thus the housing situation remains a challenge.

Coggin and Pieterse (2011) describe how urban division, separation and exclusion were central features of apartheid South Africa. During that time there were tensions of race and class which contributed to the severe social and economic disadvantage and "simple racism may have been behind a great deal of disinvestment in the inner city" as whites purely did not want to live in mixed neighbourhoods, and would move out if they could afford to (Wilson 2011: 133). It is therefore for such disadvantages that the inner city is a highly contested space; even though there is no longer formal legislated apartheid the challenges are still wide and many. One of the symbols of that marginalisation is through the "scenes of 'red ants' mercilessly dumping the

possessions of seemingly unlawful occupiers of Hillbrow's flats on pavements" which is "reminiscent of scenes in Sophiatown in the early 1960s" (Coggin and Pieterse 2011: 258).
This suggests that some people are being excluded from the inner city as they cannot afford to live in it. This harsh reality is however met with mixed emotions as seen below

> "The council's definite stance on the inner city is that inner city living is expensive for what you're getting…so then why do you want to live in the inner city? They keep ramming this down my throat they say "Charles the poor people don't live in Manhattan…the poor people don't live in central London. The poor people don't live in the central business areas of Tokyo. It's the reality; those are expensive places of land. Do you not accommodate them outside of that?" (Beckenstrater 2013).

The above statement is very important as it illustrates that for City Officials who are driven towards urban regeneration there is no alternative but to ensure that people who do not have the ability to pay expected rental prices for living in inner city Johannesburg are housed in other parts of the city. In 'Roadmap to shift inner city regeneration drive up a gear' (joburg.org.za 2015) reference is made to how the City's Social Housing Company (Joshco) is providing low-middle income housing that is much needed. There is mention of one building within the inner city, Europa House, but the article does not provide the amount for the rentals nor does it give an indication of the overall number of low-middle income properties across the city. The concern then is that more emphasis is still around how the City is cleaning up and restoring the dignity of the city by attracting investment but quite little on how those who are investing in the city are actually able to meet the demands of the poor by accommodating that income bracket. The statement by Councillor Roslynn Greeff that "We are reclaiming the heart and soul of the inner city" (joburg.org.za 2015: 2) provides no clarity around who the City is being reclaimed for as it is a general statement, however from observations around the development

of the city it would appear that those who have the financial means have more power in terms of how investment manifests and thus who it benefits. Moreover, it is evident that the rights of those who are providing that expensive accommodation in Johannesburg are protected. Lawyers such as Charles Beckenstrater therefore represent the interests of those who meet the criteria for creating a city that is of a certain high class quality- what has been referred to in previous chapters as "a world-class city".

According to Mike Makwela of Planact the problem is not just the evictions and violence of the red-ants as described in chapter three but a situation that is compounded because:

> "The City does not have an adequate plan to deal with the issue of inner city housing especially for poor people. What they are talking about is just refurbishment...and refurbishment does not translate to new units...to new affordable units. What you're seeing is just the private sector investing in the inner city and turning those buildings into high market housing" (Makwela 2013)

and

> "...the sort of lack of supply of low income rental for people is a huge issue, and obviously with the regeneration strategy of the City which has led to the inner city being much more desirable for property owners and investors and for middle class people...there are a lot of evictions happening of people who were living there before who can't afford to live in whatever is being developed and are sort of being kicked out and have nowhere to go" (Tissington 2013).

However the problems faced by the City of Johannesburg according to others cannot be seen to be unique as

> "The City's problem is simply a microcosm of the country's problem. It's just exacerbated by the fact that it's the biggest city and in the result I think has the biggest influx of

> people into it so it's just an exacerbation of the country's problem…If everybody had a house, there would be no problem (Beckentrater 2013).

In terms of trying to balance interests and create spaces where all can share and have access to the same opportunities the City recognises that there are difficulties in making those of a certain class buy into projects. In such instances where so many complexities are prevalent even City officials lose heart like activists would if the projects they wanted to see succeeding failed. The statement below indicates that everyone can at times wish to give up

> "We are failing everywhere. Go and see properties that we own…hostels old age homes go and see them. I honestly blame the officials…Housing doesn't want to accept that we are failing, Planning doesn't want to accept that we are failing, Economic Development doesn't want to accept that we are failing. If you don't accept then it's difficult to change the way you are doing things, but if you do accept and acknowledge that no actually I'm failing then it will help you to look at why are you failing and change the way you do things" (Bafo 2013).

The above statements indicate that many complexities are prevalent in inner city Johannesburg especially where housing interests and rights need to be balanced. Therefore each stakeholder has to behave in a certain manner or adapt to the context as they are guided by the dynamics that exist and they have to try to navigate through these challenges by adopting tactics that can produce positive outcomes. Moreover, Rubin (2013: 79) explains that "the Urban Regime and Growth Machine approaches suggest that there are networks and coalitions of groups and individuals, who sit inside and outside of the state and are able to influence and shape public policy and decision-making". Therefore in these conceptualisations of governance, the private and public sector are essential to governance as both "possess resources needed to govern -

legitimacy and policy-making authority, for example, in the case of government, and capital that generates jobs, tax revenues, and financing, in the case of business". There are however concerns of urban regimes as those with more to contribute are in a more powerful position and have more capacity to influence policy over those with the least to contribute (ibid); hence the difficulties faced by NGOs such as the ICRC.

In addressing inner city housing challenges it is important to consider all parties involved. Many factors are at play where projects and initiatives are drafted to deal with the housing challenge. The attempt is to balance all interests but this has not been achieved and as such many are aware that such processes are difficult. In the city of Johannesburg there are clear networks and relationships between the private sector, politicians and city officials all of whom often negotiate policies to drive a shared vision to "revive" the inner-city; create a functional inner-city property market and remove people from unsafe and unsanitary conditions; but as CALS has argued during the court cases to which it has been involved, the underlying reasons have had more to do with the desire for world class cityness (Rubin 2013: 85). Zeenat Sujee, a legal representative from the Centre for Applied Legal Studies (CALS) explains that

> "The inner city housing is a lot to do with social impacts of the current situation within housing and it cannot be taken away from the legal aspect. There's interplay between the two, so you have legal-social you then also have the lack of planning from government in-terms of where do they then house them once they are evicted…and in all probability the courts are going to grant the eviction, but what then happens to people if they are evicted? You then have the courts system…what is the courts role in dealing with these evictions and what you find is that the courts have to battle with the rights of a property owner and the rights of an indigent person who doesn't have a home…and I think that's the biggest challenge (Sujee 2013).

This issue of whose rights matter the most is very important in this context. There is a constant battle between different stakeholders and as indicated in previous chapters the ability to adopt tactics and strategies that will yield outcomes that are good for those people represented is critical at all times.

4.3. The history of the Inner City Resource Centre

For the ICRC the challenges faced by inner city residents have been many and over the years the NGO has gone through considerable changes. The following sections offer a chronological account of the ICRC detailing the changing strategies and structure over time and demonstrate how these changes were related to the changing environment.

2000-2002- the poor unite as one to fight evictions

The ICRC was established from the Inner City Forum (ICF) in 2005.

> "The ICRC comes from the Inner City Forum (ICF)…the ICRC positions itself more along the lines of being a social movement. The ICF was a community based forum that was formed by the residents of the inner city in 2000"; part of this statement has been acknowledged as being confusing by Sibanda in that the ICRC is definitely an NGO but the type of work that it does may lead to some viewing it as a social movement because of how they mobilise (Sibanda 2013; 2016).

This ICF was formed as a response to the increasing housing problems that communities were facing; these included evictions carried out by landlords and local government authorities. In addition there were the problems of water and electricity being cut off if people were unable to pay (ICRC 2011).

Over the years the ICRC has somewhat changed its tactics and has moved slightly towards other activities. In an interview with Msc (TRP US) students from the University of the Witwatersrand about activists from the Johannesburg area Sibanda indicated that she had met the people that made up the ICF committee at the iGoli 2000 summit[13]; these people were namely

> "Claire Seruti, Lebo Matete and Molefe (who had originally formed the ICF), they were joined by Masala Kwinda and Jeff Radebe (who have both passed away), Benny Letsholo, Beatrice Kalimash and Solomon Zwane and Shereza Sibanda (Sibanda 2013).

The above mentioned were all inner city residents affected by evictions in the inner city. This group of people was very angry and frustrated at the circumstances that were prevalent and the fear of losing their homes made them determined to lead and organize people from different buildings. The decision for them to organize was based on the fact that they saw strength in numbers and therefore they went through processes of marches, pickets and protests with other affected residents (ibid) to the office of the MEC for housing in downtown Johannesburg [at the time it was Amos Masondo and in another instance it was Paul Mashatile], these marches began at parks around the areas where the affected residents lived (APF 2002).

The ICRC website (2011) indicates that between 2000 and 2001 the ICF grew from ten initial members to 200 members that were representing some twenty buildings in the inner city. In 2002 the ICF became part of the anti-iGoli 2002 City policy; this was a movement against the City's plans to privatize entities as this would have implications for the urban poor. The iGoli program was a Gauteng province initiative that sold municipal assets to privately owned companies

[13]The iGoli 2000 summit was a platform upon which the City could introduce its three-year plan to turn the City's finances around and explain changes that Johannesburg was facing as the City had become a single metropolitan authority http://joburg.org.za/index.php?option=com_content&task=view&id=92&Itemid=9&limitstart=1.

(Matebese 2013). Moreover, water and electricity management became corporatized because across the country municipalities had been found to be struggling due to the poor collection of outstanding debt and irregular wasteful expenditure thus resulting in fiscal stress (ibid: 11). According to Matebese (2013) the iGoli 2002 programme was a response to fiscal crisis within the City of Johannesburg (CoJ) because in 1997 the CoJ was declared insolvent; therefore the CoJ "had to concede that it could not pay its creditors". Moreover the iGoli 2002 programme had the following goals:

- To integrate the five councils into one political and administrative entity
- Reduce the accumulated deficit and return the organization to fiscal health
- Integrate and standardize the fiscal policies
- Integrate and standardize the financial systems
- Introduce extensive governance and transparency
- Privatize non-strategic assets and functions
- Improve service delivery mechanisms (ibid: 12, 13).

The above mentioned goals would have had implications for the poor as much would have to change in order for the City to realize its plans. Many of the cases that the City had against evictees were centred on issues of health and cleanliness. This made it important for activists to educate people about keeping their environments in good condition; in a bid to somewhat prove to officials that residents could take care of their environments. The ICRC took part in several marches with tenants from affected buildings in an effort to be recognised by the City as being cooperative with upholding hygiene standards in the inner city at the time. This was also the peoples' attempt to make the City realise that as tenants they loved their spaces and would be willing to possibly work with the state rather than be considered to not care about where they lived

> "On weekends we have taken part in street cleaning campaigns and that's where we have been able to organize marches with tenants in the past" (Sibanda 2013).

The assistance from other organizations is important for NGOs in many instances and to build on and strengthen relationships especially in the inner city of Johannesburg can be beneficial. The ICRC saw the importance of litigation almost from their inception when in 2002, the ICF had failed in their attempt to negotiate with the City a stay of execution of an inner-city eviction from a building on Bree Street that was earmarked for clearance and upgrading by the CoJ after which the ICF had begun to search for legal representation for a few "bad" buildings (Wilson, 2011). However, they did not find legal support and litigation began in earnest a year later.

Rubin (2013) writes that it is the urban poor who have sought and found insurgent modes of engagement, most notably through direct action and litigation. In terms of litigation the ICRC's work is to find legal representation for persons under threat of eviction. However, legal practitioners also make decisions based on some factors. For instance the Centre for Applied Legal Studies' (CALS) larger project was aligned with the goals of the San Jose residents. CALS, like most human rights lawyers, actively seeks cases that will: challenge the existing rights situation; add content and, where possible, add new rights to the existing canon. Therefore, their work can be seen as a counter-hegemonic project, in the sense that they are trying to change the emphasis of the existing legal environment and shift it to a more equitable and inclusive worldview. However, in order to do so these organisations need cases that are clearly able to expose contestations around specific rights. As such, legal organisations are strategic about the cases that they choose (Rubin 2013; 112,113).

In Rubin (2013: 218) we learn that courts are not neutral sites and are imbued with what Sinwell (2009: 16) calls "discursive power". Discursive power "determines what is acceptable or unacceptable (the rules, values and norms) and, therefore, what can be said and done within

specific social spaces". In the case of the court, the rules are written down and formally codified. "The trial is presented as the site of legality, a carefully orchestrated contest through which aggregations of persons, words, stories, and material are legitimately transformed into facts of intention, causality, responsibility, or property". Yabadi (2013) a staff member at the ICRC indicated that in the ICRC's work the legal language can be a barrier and many may fall trap to binding decisions because of not understanding what they are signing for in terms of petitions and documents presented to them. As Rubin (2013: 133) points out the implication is that experts and those who understand court procedure are better suited to speaking in their own voices than lay-people and ordinary litigants.

