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Increasing Access to Housing in an Economy of Disparity - The Role of Civil Society

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A research report submitted to the Faculty of Humanities, University of the Witwatersrand, in partial fulfilment of the requirements for the degree of Masters of Arts in Development Studies

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Declaration

I declare that this research report is my own unaided work. It is being submitted for the degree of *Master of Arts, in the Graduate School of Humanities (Development Studies)* at the University of the Witwatersrand, Johannesburg. It has not been previously submitted for any degree or examination at any other university.

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Dedication

This research is dedicated to the lives lost in the defence and promotion of the rights of the poor in post-apartheid South Africa. There is much talk of the sacrifices suffered in the liberation struggle, but like me before this research, there is little known about the miscarriage of justice that is occurring along political lines in the new South Africa. My prayer is that the autonomy and peaceful practices of civil society will be respected and fortified as this new democracy continues to blossom to maturity.

Acknowledgements

My sincere thanks go to those who contributed to this study through openness and transparency in the interviews. The willingness of particularly State DHS participants to approach the interview questions in a spirit of critical and honest self-reflection bestowed a richness in the data that could have easily been missed had the interview been seen as an opportunity to promote and inflate the efforts of the department.

I deeply appreciate my friends and family in both South Africa and Australia who have been an immense source of encouragement and support through this degree.

I would also like to thank my supervisor Stephen Louw for his guidance during this research.

Acronyms

ANC African National Congress
BNG Breaking New Ground Policy
COPE Congress of the People
DA Democratic Alliance
DHS Department of Human Settlements
EC Eastern Cape
ePHP The Enhanced People's Housing Process Policy
HFH Habitat for Humanity
KZN Kwa-Zulu Natal
MDG Millenium Development Goals
NDoH National Department of Housing
RDP Resconstruction and Development Programme
SHP Social Housing Policy
TAC Treatment Action Campaign
UDM United Democratic Movement
UNDP United Nations Development Program

Abstract

The significant dearth of adequate housing in South Africa juxtaposed against the vast wealth held captive by small portion of the population forms the backdrop to this research. This study investigates the state of civil society activism in South Africa's housing sector. This research questions if the civil society contribution to the assisted housing sector in South Africa is operating at an appropriate and effective level and asks what has enabled this; and what are the inhibiting factors that prevent civil society activism from flourishing in assisted housing? Through conduct of a field study which solicits data from State Department of Human Settlement leaders and Civil Society housing activists, this research probes interrelationships between key stakeholders in the sector and determines the space for, and ways in which, civil society is contributing to housing and the challenges it faces. Obstacles preventing civil society activism in the housing sector from flourishing were identified through this study. At the state level these include attitudes of paternalism, the prioritization of attainment of housing targets at the expense of participatory processes, and a disconnect between policy and practice at state level. Diminishing human and fiscal capacity within civil society and threats from amongst state and civil society superstructures were also determined to be a factors restricting civic performance in this sector. This research provides evidence to suggest that civil society contributions to the housing sector are weak. State housing polices and acts were found to support participatory development but fractures in these mechanisms identified in this study prevent the