The work of the ICRC is to ensure that stories and issues are reconfigured so that they are acceptable to the courts (Rubin 2013: 129) when they are working with legal representatives. Therefore the ICRC works very hard to mobilise homeless and inadequately housed persons around rights-based strategies aimed at changing state policy in a manner that it favours its clients. This is done through word of mouth by residents in the buildings the ICRC works with and through the distribution of their pamphlets where the information is possibly explained during the workshops that the NGO runs (Sibanda 2013). In Rubin (2013: 130) we learn that court narrative transactions have a further requirement: they must be competitive. Given how the ICRC has grown over the years one might accept that this is a known fact to the NGO, that it is competing with other players within the Johannesburg area and hence the seriousness with which they do their work and how they try to communicate the stories of those affected especially to legal practitioners; to some degree residents' voices often have to be mediated and contorted to conform to the requirements of both narrative strategies and court protocol (Rubin 2013: 155) when those moments of contestation arise. Sibanda (2016) also mentioned that there are many organisations trying to be on their level and for her those other movements are merely imitating the work that the ICRC does.

2003-2004 – adapting to the context as opportunities are presented

According to Wilson (2011) the ICF approached the Wits Law Clinic in 2003 with the occupiers of Junel House[14] where about 100 people faced eviction from two buildings in the central business district. The importance of this case came from the fact that it represented the first time that public interest lawyers in Johannesburg had applied their mind to the constitutionality of the City's eviction's programme.

It was also during this period that the ICRC came into existence for two reasons: the first, because it became apparent that the ICF was not sufficiently able to engage with many of the concerns of the inner city and a new organization seemed necessary:

> "We were only focused on evictions as the ICF so when we got into these buildings and started knowing people and sharing we realized that it was not only the issue of evictions that was prevalent. There were also issues of high rentals, water and electricity cut offs, access to schools was a problem, access to social grants etc. We decided that we needed to have an advice centre. That's how the ICRC came about, but not forgetting our activism as the ICF" (Sibanda 2013). According to the ICRC website the NGO emerged as a legal resource and funding mobilisation organisation for the ICF (icrc.org.za 2015)

The second reason seems to be as an attempt to move away from party politics: Wilson (2011: 139) writes that Guy Slingsby, a leftist activist member of the African National Congress (ANC), who had a long history in unions and the anti-apartheid struggle, was at the core of the

[14] Any Room for the Poor? Forced Evictions in Johannesburg, South Africa- Draft Discussion (2005): One of nine communities which were either under threat of eviction, or had successfully resisted eviction from a 'bad' building- Junel House was called Ginwell' by its occupants, in Nugget Street, Johannesburg (CBD)- the occupants successfully resisted eviction in late 2002: http://www.escrnet.org/usr_doc/COHRE_Johannesburg_FFM_high_res.pdf.

formation of the ICRC. He was part of the group that formed the Anti-Privatisation Forum (APF)[15] to which the ICF became affiliated. However, in 2004 the ICF broke away from the APF and renamed itself the ICRC; realigning itself as an apolitical inner city residents' rights association.

It can also be speculated that this stance of the ICRC renaming and repositioning was taken because it presented more opportunities for the NGO to work with a range of other stakeholders that could further their goals of assisting affected citizens. Moreover because of its position on being apolitical the NGO benefitted from working on different projects with different people; this indicates the ICRC's awareness that adapting to different contexts by social movements and NGOs is important as change is constant. The ability to recognize how to survive by NGOs such as the ICRC substantiates the argument that in the South African context "when formal channels fail, the poor use extremely innovative strategies, which create alternative channels and spaces to assert their rights to the city, negotiate their wants, and actively practice their citizenship" (Miraftab and Wills 2005: 207).

In its early days the ICRC had very few resources and so its ability to engage with and establish relationships with other organisations, effectively allowed it to get on with its work:

> "During that time [in the beginning] when we had no funding [as the newly established ICRC] we got an office at Biccard Street in Braamfontein and fortunately we paid R350-00 per month [for rent]. We also got Khanya College and the APF to help us with making photo copies; during that time we were highly involved in marches. Therefore people started seeing the advocacy work that we had been doing and the media reports started helping us and that is how the ICRC grew" (Sibanda 2013).

[15]Joburg Inner City Forum, In Group: Affiliates: (http://apf.org.za/spip.php?mot23n.d.)

The relationship between the ICRC and CALS progressed due to aligned interests and concerns and soon after the ICRC's establishment, the ICRC moved into CALS' premises. Sibanda remembered that:

> "While the ICRC was at Biccard Street the Centre for Applied Legal Studies (CALS) identified the work that we were doing and decided to take in the ICRC. We were given two offices at CALS which made things easier for us.

The relationship with CALS offered material advantages and also exposed the ICRC to key funders and people who supported their work:

> We were given access to the internet and telephone [at CALS]. We got exposure by being at CALS, for example, funders such as the Centre for Housing Human Rights in Geneva became interested in our work. We were given about R40 000 from which we bought a computer, printer, we made some t-shirts and we got our stipend for travelling" (Sibanda 2013).
>
> "One of the people that were instrumental in getting us funding was Cathy Albertyn who was a director at CALS. Other people who have helped us a lot are Jackie Dugard, Stuart Wilson and Kate Tissington as well as Moray Hathorn and Simon Delaney" (Sibanda 2013).

Considering the type of terrain in which the NGO works there have been attempts to also have an amicable relationship with the state by the ICRC. Below is a statement that illustrates that despite a great deal of work being put in by the ICRC other problems do exist; the NGO therefore has to adapt to the complexities and it must be able to convey the right message to its clients that each plan of action that it takes has different outcomes and implications. Overall

to some extent there have been limitations by the ICRC where some of their strategies are concerned, the Better Buildings Programme[16] offers one such example

> "What happened was they did the final draft but it could not be adopted because we went in and challenged it to say "we were not part of these processes" and that's when we were involved in the processes where I was told that Shereza "you have to work with the Sectional Title Bill" in the inner city with Graeme Gotz who was in the City of Johannesburg…it did not get implemented. We worked on it, we did the workshops with Graeme, but he left and there was no one with whom I could continue the project of the 10 Pilot Buildings and sectional titles and that's where it stopped" (Sibanda 2013).

Part of the failure is based on the context, when one City official leaves there may be challenges of not being able to continue with projects because no other official can take on the task from the official that has resigned due to the prevalent state dysfunctions. Social movements and NGOs therefore have limited or no influence in policy making which is a problem that has continued to persist over the years, this will be discussed further towards the end of the chapter.

2005 – 2009- a period of transition

From 2005 till around 2007 the ICRC had started experiencing some changes in its staff component. Over the years there have inevitably been challenges encountered by the ICRC because activist work is regarded by those involved in it as difficult and because there is no significant financial gain from doing such work many find it better to seek other employment opportunities. Stated below is the explanation for why some people left the ICRC

[16] http://www.joburg-archive.co.za/2011/inner_city/better_buildings_programme_31_july2003.pdf

> "By 2007 everyone I had started with had left me alone because of the challenges which come with being an activist; due to the lack of funding people were not getting paid and people have their families to feed" (Sibanda 2013).

Activism by an NGO such as the ICRC offers the opportunity for engagement between those suffering on the ground and institutions of authority. In discussions with Sibanda (2016) there is a clear desire by the ICRC to enter into dialogue with the state as a means to shift to a more viable approach of attaining goals; "Initiated by the local state, invited spaces typically look to draw local communities into processes of consultation, deliberation and sometimes joint decision-making on key local issues" however it would be the state or agents of it who define the agenda, mandate and very often the rules of engagement (Rubin: 2013: 154); Sibanda has not explained how this would map out for the NGO but it seems that for them this would be the first step in being recognised as being able to make a meaningful contribution to the city. This activism, in as much as it is faced by challenges, presents hope for those whose rights are being forgotten in pursuit of attaining a city that portrays itself as one for all yet it is fails to balance interests at times. Additionally because of the reach that activists have this kind of knowledge (and of power) that they consequently have should not be underestimated even if social movements obviously do not (and cannot) 'plan' the city as the state apparatus does it (de Souza 2006: 330).

Freund's (2010) observation that "Johannesburg is a city that exhibits many faces, some of them fairly homely" is correct…This is why most social struggle of the post-apartheid era can be read as endeavours to re-conquer the right to be urban (Miraftab 2007). Also, activism that is area based can be seen as being very important because it "offers gratification, through the immediate proximity and physical visibility of change that one drives; through the recognition and potential gratitude of the individuals or groups that one has assisted. Unlike policy makers

working at the upper scales of urban governance, impacts of one's actions can be seen immediately, and this immediacy can even be used to correct the direction of one's actions" (Benit-Gbaffou *et. al* 2013: 13). For most of the time when the ICRC started its work the NGO engaged in protests; "Public protests rely less on rhetorical transactions and more on credibility and maintaining a fine balance between threat, performance and spectacle. What the protestors are fighting for must seem to carry some type of moral weight provoked by an "injustice" that needs to be addressed (Turner, 1969), otherwise they are just seen as threatening and a public nuisance" (Rubin 2013: 166). This definition may indicate to some degree why the view of the ICRC by the City is still not where the ICRC would like it to be which is in a more amicable position where their concerns are really taken into account.

Metin and Coşkun (2016) speak to how funding is very important for NGOs. The ICRC needs some contributions to carry on with the work that they do, but there is an understanding that not everyone is able to assist in this regard. Since 2005 once people have decided to get assistance from the ICRC there is a membership fee that is paid by the individual from each of the buildings that are part of the ICRC community. However, being a member is not compulsory; in 2013 Yabadi Mujinga described the following

> "A member of the ICRC benefits by being trained about their rights and how to deal with problems within the buildings. Every time there are evictions they are assisted. We don't only help members, but those who we approach become members because the membership helps to give the ICRC the power to act. We sometimes get asked who we are and why are we fighting on behalf of these people that we assist, so for us to be covered, we just say "no this person is our member. This is the contract between us and that person". We act as representatives of those people. So you pay when you join and per month they pay R20.

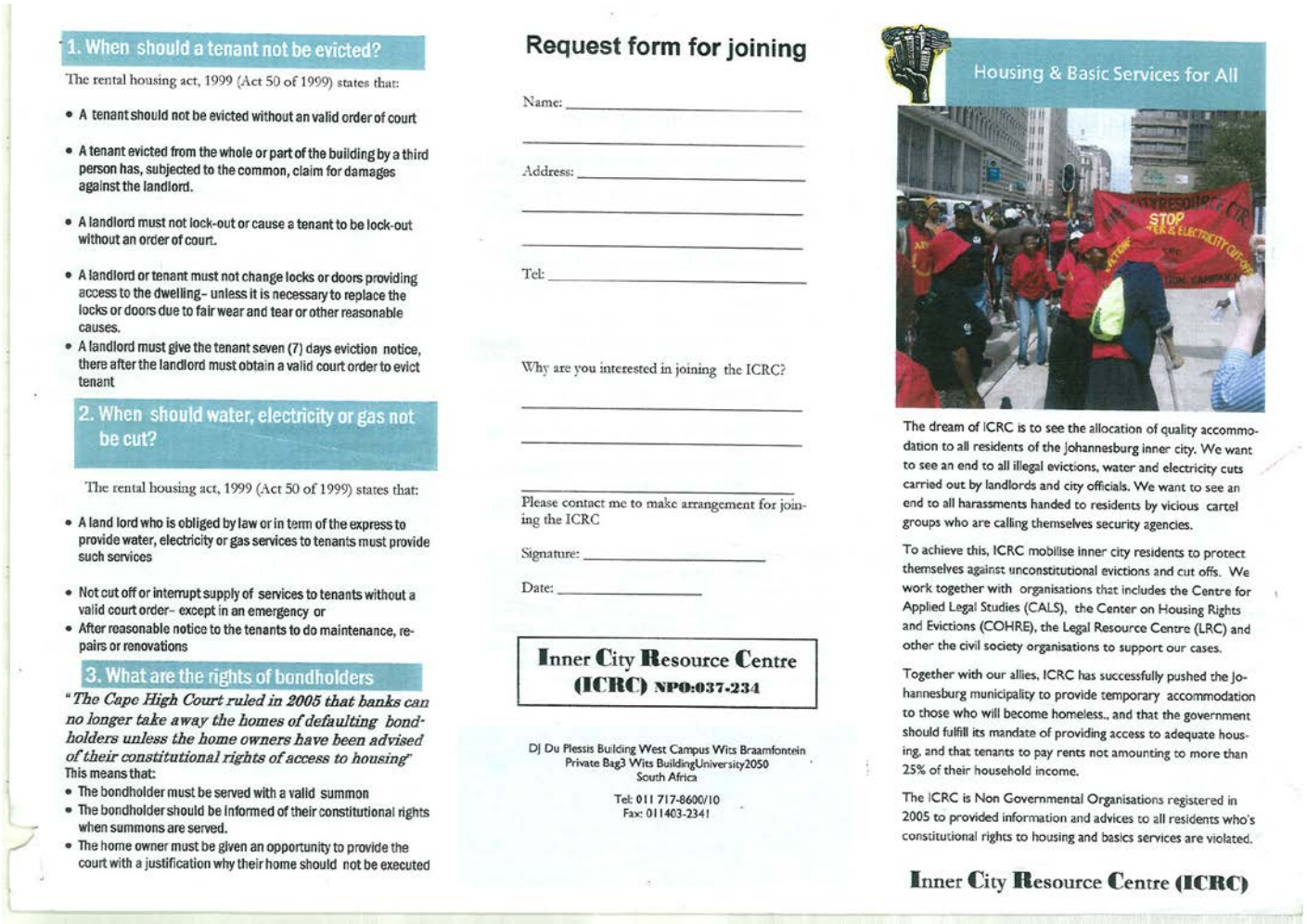
Sibanda (2016) has also clarified the membership matter by highlighting that a fee of R250 from each person in each affected building is encouraged as the running of the ICRC does need funding. Therefore those who are affected are often asked to provide that fee so as to ensure that the phones can be paid, documents can be printed, meetings can be attended etcetera; people are also accountable to ask and inform themselves around the day to day running of the ICRC which affects them hence Sibanda's response around how the ICRC does not act or take any decisions prior to informing its constituents and getting the necessary permission to embark on matters with which inner city residents are faced.

In a discussion with Sibanda (2016) the funders that the ICRC seek assistance from are known as Katholische Zentralstelle fur Entwicklungshilfe e.V./MISEREOR[17]; in the discussion Sibanda highlights that the work undertaken by the ICRC is to some degree affected by the goals and objectives of the funders. The applications made to Misereor are based on the criteria set by the organisation; in most instances the ICRC will align its causes based on what the organisation is interested in at the time; and there are reports that are expected from the ICRC to explain their progress in as far as how much they are progressing and gaining recognition for the work that they do in the city (in this context of Johannesburg).

Sibanda (2016) indicated that the ICRC has been receiving funding from Misereor for over 5 years now, and there is a representative from the organisation who frequently visits the ICRC to evaluate and see how far they are getting in terms of some of the organisations time-lines and submissions of reports etc. This relationship is quite strong as described by Sibanda as the representative also understands the challenges that the ICRC might encounter. Some positive changes that have developed for the ICRC

[17] MISEREOR is the German Catholic Bishops' Organisation for Development Cooperation. www.misereor.org

because of the funding are some forms of income for the staff members, however Sibanda was aware that the Funder's are very strict around people that work to help others receiving an income, therefore this was a negotiated arrangement as in the South African context there may be a loss of "employees" that help the ICRC if the people do not get paid; the hours spent on mobilising and calling and picketing and educating others are long and as mentioned by Makwela (2013) this is a thankless job.



1. When should a tenant not be evicted?

The rental housing act, 1999 (Act 50 of 1999) states that:

- A tenant should not be evicted without an valid order of court
- A tenant evicted from the whole or part of the building by a third person has, subjected to the common, claim for damages against the landlord.
- A landlord must not lock-out or cause a tenant to be lock-out without an order of court.
- A landlord or tenant must not change locks or doors providing access to the dwelling- unless it is necessary to replace the locks or doors due to fair wear and tear or other reasonable causes.
- A landlord must give the tenant seven (7) days eviction notice, there after the landlord must obtain a valid court order to evict tenant

2. When should water, electricity or gas not be cut?

The rental housing act, 1999 (Act 50 of 1999) states that:

- A land lord who is obliged by law or in term of the express to provide water, electricity or gas services to tenants must provide such services
- Not cut off or interrupt supply of services to tenants without a valid court order- except in an emergency or
- After reasonable notice to the tenants to do maintenance, repairs or renovations

3. What are the rights of bondholders

"The Cape High Court ruled in 2005 that banks can no longer take away the homes of defaulting bondholders unless the home owners have been advised of their constitutional rights of access to housing"

This means that:

- The bondholder must be served with a valid summon
- The bondholder should be informed of their constitutional rights when summons are served.
- The home owner must be given an opportunity to provide the court with a justification why their home should not be executed

Request form for joining

Name: _____

_____

Address: _____

_____

_____

Tel: _____

Why are you interested in joining the ICRC?

_____

_____

_____

Please contact me to make arrangement for joining the ICRC

Signature: _____

Date: _____

Inner City Resource Centre (ICRC) NPO:037-234

DJ Du Plessis Building West Campus Wits Braamfontein
Private Bag3 Wits BuildingUniversity2050
South Africa

Tel: 011 717-8600/10
Fax: 011403-2341

Housing & Basic Services for All

The dream of ICRC is to see the allocation of quality accommodation to all residents of the Johannesburg inner city. We want to see an end to all illegal evictions, water and electricity cuts carried out by landlords and city officials. We want to see an end to all harassments handed to residents by vicious cartel groups who are calling themselves security agencies.

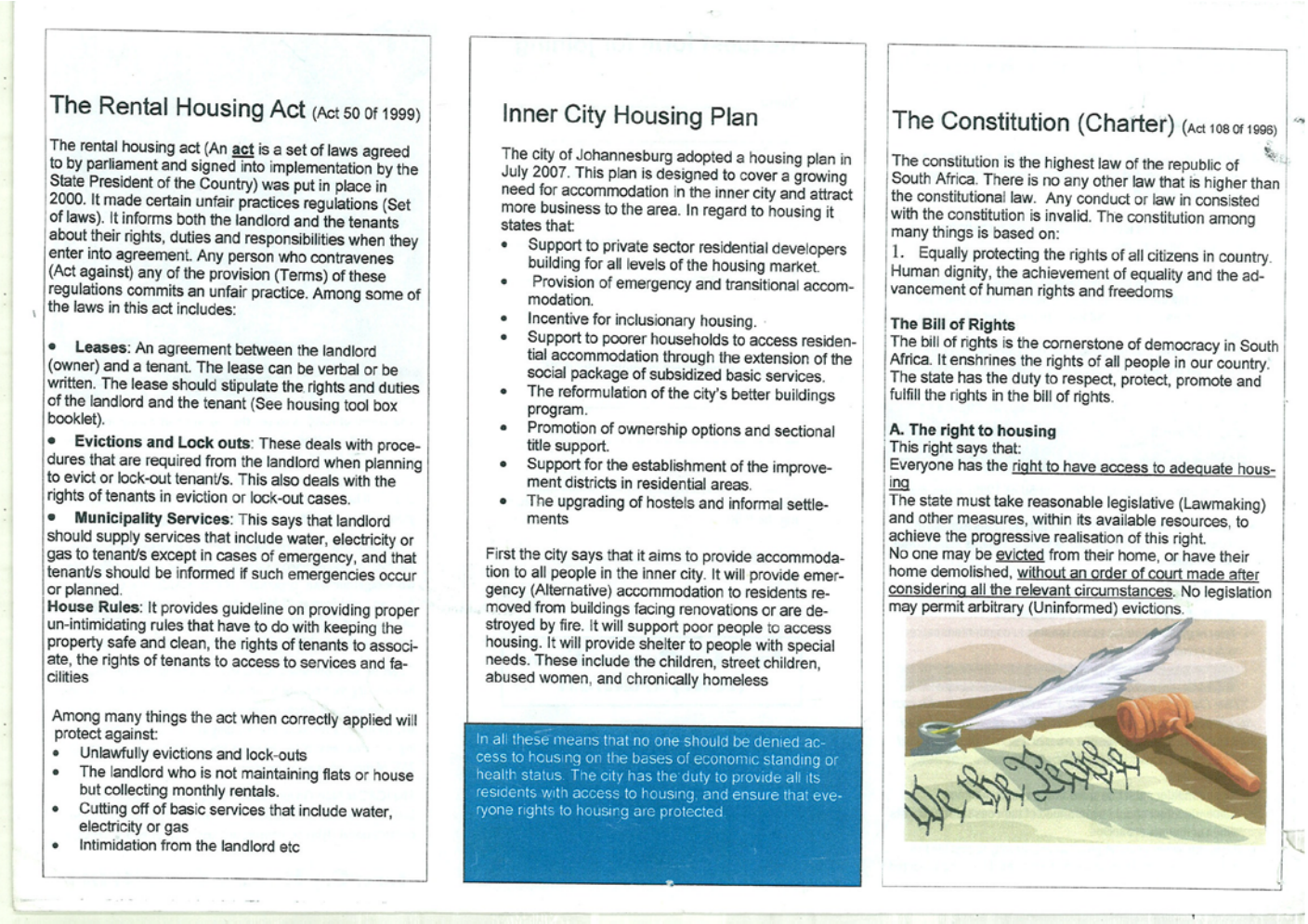
To achieve this, ICRC mobilise inner city residents to protect themselves against unconstitutional evictions and cut offs. We work together with organisations that includes the Centre for Applied Legal Studies (CALS), the Center on Housing Rights and Evictions (COHRE), the Legal Resource Centre (LRC) and other the civil society organisations to support our cases.

Together with our allies, ICRC has successfully pushed the Johannesburg municipality to provide temporary accommodation to those who will become homeless., and that the government should fulfill its mandate of providing access to adequate housing, and that tenants to pay rents not amounting to more than 25% of their household income.

The ICRC is Non Governmental Organisations registered in 2005 to provided information and advices to all residents who's constitutional rights to housing and basics services are violated.

Inner City Resource Centre (ICRC)

Figure 4.1 the Inner City Resource Centre Pamphlet; pages 1 and 2.



The Rental Housing Act (Act 50 0f 1999)

The rental housing act (An **act** is a set of laws agreed to by parliament and signed into implementation by the State President of the Country) was put in place in 2000. It made certain unfair practices regulations (Set of laws). It informs both the landlord and the tenants about their rights, duties and responsibilities when they enter into agreement. Any person who contravenes (Act against) any of the provision (Terms) of these regulations commits an unfair practice. Among some of the laws in this act includes:

- **Leases**: An agreement between the landlord (owner) and a tenant. The lease can be verbal or be written. The lease should stipulate the rights and duties of the landlord and the tenant (See housing tool box booklet).
- **Evictions and Lock outs**: These deals with procedures that are required from the landlord when planning to evict or lock-out tenant/s. This also deals with the rights of tenants in eviction or lock-out cases.
- **Municipality Services**: This says that landlord should supply services that include water, electricity or gas to tenant/s except in cases of emergency, and that tenant/s should be informed if such emergencies occur or planned.

House Rules: It provides guideline on providing proper un-intimidating rules that have to do with keeping the property safe and clean, the rights of tenants to associate, the rights of tenants to access to services and facilities

Among many things the act when correctly applied will protect against:

- Unlawfully evictions and lock-outs
- The landlord who is not maintaining flats or house but collecting monthly rentals.
- Cutting off of basic services that include water, electricity or gas
- Intimidation from the landlord etc

Inner City Housing Plan

The city of Johannesburg adopted a housing plan in July 2007. This plan is designed to cover a growing need for accommodation in the inner city and attract more business to the area. In regard to housing it states that:

- Support to private sector residential developers building for all levels of the housing market.
- Provision of emergency and transitional accommodation.
- Incentive for inclusionary housing.
- Support to poorer households to access residential accommodation through the extension of the social package of subsidized basic services.
- The reformulation of the city's better buildings program.
- Promotion of ownership options and sectional title support.
- Support for the establishment of the improvement districts in residential areas.
- The upgrading of hostels and informal settlements

First the city says that it aims to provide accommodation to all people in the inner city. It will provide emergency (Alternative) accommodation to residents removed from buildings facing renovations or are destroyed by fire. It will support poor people to access housing. It will provide shelter to people with special needs. These include the children, street children, abused women, and chronically homeless

In all these means that no one should be denied access to housing on the bases of economic standing or health status. The city has the duty to provide all its residents with access to housing, and ensure that everyone rights to housing are protected.

The Constitution (Charter) (Act 108 0f 1996)

The constitution is the highest law of the republic of South Africa. There is no any other law that is higher than the constitutional law. Any conduct or law in consisted with the constitution is invalid. The constitution among many things is based on:

1. Equally protecting the rights of all citizens in country. Human dignity, the achievement of equality and the advancement of human rights and freedoms

The Bill of Rights
The bill of rights is the cornerstone of democracy in South Africa. It enshrines the rights of all people in our country. The state has the duty to respect, protect, promote and fulfill the rights in the bill of rights.

A. The right to housing
This right says that:
Everyone has the right to have access to adequate housing
The state must take reasonable legislative (Lawmaking) and other measures, within its available resources, to achieve the progressive realisation of this right.
No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary (Uninformed) evictions.

Workshops form an important part of the work done by the ICRC. Many inner city residents have been assisted to understand how to deal with landlords or people from institutions that are there to evict them without proper documentation, therefore disregarding their rights

> "We have learnt a lot from Shereza. She's taught us about our rights' as women. She [Shereza] established a group here in the inner city called Rivoningo Women's Forum so that we could make a living for ourselves...we have created wonder bags[18] to sell so that we can get some sort of an income. If it wasn't for the ICRC I would still be unemployed and sitting at home" (Matshobeni 2013).

[18] The wonder bag project is an income generating tool for women; these are bags sold to communities; the women also make cushions, picnic blankets, beads and hand bags.

This Rivoningo Women's Forum project which was established around 2007 illustrates that the ICRC is working over and above the housing issue in the inner city of Johannesburg. The forum was formed after engaging and sharing stories of the different forms of abuse faced by women in the inner city of Johannesburg. The aim of this women's forum is to empower women in knowing about their constitutional rights and to help them with their self-esteem and confidence as many of the inner city women have a story to tell and such a platform is important for such issues (ICRC 2011/2015).



Figure 4.2 Inner City Resource Centre members marching with the Rivoningo Women's Forum Banner, (www.icrc.org.za2011).

In 2008 with the advent of the seminal San Jose[19] case, which concerned the City of Johannesburg versus Rand Properties (Pty) Ltd. the ICRC changed tack slightly and although still involved in litigation added further activities:

> "In the San José /Olivia Road cases we made sure that we supported the case when it was in court by playing the bigger role of assisting the litigants by highlighting everything that was happening in the buildings. The ICRC has made sure that it is visible outside the High Court when the proceedings were underway; holding placards and wearing the ICRC t-shirts, so that particular case was great because we were given the publicity that we needed" (Sibanda 2013).

The buildings mentioned here are of importance because they were viewed by the City as buildings that were a health hazard. By ensuring that people also take charge of their environments the work of the ICRC indicates that they are committed to educating people about how to improve their surroundings.

Despite the assumption that social movements and NGOs approach the law as a first step in the processes that they encounter there is an understanding that the legal route should be the last resort. The legal route is seen by many stakeholders working within the inner city as being costly. It also presents its own challenges as noted below

> "These issues of litigation are the last resort because when you go to court it's a gamble. You might win or lose…and you might lose and pay the costs. That's why we go for Pro-bono lawyers" (Makwela 2013).

[19] http://www.saflii.org/za/cases/ZASCA/2007/25.html

One could argue that the ICRC does to some degree appreciate the work done by legal practitioners that they have approached when faced with difficult cases. In some instances they have been approached by some lawyers to assist with certain cases and that ground work needed for the lawyers which indicate that their hard work in the inner city is also recognised.

> "A lot of the cases that they were involved in at CALS when I joined had come via Shereza so the ICRC was kind of the go to place for a lot of building committees and people who were facing eviction. Shereza would facilitate. CALS was one of the organisations she would come to and also the LRC (Legal Resources Centre). A lot of the cases...the Olivia Road case which was a big case at that time, she was very involved in that and I think those clients had come via her so it was very much in terms of her referring people to us when there was a legal issue" (Tissington 2013).

> "CALS and this firm (Webber and Wentzel) acted jointly in several matters...We pulled resources and acted jointly and Shereza was actually working with CALS and that's how I got to know Shereza...she gave me some cases independently of that as well" (Hathorn 2014).

4. 3.1. The structure of the organisation

The stories of the individuals that work at the ICRC are also important as they symbolize that activism is often undertaken by people who are driven towards changing the status quo when there are disempowered people (Miraftab and Wills 2005). Therefore there are people who will create spaces of engagement so as to address these issues as written about in the previous chapter. The people that I encountered at the ICRC offices seemed strong willed and passionate about their work. Although some staff members were soft spoken one could feel that

they try their best to create better circumstances for the people that need assistance from the ICRC.

Shereza Sibanda who is the founder and director of the ICRC has been involved in activist work for many years and this has shaped the manner in which she fights for the rights of the poor to be realised (Sibanda 2013). Sibanda commands presence and is confident. This trait has been commended by many of the legal interviewees as the work done by activists especially in the Johannesburg area can be highly challenging. Yabadi has a qualification in Human Rights which has been helpful at the ICRC as she disseminates information; on the one hand she speaks the language of the people [many of those affected speak foreign languages] and on the other hand she understands the legal terrain and jargon. Makweng and Matsobeni have lived in buildings that the ICRC has assisted which gives them the necessary experience to deal with matters brought forth. Kolobe and Sibanda are childhood friends which resembles that for the ICRC loyalty and trust are also key characteristics needed.

The different strengths that each staff member at the NGO has make the ICRC team one that is able to cope with the work presented to them as they have been able to identify public needs and work with focus in the spaces where they intervene. The ICRC's clientele is therefore very different and the processes in which they engage varied. The people working for the ICRC receive a stipend although it is not very much (Yabadi 2013); this has since improved as discussed with Sibanda (2016). Overall I sensed a great deal of loyalty and a willingness to learn by this team.

Figure 4.3 below represents the staff members at the ICRC in the order of who has been at the ICRC the longest and their positions.

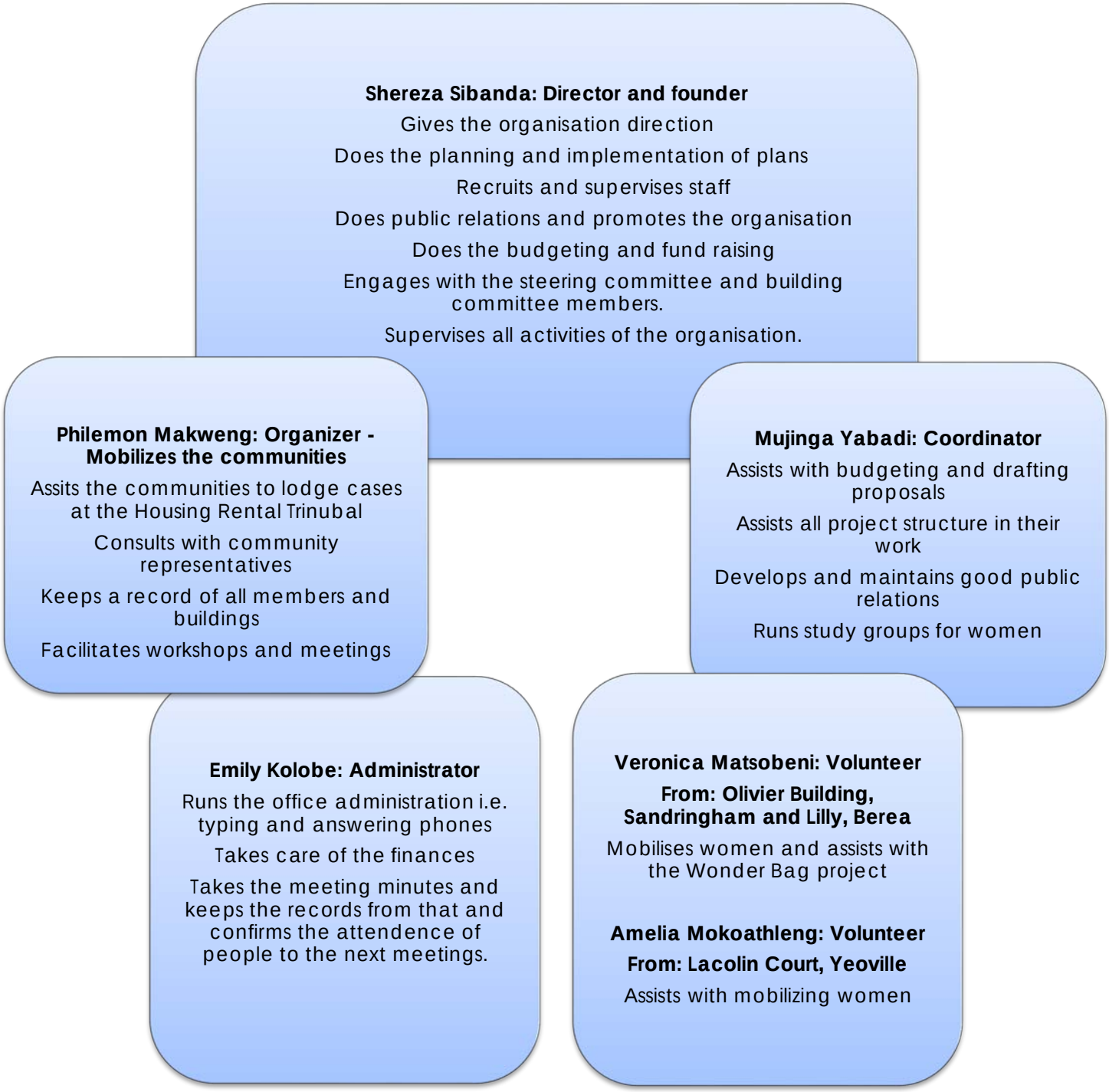


Figure 4.3. Staff Structure of the Inner City Resource Centre

2010 - 2015

Since 2010 the ICRC was based in an office on De Kort Street, Braamfontein. They were able to do so because of funding received from the Centre for Housing Human Rights in Geneva that they decided to also use towards rent for their offices. The ICRC has recently moved to an office in the inner city of Johannesburg at the corner of Plein and Loveday Street. Sibanda said the reason for the ICRC moving to a different office is because of cheaper rental costs in a building that has bigger offices that are spacious enough for the social movement (Sibanda 2013/2014). Since their move the ICRC has established a Facebook page and has revamped their website.

The goals of the ICRC have over the years been adjusted because the NGO has had to work within changing contexts, but the ICRC has remained true to its stance which is to protect the human rights of all citizens and currently even non- citizens who are trying to get a place in South Africa. The different groups of people which the ICRC engages also indicates that they are an NGO that does not discriminate and they believe in the empowerment of all those who are disadvantaged in this country. Moreover because of their approach in helping the poor and those who are refugees the ICRC decides on its goals based on the workshops held with different stakeholders as they value the voices of their clients (Sibanda 2013).

According to their website (ICRC 2011), the NGO relied on some of its partners to assist in litigation on a pro-bono basis, these partners included:

- SERI-SA

- ProBono.org[20]
- Eversheds[21]
- Werksmans[22]
- Bell Dewar[23]

The current ICRC partners include Planact, SANTRA[24], Earthlife Africa jhb[25], TAC[26], Section 27[27], and Refugees without a Voice[28]. On the litigation aspect the ICRC continues to partner up with SERI, ProBono.org, and Eversheds (ICRC 2015). The ICRC understands the work done by these institutions and respects the contributions made by them in terms of how they have helped in some cases where the team at the ICRC needed support. Assisting in litigation has often been a central component of what the ICRC actually does however, there are challenges involved as previously stated but fortunately for the ICRC most matters yield positive results for affected tenants and that is why this legal route is so important for the organization.

The NGO strives to give all who need its assistance the respect that they need by working with them as often as they can in their communities. Sibanda (2013) indicated that this work is very important and difficult because it requires a lot of time. Most workshops are held during the weekend or in the evenings when most people are available to attend meetings which symbolizes that everyone's views are significant. The number of people that form part of the

[20] NGO that works with the private legal profession to provide pro bono legal services to the poor: http://www.probono.org.za/
[21] Litigation that is broad and helps people globally and in Africa: http://www.eversheds.co.za/global/en/index.page
[22] The firm appreciate the need to promote the constitutional imperative of access to justice for all, especially the poor and vulnerable: http://www.werksmans.com/legal-services-view/pro-bono/
[23] Helping those who have difficulty accessing the justice system: www.belldewar.co.za/ http://www.fasken.com/en/probono/
[24] http://santra.wozaonline.co.za/
[25] http://earthlife.org.za/
[26] http://www.tac.org.za/
[27] http://section27.org.za/
[28] Migrants' Helpdesk- Human rights: http://joburg.org.za/index.php?option=com_content&view=article&id=2180%3Amigrants-helpdesk&catid=22&Itemid=68&limitstart=2

ICRC across the city is quite substantial according to the interviewees therefore all inputs are considered but for the NGO to be progressive the final decisions and composition of the gathered information is compiled by the office staff at the ICRC; more on the influence of the law will be discussed later on in the chapter. The staff component at the ICRC has been called at different times of the day to assist in matters at various buildings which represents that victims of eviction have learnt to trust the work done by the ICRC given its record of solving cases.

Moreover, recognizing the need for broader relationships to ensure that there is respect for all stakeholders and a healthy relationship Sibanda (2013) states that

> [They as the ICRC would like] "To see ourselves engaging more with stakeholders; Joburg Water, City Power, Department of Education and engaging with Social Development. Making sure that immigrants have access to healthcare because it is very difficult for them right now. We are looking at a better inner city whereby everyone has got a say and is able to exercise his rights".

Due to the level of commitment the ICRC also provides advice and Para-legal representation to persons appearing before the Gauteng Rental Housing Tribunal. There are other human rights which are taken seriously and this can be seen through the ICRC's assistance for people in getting access to water, electricity, schools and social grants from the South African Social Security Agency (SASSA); these include South African and non-South African citizens. The ICRC is very driven towards educating and raising awareness within communities regarding human rights (Sibanda 2013).

4.3.2. Learning to adapt to changing contexts

Sibanda (2013) describes what makes the ICRC different from other NGOs and social movements; one would argue that there has been less protests by the organisation towards

more litigation based work because this has driven the successes and achievements of the ICRC. The ICRC has also continued to keep its networks with all its partners because they understand the value of support from those institutions with which they have worked.

> "What makes us different as ICRC is that we have a different approach to the people that we are assisting and other government stakeholders like the CoJ officials. We have done it all, we have marched, and done pickets and we have handed memorandums to the City. We have decided to do that because the time that we would be using to be in the streets can be used right here in this office to assist people. So we have realized that we need to engage with the City so that we build a better relationship and understanding to say "Guys we are not saying that you are not doing your work, but can we understand where you are going and can we give our inputs as to what we can do so that we assist people out there". That's where we are going. We are not trying to fight with people because there is no need to do that" (Sibanda 2013).

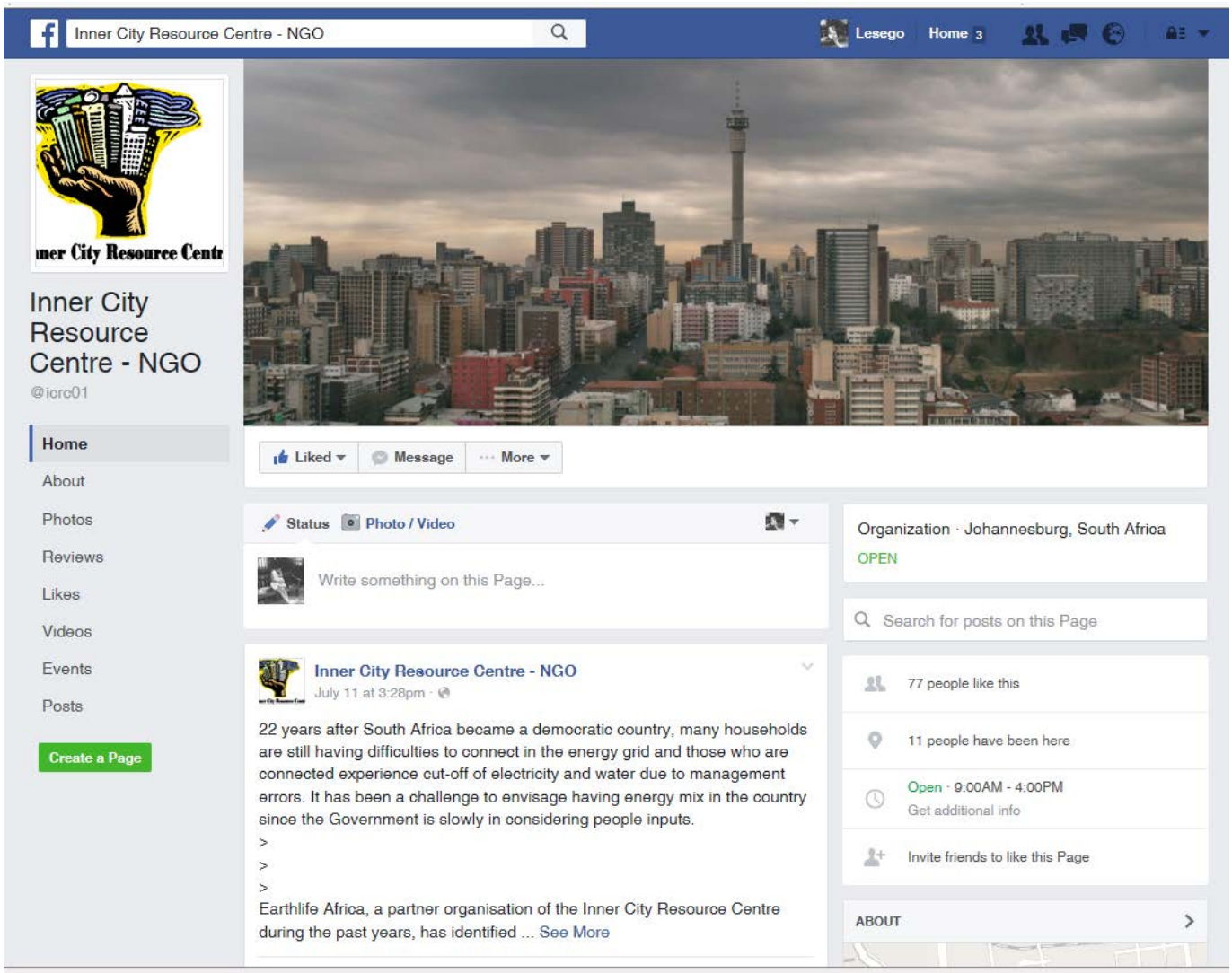
The above statement is indicative of the fact that the NGO is aware of its strengths and shortcomings. Moreover, as an NGO that has extensive knowledge in working within the inner city, the ICRC understands that in employing its tactics and strategies it needs to be realistic and work within the context in order for their clients to benefit. This change in attitude and willingness to work towards a better relationship with the City of Johannesburg highlights that the future of the ICRC is one to be closely looked at because this is an NGO that has undergone so many changes. Given the type of refugee work that the ICRC is now mostly involved in one might speculate that in the near future the NGO would have changed quite considerably, this however would require further research. The ICRC as an NGO is driven towards refining their work by optimizing their views therefore working in the interests of the inner city poor.

In recent years much work is being done in terms of improving the capacity of communities living in abandoned properties; here people are assisted so that they can organize themselves and maintain and resolve internal conflicts relating to their occupation of the property. There is also work done on educating women and girls about their rights and educating communities on climate change (ICRC 2011). The people that the NGO is trying to reach are also changing. There is a Facebook page that the ICRC recently created in 2014 which indicates their awareness of the power of social media to reach a broader audience. The ICRC does still however interacts with clients in their traditional way of going to the buildings because

> "For us [ICRC] to penetrate into these buildings is the way we work with people...The respect that we have for the people, for the communities...I listen to the voices of the people and I don't take decisions on my own. I take decisions from the people because I need to get what they want in order for me to exercise what I want to do to challenge what is not right...and it's about trust. When you do the right thing for people they will trust you, flock to you, come to you...that's how we do it...I also ask myself how it's happened that people listen to me...men and women listen to me and when I finish talking I'll ask them if they have questions and they will raise their hands and ask their questions and after that they will even escort me out. Those people are human beings...you need to have an approach. That's why I say you need to respect other people's spaces and you have to have a clear understanding of their circumstances. You have to put yourself in their shoes so that when you get to them you are a part of them" (Sibanda 2013).

Figure 4.4 below represents the ICRC's Facebook page. The social media platform has clearly been identified by the social movement as a space where many of their clients can engage and share ideas. By adapting to the changing circumstances in society and ensuring that there is a different manner in which to communicate the stories of the poor and disadvantaged the

ICRC is showing a great deal of initiative and has realized the need for applying their work within the current context (Miraftab and Wills 2005). The ICRC Facebook page has a small number of likes which means that there is yet a lot of work to be done to inform the public about the social movement, but this step that they have taken to make themselves visible is bold and reflects current issues from which all can learn.



The creation of the Facebook page and other methods to communicate with their clients indicates that activist work requires some level of initiative as activists often need to try to reach

levels of engagement that meet the demands of those on whose behalf they mediate. In interviews with Sibanda (2013) the founder indicates that there are meetings held with committees, but given the number of people that each building would have participation in meetings can be complex. These buildings where meetings are held may have internal politics etcetera, as internally some residents may be against some decisions that members of the ICRC would like to take on their behalf.

De Souza (2006: 329) also argues that "social movements are not free of contradictions; they operate inside heteronomous societies, that is, in the middle of a more or less hostile environment". This suggests that despite the ability for NGO activists to understand the problems of those on whose behalf they mediate there can be limitations; social movements and NGOs can act like "state-like structures at the micro-level (ibid). By virtue of the fact that the ICRC uses the law as a tool to address the challenges faced by the poor those approaching the organization already agree to be part of a process where the strategies and tactics applied have been decided upon on their behalf; this in itself has implications that can be good or compromising.

Time is critical in cases; many people may be "forced" to act quickly in trying to stop their evictions meaning there may be a lack of adequate education in understanding the legal processes in which they are engaged. Moreover, the manner in which the ICRC mediates between legal practitioners and the people on the ground can yield some misunderstandings as the law in its design has a language that many struggle to comprehend and therefore there can be resulting disadvantages for the poor (Yabadi 2013); but this has also been discussed previously in the report. There can also be a danger in that role as once that mediation has been created there are questions around what more can that NGO really do and hence the limitations in the NGOs ability to really effect change. The outcomes of cases vary and some

decisions can be binding leaving people in worse off circumstances than when they first engaged with the law. Most social activists have an agenda to follow; in the case of the ICRC there has been no evidence to indicate that the NGO notifies its clients that the City has some concerns with the manner in which it is being approached; as it has claimed some hostility or being treated as a problem by the City. This is critical in that it represents that people may not be aware of the consequences of their decisions however further research would need to be done to unpack this idea.

In this context mediation can be both a negative tool because it may be disempowering those who are affected but it can also be a positive because some changes have occurred because of the position of the activists and legal experts- without the activists people would possibly fail to organize themselves adequately to address the state and the state despite its views may struggle to engage with the masses in any other manner.

> "What makes us continue what we are doing is that when you look at these people and their lives in those buildings then you can't just let it go. When they tell us about how they live and what goes on in their spaces you feel like there is some injustice out there. Most of them come from very under resourced communities, it's not like they want to be there. They also desire a better life, but they have many issues to deal with. It's not only the problem of living in the bad buildings as they call them, but you find that many of the women have been raped, abused, there's just this background that doesn't sound good and after dealing with that you can't come back and do nothing to help" (Yabadi 2013).

The strength of the ICRC is that albeit the consequences and limitations the team is able to continue and adapt to their changing circumstances because there is a drive towards improving the socio-economic conditions of ordinary South Africans. For Sibanda (2016) there is no other organisation that can "penetrate" into the buildings with which they work, many have

tried, but Sibanda recognises those organisations as merely mimicking the work of the ICRC. This points to the number of years that are required to gain the trust of people residing in these spaces where the ICRC has grown to be well respected because of how people feel treated by its staff members. Sibanda understands that to work in the environment in which she dominates requires for one to really understand the culture surrounding the individuals involved and to position an organisation in such a way that it resembles the people themselves even though they cannot all be present to represent themselves in all meetings for instance; hence the adoption of having building representatives attend workshops to be better at what they do and to report back to other residents; however the complexities of how each building committee has been created is not clear. The have been cases where committee members are also problematic for progress as is the case in the Newtown Cooperative Matter, but one would need to have more time to observe and document the challenges faced by members within which the ICRC works.

4.3.3. Challenges involved in activist work

Research is important for NGOs such as the ICRC. The ICRC often needs to equip itself with the right information so that their clients are not disadvantaged by the processes which the NGO undertakes in their mediation role; here credibility and accountability for how residents are affected raise importance. Also by being aware of City policies in order to be involved with what is happening is critical as the goals of the ICRC need to be aligned to the broader vision of what is intended and planned for South Africans living in the Johannesburg area

> "What we do is read draft policies etc. by the CoJ and we go through them...for instance we had some inputs in the Inner City Charter" (Sibanda 2013).

However, the input that the ICRC had in the above mentioned charter was limited and reflects that little traction has been made by the NGO to effect policy change over the years, and the influence of the ICRC's Funders have not been clear as to whether they are able to have input in some form or the other given that they are a religious organisation interested in justice for the poor, moreover

> "Right now there is no input from civil society movements in policy making...for instance the Johannesburg Roadmap was just presented to us at the Parktonian Hotel here in Braamfontein...they [The City] have got us on their database... to make it easier for them, you just fill in the register and they will say that the Roadmap was adopted because everyone was there but we don't have inputs. I mean if you can present a Roadmap to people in 30 minutes and display it to them in that short space of time are there any inputs that can be made? They are closing you out...you can't get in and then they just adopt it" (Sibanda 2013).

The above issue points to the lack of meaningful participation that often takes place in meetings that are organized by the state; these invited spaces of participation (Miraftab and Wills 2005) merely serve as a platform for the state to check their tick-boxes. There is a great deal of work that needs to be done on the part of the local municipalities in improving how its processes are governed. The frustration to meaningfully engage the state is one not only experienced by activists from NGOs but by property owners alike, this is a serious matter which needs to be addressed.

Therefore the growing problem of housing according to the urban poor and those fighting for social justice on behalf of the disadvantaged is that the City often fails to keep its assurance of implementing its projects and programmes intended to address inner city housing challenges

that affect thousands of people in need (Tissington 2012). Some have also argued that the City has not been able to achieve anything meaningful for people of the lower-income over the years as

> "The biggest challenge in the inner city is the lack of commitment from the City and the Housing Department as well as the influx of people that are moving into the inner city; it makes it difficult to have accommodation for people and the problem of meaningful engagement and the lack of including the people in the housing processes. The housing policy is lacking somewhere somehow in the inner city of Johannesburg" (Sibanda 2013).

There is much frustration for activists on the ground as opportunities are identified in a manner which is different from that of City officials in the inner city. Despite respect for what the municipality states in terms of how it assists the poor, activists have identified that the institution is not challenging the current status quo as well as it could be therefore different views are held as to how much the City is working towards helping the poor

> "The ICRC hears the CoJ say that they have no land, but they as an institution (ICRC) have identified empty buildings which can be used to accommodate people. The City sees those empty buildings as investments from which they can generate an income" (Sibanda 2013).

It is for the above mentioned factors that there will continue to be a heavy reliance on the law by NGOs such as the ICRC as the law offers some kind of hope in terms of the type of progress sought after by the disadvantaged in realising their socioeconomic rights albeit the challenges

> "It is not easy to always get litigation because the law firms also don't have capacity at times. The ICRC sits down and shops around; calls everyone that they can when they have cases so that everyone has equal work that they do because capacity is a problem with the matters that they are sitting on. I don't recall anytime where we have

> failed to win a case by working with these stakeholders that we work with. They have done their best in their cases" (Sibanda 2013).

Due to the manner in which housing matters can be challenging to address when dealing with state, there has been a change in tactics by some social movements and NGOs. The reliance on the law by the ICRC is indicative that each organization can alter its strategies to fit the context and in hope for better outcomes for its cases. This turn to the law has been an important step for activists and the implications have been of significance. The engagement with legal practitioners by activists from the time of the ICF to the ICRC indicates the heavy reliance on the legal system by social movements and NGOs to achieve their goals. Moreover the recognition by the ICRC that support from legal institutions is important is very telling. Over the years the ICRC has been very strategic in fostering relationships with stakeholders that are influential in making strides while fighting for the human rights of the poor and this has assisted the ICRC in many regards. However, these relationships are personal and contingent; which indicates that the ICRC's ability to effect change or ability to do anything is very much about those personal relationships, for instance with Jak Koseff, with Graeme Gotz and Stuart Wilson, with whomever. Therefore the ICRC has not really built an institution which points to part of the problem.

The above mentioned arguments are not to say that the ICRC is not effective in many other ways as the ICRC team is trying its best and they are pushing themselves daily in spite of the encounters faced but they are limited in what they can do. Moreover the ICRC is not a legal organisation. The ICRC is not mobilising protests, they are not mobilising citizens, they are not writing petitions, the ICRC is actually using a very small set of actions and this is not to say that the NGO is not doing anything but we have to be critical around how much can they really do. One of the questions that arises is why have they not unified into a strong social movement as opposed to a community here and a community there? Why has the ICRC never become the facilitators to mobilise that kind of engagement? All of which are difficult questions. The following

chapter will be critical in highlighting all the views and concerns by different stakeholders in describing and reflecting on the work done by NGOs such as the ICRC and illustrate that there is no definitive solution that has been found to deal with the housing problem in the city of Johannesburg. Every stakeholder is therefore working as best as they can despite the circumstances and context and there is much learning to be done across the board.

4.4. Conclusion

This chapter has explored the evolution of the ICRC over the years. The chapter discussed the structure of the ICRC followed by the work done by the NGO. There was a discussion around the ways in which the NGO strategizes and manages its work given the context from which the work is done. I have reconstructed the history by interviewing various stakeholders and this has helped me to describe the activities, structure, aims and objectives of the ICRC. This chapter presents that there is a great deal of work that is undertaken by the ICRC despite their limited resources. There are clearly various people that have to be supportive of that activism done by an NGO such as the ICRC because without any support, very little can be prepared to deal with the daily challenges experienced by the city's poor. That involvement by those stakeholders leads us to understand other implications for such an organization. In the following chapter I will discuss and analyse the findings regarding the views of these various stakeholders on the effect of activism within the Johannesburg inner city.

Chapter five- The views on the work of the ICRC by multiple stakeholders trying to effect change in the inner city of Johannesburg

5.1. Introduction

This chapter aims to highlight the views held by different stakeholders on the work that is done by the ICRC in the Johannesburg inner city. The goal is to understand the relevance of the ICRC within the current context that its work is being done. In previous chapters there was a discussion around the clash for the right to the city. This chapter will particularly highlight that in essence the most dominant battle for the right to the city is evidently between the City and different stakeholders who have varying expectations from the City as an institution of higher authority to better the lives of all. As such the point of this chapter is to assess what people think of the various strategies and tactics of the Inner City Resource Centre and whether they think they are working or not. The chapter will therefore discuss the success of the ICRC in terms of what they are good at, what they have done, how they have mediated between different actors, the expert knowledge which they have in the matters that they encounter how they support and get support from litigation etcetera. The chapter will then attempt to describe what things would be like if the NGO did not exist. The negatives, how the ICRC create expectations, how attitudes have hardened over the years and the ICRC's inability to change practise despite legal successes will then follow which will lead to the concluding remarks of this chapter.

5.2. The limits of litigation: expectations, experiences and the hardening of hearts

The ICRC has consistently turned to litigation over the last few years, seeing it as a successful tactic, however other stakeholders are less positive about the implications and spin offs of litigations. For Bafo (2013) there are complexities because of created expectations for the poor

> "What I think is that they (the legal practitioners) tend to set a precedent which is wrong and they are giving the wrong message to the people. Why am I saying that? The

> Constitution does not say we have to provide accommodation…it says we must provide access to accommodation, but somehow the way it has been done is that we must provide access and in a way there are some people who get accommodated in RDP houses and that is seen as joining the queue. I also think the courts are lenient to the people who buy buildings that are already invaded" (Bafo 2013).

Another argument presented By Anne Steffny one of the founders of City Improvement Districts (CIDs) is that

> "In our country we've got a lot of people at all levels who expect a lot and they think they are owed something…whether they are rate payers- therefore the City must do it- or whether they are poor people who are in a position where they can only say someone else must look after them…actually all of that is rubbish. All of us have the responsibility to look after ourselves so it's how you create that environment" (Steffny 2013).

Where the City has provided access to housing such as in the form of RDP housing, there have also been complexities which indicates for City officials that no solution is delivered without being scrutinized and that can be quite difficult for the state. For City officials it is also becoming increasing problematic to have occupied buildings sold without first dealing with the matter of how occupants that live in those buildings will pay the rental costs or an alternative plan will be made as to how those occupants will be housed elsewhere. This challenge has resulted in NGOs such as the ICRC fighting the City with legal practitioners as there has always been a view that the state is solely responsible for addressing such matters and this in itself has its own implications. Furthermore, there is a sense that litigation has created legal liability for the city. In the interview with Bafo (2013) her experience as an official in the City of Johannesburg's Housing Department has made her realise that the courts have often made the City liable even in cases where the City is not involved. The state sees such an act as problematic because property owners also

need to take accountability especially since they have knowledge of the terrain in which these transactions are made and that has often not occurred.

This perhaps speaks to the issue of why the City often chooses to distance itself and not work with movements or NGOs because the wins often occur as a result of battles fought in the courts rather than in spaces where negotiation has been prevalent; this circumstance could be problematic for NGOs in the long term if their approach of dealing with the City changes.

On the one hand there is a huge amount of work that needs to be done in some inner city spaces but most private property owners realise that their interventions will not be successful without the inner city poorest of the poor being disadvantaged. One the other hand City officials have become highly sceptical of the role played by NGOs such as the ICRC because of who they approach the City with; in most instances the state is aware that litigation is involved in trying to resolve matters which has caused some concern

> "The fact that people are trying to bargain which specific form or assistance they want is evidence to me that there's been a certain level of gamesmanship that has entered the equation. The private sector by the way will follow the incentive structure that is there…but there are private sector players that are trying to push deeper into the market range" (Koseff 2013).

Tissington (2013) emphasises however that

> "I'm certain that the City is supporting private sector based development in the inner city as opposed to anything for the poor. There's nothing for the poor…nothing at all. It's all about the profit and the value of land and properties and I think that a lot of the public do not look into trying to assist people within the inner city".

Therefore for Koseff (2013) there are various directions which the City is expected to take to make different stakeholders happy. The history of the City of Johannesburg reminds us that there was a need for investment into the city to improve conditions. With the increasing demands and pressure for deliverables to be met Johannesburg is experiencing a period where property owners have identified the opportunity to invest in the city and to some extent their input and initiative is needed by the state hence the platforms for negotiation and dialogue of a different nature are now prevalent.

Moreover,

> "the thing is they (SERI etc.) are trying to talk about rentals of R200 or R300 per month…that's la la land without an extensive government subsidy to be perfectly honest. There is no chance in living hell that the fundamental cost of provision can get below R700, R800 per month. Even that is with an extensive capital subsidy from national government" (Koseff 2013).

The above quote supports Bafo (2013) as it represents the doubts City officials have about what the courts and litigation are trying to achieve and the difficulties of implementing these decisions made in those institutions. Furthermore there are many who are frustrated with the system but as stated below officials feel that there is too much pressure and they cannot change the situation without some people being compromised

> "There's always that debate that we cannot afford to accommodate our target market in the inner city. Honestly I think that's reality. We can't. Why do I say that? If you take a look at rentals within the inner city and our target market, that's your low to middle-income…the cheapest rental I know of is about R600 which is communal and we are targeting people that earn between R0- R3500. When you subtract that R800 how much

> are they left with? But I'm not saying it cannot be done. We just need to research on how it can be done" (Bafo 2013).

The success of litigation and the ICRC is also mitigated but some structural issues i.e. institutional fragmentation is one other challenge that is prevalent in the City of Johannesburg; this issue is also coupled with a lack of capacity of well-informed and experienced officials and financial constraints which affect how the poor are accommodated in the inner city

> "There are so many people doing something in the inner city but there's no communication internally. For instance, Economic Development is doing something, the Johannesburg Property Company is doing something...that we (CoJ Housing Department) do not know about. We don't even know whether there's going to be a residential component of that...we don't know...if we knew, if there was that communication amongst departments, they would have said we are going to provide an x amount of residential units, then we would start looking at the properties where we need to do something...to determine how many people would go there...so you pre-plan" (Bafo 2013).
>
> And "The Economic Development and Planning Department don't work together. We have our political and bureaucratic system mixed up" (Steffny 2013).

Much of the planning that the City has been doing has exposed some challenges that the City is facing, many projects are taken up by the municipality of Johannesburg without finalising or improving upon existing ones as discussed in previous chapters. This indicates that development may change course but the focus can be lost on working towards addressing the situations that present the current challenges

> "what we tend to do is...if something does not work, we just leave it like that and we move on to something that we think is going to work. Whereas if you try and foresee what it is that didn't work and what it is that made it not to work...is there something that we can change to make it work then if there isn't then we can start changing the direction. Say okay; let's try this rather than trying something else. It's the same thing with the inner city. Policies, frameworks, everything…" (Bafo 2013).

This above mentioned problem is highly frustrating for NGOs such as the ICRC as stated in chapter four where they had been involved in policy processes but lost the momentum when a City official resigned; that lack of consistency has affected the strides that the ICRC could have made in effecting policy change and setting a precedent that the City values the participation of non-state actors.

There is also evidence that although litigation has succeeded in court it has not had a practical effect on the ground:

> "They [the City] don't want to really allocate the funding they don't want to manage buildings, so they have kind of said "look it's not our responsibility...in terms of actually actioning it and doing anything they really haven't at all and they've kind of left it to the private sector which hasn't come to the party in terms of the kind of accommodation that we are talking about. I mean it's all there in policy, you can find a lot of references to this" (Tissington 2013).

The projects that have been seen to be working are those of housing people in peripheral areas such as Cosmo City, the new developments around the Pennyville area, Soweto and the flats established in Jabulani, Soweto. For lawyers such as Moray Hathorn this constant view that the poor must be housed in peripheral areas is problematic.

5.3. Actions by social movements- strategies employed to effect change and influence policy

Allan (n.d.) observes that negotiations can limit the capacity of CSOs and social movements and NGOs to be effective in their criticism of the government as the need to enter into a partnership with the state relates to the need to enter into a relationship, of mutual cooperation and information sharing, with the legislature and its oversight committees. Also, a partnership with the Executive would essentially mean the involvement of civil society in taking responsibility for the process of policy implementation (Allan n.d.: 8). Of more concern due to such partnerships is that the capacity to make fundamental decisions by CSOs involving policy priorities as well as the allocation of public resources would be reduced given their co-option into the system and this is regardless of being involved in the delivery of services (ibid).

Despite the above view of negotiation sometimes hindering progress the ICRC has over the years tried to strive for this particular approach of engaging the City of Joburg because this method has been helpful for them in previous years and there is recognition that other methods have at times not been effective in terms of achieving some of the goals set out by the social movement (chapter four highlighted this shift). Beyond the debate on how social movements and NGOs navigate the system to form good relationships there should be recognition that perhaps this route has been better for most because as Madlingozi (2012: 228) points out the option for members to prefer non-confrontational tactics is due to the lack of adequate external resources; moral and material. Many NGOs such as the ICRC work from a survivalist stance, which suggests that the organisations cannot afford the costs associated with arrests, bails as well as court trials.

The approach of being violent against the City of Johannesburg or even private property owners would not work as the ICRC would be at an even greater disadvantage in terms of having to pay for bails, or losing a member from an already small staff base. The ICRC consists of

people that are dedicated despite the fact that they face many challenges. The decision to operate in a manner that is also non-confrontational symbolises that the NGO strives to improve itself and if they could they would empower more people because this work is important, therefore

> "If they had more resources they would be able to attract other skills that they don't have...for now they are stuck because they do what they know best, but I'm sure they would like to do more" (Sujee 2013).

5.3.1. The strengths of the ICRC

The type of networking that the ICRC has been able to do in the inner city of Johannesburg over the years can be highly challenging for many activists and movements and there is a respect for the work done by the ICRC because

> "It takes a special type of a person and an organisation to work under these circumstances" (Makwela 2013).

Moreover, the successes have been limited but have made great impacts for the legal system as some precedents have been set. Some supportive stakeholders have agreed that

> "Their strength is that they have been able to penetrate the inner city and it takes guts to go into the inner city. Shereza Sibanda has lived in the city so she understands the culture of the city" (Makwela 2013).

> "When you're dealing with the legal stuff it becomes difficult when you have divided communities and you get contradictory instructions from clients...it makes the legal process a lot more difficult...one of the strengths of the ICRC when you pull them in...for them to sort out the issues that occur within communities" (Sujee 2013).

> I know in terms of navigating the rental housing tribunal they've assisted a lot of people through that. Keeping contact with the lawyers and assisting with the profile of inner city evictions and housing…I think they've done that very well" (Tissington 2013).

The foundation set by the ICRC in setting up mediation between affected tenants and legal experts is therefore critical; through their work the ICRC is able to assist stakeholders from institutions such as SERI and CALS in identifying which cases can produce the most powerful and relevant precedents. This symbolises that the ICRC is highly relevant because the implications are much broader than merely acquiring socio-economic rights for the poor.

The work done by the ICRC has therefore been given much applause especially by stakeholders who work within the inner city space of Johannesburg themselves

> "I do not think that the activists are respected by the government, by the party in power in this democracy and that's my distinct impression. As imperfect as some people might say the ICRC is and I think some people are critical of it, I don't think people appreciate how difficult working in that context is. I think it's a thankless job because you don't work from 9-5. You work after hours and over the weekend because that's when the tenants are available. It's not comparable to anything. The challenges are huge…you sometimes feel and wish that you could give up so that you can be like other people in government who are just cheque collecting. Public representation is just a lip service. They don't know the inner city. The people working at the ICRC are the ones that know the inner city" (Makwela 2013).

In the interim, it is essential that activists such as those working for the ICRC do not give up on the work that they do despite the problems faced as

> "They have mastered what they know best" (Makwela 2013).

What the ICRC knows best is how to engage a range of stakeholders to get their goals achieved. They are able to enter into spaces where very few can even imagine and therefore the NGO is in a position to mediate between different groups which would ordinarily struggle to understand one another; this type of influence is one of the best qualities any NGO or social movement can have.

Moreover there is a bigger role to be played by lawyers and those working in legal organisations to change attitudes that the above mentioned challenges cannot be overcome especially when the problems faced seem to be getting more complex. Tissington (2012: 218) notes how these experts can offer a useful, and potentially powerful, political currency and platform to NGOs and communities who are trying to challenge the state and private power in their effort to bring about social change, especially at the local level.

5.3.2. What if the ICRC did not exist?

> "You sometimes have to wonder what would have happened if such organisations didn't exist" Hathorn 2014.

The above quotation indicates the level of respect held by those who in the legal field are held to high esteem. This understanding of the work that activists do is highly important. As a result, those who have worked with NGOs such as the ICRC have been able to challenge the status quo and educate others and such influence is needed if there is any difference to be made in the lives of the poor. The majority of people as stated below, are not interested in working within such a space and have limited ideas as to how to change the situation therefore it is evident that the ICRC has entered into a 'contract' that many would struggle to maintain.

It is evident that the cases dealt with by the ICRC represent that certain networks have to be established by social movements, CSOs and NGOs for some kind of progress to be made. The reality, however, is that there are many cases which need attention, but "the law is undoubtedly a 'double-edged' sword" Tissington (2012: 206) which indicates that a great deal of the time those fighting against evictions as NGOs enter into that system on unfavourable terms. There is often a defensive litigation stance that they need to take as a result. The legal system is a harsh and unforgiving terrain. There are many challenges to be overcome and the questions such as "do we blame the Constitution or the constitutional project for failed transformation and simply discard the rights contained in it as worthless, or find ways to use them and make rights work for change? Is the Constitution an end in itself?" are highly relevant and important (Tissington 2012: 203).

For Tissington (2011: 211) the Constitution and law generally, is a contested terrain. This environment is also in a constant flux and is shaped by different actors, although mostly those with power and access to resources and legal expertise. Cases that end up in courts in South Africa reflect that to some degree there can be some association to violence as the processes can be highly painful especially for those who are poor. According to von Holdt (2013: 2) violence is not new to South Africa, historical patterns of violence continue although with different meanings "in the substantially different symbolic universe of democracy, alongside new patterns of violence specific to the emergence of democracy" (ibid: 2).

Many cases of evictions that do end up in the courts have varying outcomes. Sinwell (2010: 167) writes that the "limited character of courtroom discourse is a well-known problem for community organisers who risk demobilising their street capacities by entering the legal system". This is because the legal route has not been seen to challenge the primacy of the state in policy formulation and implementation furthermore the issues listed above have not been given

sufficient attention by theorists especially those who are optimistic in terms of the legal system being able to provide support for the poor.

Despite all the good work that is being done by the ICRC the concern however is that social movements and NGOs do not become personality-led entities. In the case of the ICRC one can argue that Sibanda is the driving force behind the organisation and without her presence the ICRC would be in jeopardy. In solving cases on behalf of the poor the law cannot safeguard how an organisation or social movement is run and that can cause problems for cases that have to be solved. More on personality-led organisations and how they can affect legal processes still needs further research. For Tissington (2012: 218) the importance of taking such a position of being strong and loyal to the people albeit the issues that exist by NGOs is to present a counter-balance to party and electoral politics that dominate the South African landscape at present. Furthermore this politicisation enables for a broader conversation about participatory democracy, social change as well as transformation in South Africa (ibid).

5.4. The possibilities of bridging the gap

There have been a great number of initiatives by the City of Johannesburg as indicated in previous chapters. Social movements and NGOs therefore may be seen to help in terms of challenging the City to be accountable for all the projects that it runs that disadvantage the poor. Many social movements and NGOs are perceived at times to be taking matters seriously and by working with legal practitioners the City is able to understand that these activists want to see change.

The use of the law however is seen as an antagonistic tool which does help the NGOs, but hinders on the progress of establishing relationships with the City.

> "I think the problem is…activism has been co-opted in some cases. There are legitimate versions of it you know…if you speak to the community development workers in the inner city…they will give you a very different view of the organising principle but they are not involved in organising people to legally contest evictions" (Koseff 2013)

and

> "I'm telling you now, CALS and SERI have got themselves to a point…and they can have this on record if they want to from me…they are not going to get meetings with City officials. They've got a very nasty habit of taking things that are discussed in meetings that are meant to be without prejudice, throwing their minutes of the meetings into court papers and submitting those into the Constitutional Court so to our mind that's acting in bad faith (Koseff 2013).

The statement by Koseff indicates that there is a strained relationship between these different organisations; NGOs such as the ICRC are therefore in danger of being associated with the negative attitude that legal practitioners are perceived as having by City officials and this may place the relationship between represented citizens and the state in vulnerability without those citizens knowing or understanding where they have been positioned by the state. For the City, much more can be done as there is a respect for social movements and NGOs however part of the failure is that the relationships between NGOs such as the ICRC and the CoJ are cyclical and not productive right now due to the complexities of involving tactics that have been viewed as antagonistic because of whom the social movements or NGOs have often tended to partner with when addressing the state.

The alternative view is that NGO activists should be acting as people from informal settlements who do not bring the law into play when negotiating for basic services. There have been cases of informal settlement dwellers resorting to the law to enforce change however the ways in

which most meetings have taken place between the City and these stakeholders yields better results

> "Informal settlements are no less controversial a space, in many ways bad buildings are basically just vertical informal settlements. It's not that SERI etc. are not involved in informal settlements but in terms of organising I would argue they are eclipsed by the likes of the ISN who are not coming at it from a legalistic point of view. They are coming at it from a kind of situational kind of view. We will capacitate leadership, we will engage with the City and you will get great little stories of how the City says "okay if you move those X shacks we can move the sewer line". Those kinds of things happen. And the answer of why it hasn't happened with inner city buildings is probably whose interests are threatened by it doing so. I'm not saying that informal settlements are a whole lot better but certainly their engagement with the City is much better and much more formalised" (Koseff 2013).

Informal settlement dwellers and the activists from these spaces have often been very vocal in expressing their views when disgruntled. The view that these relationships pose fewer threats to the City is therefore incorrect as suggested by Koseff as there is extensive work being done which indicates that activists are driven to making officials accountable to the poor in those areas (Benit-Gbaffou 2013) as many citizens continue to suffer.

The fact that so many issues and problems are prevalent indicates that Johannesburg is a dynamic city. There is also a great deal of work that still needs to be done. The leadership of this municipality has however made strides. For the Mayoral committee it is important for all to never give up on Johannesburg as a city especially since it is a leading metropolitan municipality which although plagued by problems which seem to be difficult to resolve has in many instances offered residents of this province glimpses of hope through developments that have

occurred since the municipality overcame the fiscal challenge (City of Johannesburg Metropolitan Municipality, 2011).

5.5. Conclusion

The CoJ develops initiatives according to their priorities, however because there is a democracy the status quo is challenged by organisations that believe in the fight against injustice for the poor. From previous chapters it is evident that much research needs to be done by the City in terms of understanding how to better plan for those who are disadvantaged and marginalised. The reality is that City officials do want to see more being done for the inner city poor but the complexities are huge and experience has shown that people need to strive to work hard for living in spaces that are this expensive. For the City, the challenge is also engaging in meaningful practices and processes with those who have been instrumental in bridging the gap between the City's capacities to develop.

There is a serious frustration with interests not being able to be balanced which indicates that South Africa's democracy is still young and that there are years of learning that need to pass before the country's historical disadvantages can be overcome. Many experience challenges and different stakeholders are pulling in different directions but there is an underlying thread of hope in that affected stakeholders in Johannesburg are all trying to better their circumstances by doing something, whether or not those processes are helpful in some situations is a different debate. There appears to currently be no definite winners in terms of the right to the city as the literature chapter may indicate (with regard to property owners), from this chapter one can contend that Johannesburg is a place where many need to learn how to survive and that is what distinguishes those who have gained in the city from those who have not.

The chapter has tried to present the complexities of working within a contested terrain (the inner city) and using the legal system to advance socio-economic gains. This has brought forward the challenges of working with legal experts especially in an environment where the legal system as a tactic is also in scrutiny by those who view it as being problematic for social movements, CSOs and NGOs. The chapter highlights that despite the law and constitution being problematic, there is little alternative for NGOs such as the ICRC to effect change without relying on the law. This presents the issue also of how successes in court may translate to disempowerment of social movements and NGOs, a debate which has yet to be strengthened. All of the above mentioned issues indicate that for as long as these tensions and complexities presented by the legal context, the spaces where evictions are happening etcetera, exist, social movements and NGOs will continue to work without certainty as the outcomes of cases have proven to change time and time again. Therefore each social movement and NGO needs to adopt tactics and strategies that fit each context to make a significant change which for them may seem as not being a complete success but to those fighting on their behalf it may be a step towards a more progressive and transformed South Africa which may be starting to take the socio-economic problems of the poor seriously.

Chapter Six: A Summary of the Research Findings

6.1. Concluding Remarks

Chapter two of this report described the research design and method, and the techniques of data collection and data analysis that were used to complete this research report. This chapter has been relevant because it represents that I have taken a great deal of time to compile the information presented. Moreover, there have been lessons learnt that will help the author of the report in future projects.

The literature review section has been important in terms of presenting all the current views around Inner city mobilisation, housing challenges and socio-economic rights. The work done by different theorists and authors around the concepts related to the topic of this research is instrumental in one's understanding of different processes, theories, tactics and overall recognition of pertinent issues that need to be analysed. In this context, these theories have broadened my view of the inner city and how complex it is as a space in which different stakeholders operate.

In the following chapters the report broadened and one could argue that the ICRC adopted a primary strategy in its formative years that was crucial in shaping its interactions with the state (Ramanath and Ebrahim 2010. When the ICRC began its work it could have been seen as quite confrontational to the state. The ICRC's main work was to help those who were being evicted from 'bad buildings' in the inner city of Johannesburg, therefore defend the housing rights of the poor; hence the Inner City Regeneration Strategy (ICRS) was introduced in 2003 as mentioned previously (Wilson 2011). With government recognising these housing challenges it is inevitable that policies will be formulated to address the issues.

In this research the ICRC can be described as having taken an approach which was rights-based, with elements of education, awareness building and conscientization as a tool for social

change (Ramanath and Ebrahim 2010: 33). Therefore if we had to describe the theory of change for an organisation such as the ICRC based on the information gathered about it, the description might be: *if we campaign for the rights of inner city residents in bad buildings, while also building strong networks with partner organisations to address other non-housing related matters, then we will be able to influence the state in finding housing solutions and build better*, safer environments (ibid).

The chapter on the history of the ICRC has been intended to make readers of this report understand the way in which an NGO such as the one in question operate. Ramanath and Ebrahim (2010) describe how Non-governmental Organisations (NGOs) are likely to employ multiple strategies and tactics in their interactions with government. NGOs are crucial for the society with respect to their humanitarian, political, social objectives they have as well as the economic activities that take place within them (Metin and Coşkun (2016: 3). This understanding of the work done and additionally tactics and strategies employed can assist a student in terms of how they may apply the information received on the ground. This chapter presented that there is a great deal of work that is undertaken by the ICRC despite their limited resources and small staff base. However, with the assistance of various stakeholders the NGO is able to make a difference to the lives of those approached by it; this indicates that cases can be dealt with in context. No matter how small the changes, the activism that is involved here is important and significant.

Given the prevalence of complexities I have learnt about in my research process within this area of focus I realised that it has also been difficult for all the interviewees to provide clear-cut solutions to inner city challenges that prevail. As a planning student I established that there is tireless effort especially by activists in trying to make each day better for inner city people affected by varying issues. However, I have to acknowledge that every interviewee described

how they were aware of the problems and how they wanted to see things get better. Admittedly, more needs to be done in the inner city, which group of people or companies etc. will benefit from these changes is another discussion.

A major concern by most is that there is a great deal of friction and a lack of cohesion by different sectors in trying to deal with the inner city problem. My work is merely intended to document such struggles and be explicit in terms of expressing the different views that all those spoken to represent. By documenting such stories lessons can be learnt and there is an opportunity for those who will read this research report to make use of it. Those with power to effect change can draw from the report what they can deal with or follow up on. Moreover they can try to push towards initiating workable projects from which those living in the inner city of Johannesburg can be involved or educated about in terms of what's needed to change peoples' expectations and perceptions in creating a city that is for all.

References

Allan, C., n.d. Accountability and social activism: A new strategy for achieving socio-economic rights in a democratic South Africa, *Public Service Accountability Monitor,* Rhodes University. INTERNET: http://www.psam.org.za/; http://www.myrights.org.za/, accessed 10 December 2013.

Atkinson, P. et. al., 2001. Handbook of Ethnography- The Call of Life Stories in Ethnographic Research, *Sage Publications*, University of the Witwatersrand, Johannesburg.

Bafo, P., 2013. (Interviewed by Lesego Tshuwa in person) Assistant Director- CoJ Housing, CoJ Offices, Johannesburg.

Beckenstrater, C., 2013. (Interviewed by Lesego Tshuwa in person) Legal expert on Inner City Property investments, Moodie and Robertson Attorney Offices, Braamfontein, Johannesburg.

Begg, I., 1999. Cities and Competitiveness, in *Urban Studies*, May 36(5 – 6): 795 –809.

Benit-Gbaffou, C. (ed) 2013. *Community Activists tell their stories- Driving Change in Johannesburg and Ekhuruleni.* Edited research report MUS Masters Class, Johannesburg, Wits University. Available on http://www.wits.ac.za/files/gh01a_56756001372155168.pdf.

City of Johannesburg Metropolitan Municipality, 2011. Joburg- 2040 Growth and Development Strategy. INTERNET: www.joburg.org.za, accessed 15 January 2013.

City of Johannesburg Metropolitan Municipality, 2015. Roadmap to shift inner city regeneration drive up a gear. INTERNET: www.joburg.org.za, accessed 28 May 2016.

Coggin, T. and Pieterse, M., 2011. Rights and the City: An Exploration of the Interaction between Socio-economic Rights and the City, *Urban Forum,* 23, pp. 257–278.

Denscombe, M., 2008. The Good Research Guide, England: Open University Press England.

De Souza, M. L., 2006. Together with the state, despite the state, against the state- Social movements as 'critical urban planning' agents, City, 10 (3), pp. 327-342.

Drier, P., 2012. Social Movements: How People Make History. INTERNET: https://mobilizingideas.wordpress.com/2012/08/01/social-movements-how-people-make-history/, accessed 15 January 2015.

Dude, D. A resident of Pennyville, Soweto watches on as the belongings of tenants get taken out of their homes by 'Red-Ants'. INTERNET: http://www.google.co.za/search?q=dumisani+dube=pennyville?&prmd=ivns&source=lnms&sa=X&ei=a-c4U7iUF82AhQfD4oGADQ&VED=0CAYQ_AUoAQ., accessed February 2014.

Everatt, D. Gotz, G. and Jennings, R., 2004. "Living for the Sake of Living": Partnerships between the Poor and Local Government in Johannesburg, Democracy, Governance and Human Rights. Programme Paper Number 16, United Nations Research Institute for Social Development.

Flyvbjerg, B., 2011. Case Study in Denzin, N.K. and Lincoln, Y.S. (eds.) *The Sage Handbook of Qualitative Research,* 4th Edition, Thousand Oaks, CA, Sage, Chapter 17, pp. 301-316.

Freund, B., 2010. Taming the Disorderly City: The Spatial Landscape of Johannesburg after Apartheid (review), *African Studies Review*, 53(1), pp. 151-152. INTERNET: http://muse.jhu.edu/login?auth=0&type=summary&url=/journals/african_studies_review/v053/53.1.freund.pdf, accessed 30 April 2013.

Google images: A mother sitting with her son around her belongings on the street and after being evicted from the Newtown Urban Village. INTERNET: http://www.google.co.za/search?q=newtown+urban+village+eviction&prmd=ivns&source=lnms&tbm=isch&sa=X&ei=gOk4U5bBItKZhQeC4CwDQ&ved=0CAYQ_AUoAQ, Accessed February 2013.

Harvey, D., 2008. The Right to the City, in *New Left Review*, 53, pp. 23 – 40.

Hathorn, M., 2014. (Interviewed by Lesego Tshuwa in person) Legal expert on Human Rights, Webber and Wentzel Offices, Illovo, Johannesburg.

Huchzermeyer, M., 2004. From "Contravention of Laws" to "Lack of Rights": Redefining the problem of informal settlements in South Africa, *Habitat International*, 28(3), pp. 333-347.

The Inner City Resource Centre, 2011. INTERNET: http://www.icrc.org.za/ accessed 15 January 2014.

The Inner City Resource Centre, 2015. INTERNET: http://www.icrc.org.za/ accessed 30 January 2015.

Kolobe, E., 2013 (Interviewed by Lesego Tshuwa in person) ICRC Administrator, ICRC offices, Braamfontein Johannesburg.

Koseff,J., 2013. (Interviewed by Lesego Tshuwa in person) Director of Social Assistance, CoJ, Stages Café Braamfontein, Johannesburg.

Langa, M. , and von Holdt, K., (2012) Insurgent Citizenship, class formation and the dual nature of community protest:a case study of Kungcatsha, INTERNET: http://www.wiser.wits.ac.za, accessed February 2014.

Lipietz, B., 2004. 'Muddling-through': urban regeneration in Johannesburg's inner city, School of Oriental and African Studies (University of London). INTERNET: http://www.n-aerus.net/web/sat/workshops/2004/papers/Lipietz.pdf, accessed 18 March 2013.

Madlingozi, T., 2012. How the Law Shapes and Structures Post-Apartheid Social Movements: Case Study of the Khulumani Support Group in Dawson, M. C. and Sinwell, L., (eds) *Contesting Transformation Popular Resistance in Twenty- First Century South Africa*, Pluto Press, London, pp. 222-239.

Makwela, M., 2013. (Interviewed by Lesego Tshuwa in person) NGO sector personnel- PLANACT, PLANACT offices, Braamfontein, Johannesburg.

Marcuse, P. 2009. From critical urban theory to the right to the city, *City*, *Routledge Taylor and Francis Group,* (13)2-3, pp. 185-197.

Marks, M., 2001. 'Young Warriors- Youth Politics, Identity and Violence in South Africa, NBD, Goodwood, Cape Town.

Martin, B., 2007. Activism, social and political in Gary L. Anderson and Kathryn G. Herr (eds.), *Encyclopedia of Activism and Social Justice*, Thousand Oaks, CA, pp. 19-27.

Matebese, Z. L. C. B., 2013. An evaluation of the City of Johannesburg's Igoli 2002 programme from 2003 to 2010, Rhodes Business School.

Matshobeni, V., 2013. (Interviewed by Lesego Tshuwa in person) ICRC Volunteer, ICRC offices, Braamfontein, Johannesburg.

Meyer, D.S., 2004. Protest and Political Opportunity, Department of Sociology: University of California, Annual Reviews.

Metin, H. and Coşkun, A. 2016. The Effect of Leadership and Organizational Culture on Effectiveness of NGOs: An Empirical Study, *Nile Journal of Business and Economics,* (2), pp. 3-16.

Miraftab, F., 2007. Governing Post-Apartheid Spatiality: Implementing City Improvement Districts in Cape Town, Department of Urban and Regional Planning, University of Illinois, USA. INTERNET: http://www.urban.uiuc.edu/faculty/miraftab/miraftab/ANTIPODE_Vol_3N4.pdf, accessed 18 march 2013.

Miraftab, F., and Wills, S. 2005. Insurgency and Spaces of Active Citizenship- The Story of Western Cape Anti-eviction Campaign in South Africa.

Murray, M., 2008. Taming the Disorderly City: The Spatial Landscape of Johannesburg after Apartheid. INTERNET: http://www.amazon.com/Taming-Disorderly-City-Landscape-Johannesburg/dp/0801445698, accessed 30 April 2013.

Naoum, S.G., 2008. Dissertation Research and Writing for Construction Students, 2nd ed, UK: Elsevier Ltd.

Peck, J. and Tickell, A. (2002) Neoliberalizing Space, in *Antipode*, 34(3): 380 – 404.

Peter, C. Privatization, urban fragmentation, and sustainable development in Harald, A. M., and TÖpfer, K., (eds) *Institutional and Social innovation for sustainable urban development,* Routledge, pp. 130- 145.

Philip, L. J. (1998) Combining Quantitative and Qualitative Approaches to Social Research in Human Geography – an Impossible Mixture, in Environment and Planning, 30: 261 – 276.

Potter, S. (ed.), 2002. Doing Postgraduate Research, *Sage*, London.

Ramanath, R. and Ebrahim, A. 2010. Strategies and Tactics in NGO–Government Relations Insights from Slum Housing in Mumbai, *Non-profit Management & Leadership*, 21 (1), pp. 21-42.

Rubin, M. W. 2013. Courting Change: The Role of Apex Courts and Court Cases In Urban Governance: A Delhi-Johannesburg Comparison, Johannesburg.

SERI (forthcoming), 2014. Minding the Gap: An Analysis of the Supply and Demand of Low-Income Rental Accommodation in Inner City Johannesburg.

Sibanda, S., 2013. (Interviewed by Lesego Tshuwa in person) Director and Founder of the ICRC, ICRC offices, Braamfontein, Johannesburg.

Sibanda, S., 2016. (Interviewed by Lesego Tshuwa in person) Director and Founder of the ICRC, ICRC offices, Johannesburg CBD, Johannesburg.

Sinwell, L., 2010. The Wynberg Concerned Residents' Disempowering Court Victory, *Urban Forum,* 21, pp. 153-169.

Sujee, Z., 2013. (Interviewed by Lesego Tshuwa in person) Legal expert on Human Rights, CALS Offices, Wits University, Johannesburg.

The Centre on Housing Rights & Evictions (2005) Any Room for the Poor? Forced Evictions in Johannesburg, South Africa. INTERNET: http://www.escr-net. org/usr_doc/COHRE_Johannesburg_FFM_high_res.pdf, accessed 17 October 2012.

The Housing Development Agency, 2011. Reviving Our Inner Cities: Social Housing and Urban Regeneration in South Africa, INTERNET: http://www.thehda.co.za/uploads/images/HDA_NASHO_reseach_report_lo-res.pdf, accessed 15 January 2014.

The Norwegian Human Rights Fund, n.d. Protection of housing rights. INTERNET: http://www.nhrf.no/en/focus/stories/second-story, accessed 30 April 2013.

Tissington, K., 2010. Making Rights Work: Towards A Broader Role For Rights Mobilisation In Challenging Poverty And Inequality In South Africa, Socio-Economic Rights Institute Of South Africa, Johannesburg.

Tissington, K., 2012. 'Tacticians in the Struggle for Change?' Exploring the Dynamics between Legal Organisations and Social Movements Engaged in Rights-Based Struggles in South Africa in Dawson, M. C. and Sinwell, L., (eds) Contesting Transformation Popular Resistance in Twenty- First Century South Africa, Pluto Press, London, pp. 201-221.

Tissington, K., 2013. (Personal Communication), Legal expert on Human Rights, SERI Offices Braamfontein, Johannesburg.

Von Holdt, K., 2013. 'The Transition to Violent Democracy in South Africa' (Review of African Political Economy).

Wilhelm-Solomon, M., 2012. The recent launch of expansion plans for the Maboneng precinct raises the question: Just who will be left out of the inner-city plan? INTERNET: http://mg.co.za/article/2012-11-09-not-everyone-sees-the-light, accessed 30 April 2013.

Wilson, N., 2007. Decayed areas 'still have amenities'- It is easier to bring the commercial component to a residential area than the other way around. INTERNET:

http://www.eprop.co.za/component/k2/item/8579-Decayed-areas-still-have-amenities-.html, accessed 30 April 2013.

Wilson, S., 2011. "Litigating Housing Rights in Johannesburg's Inner City: 2004-2008", first published in the special issue of the South African Journal on Human Rights on Public Interest Litigation vol. 27 pp. 127-151.

Yabadi, M., 2013. (Interviewed by Lesego Tshuwa in person) ICRC coordinator, ICRC offices, Braamfontein, Johannesburg.

Yin, R. K., 1981. The Case Study Crisis: Some Answers, 26, *Administrative Science Quarterly*, Cornell University.

Yin, R. K., 1994. Case Study Research: Design and Methods, Second edition. Thousand Oaks: Sage.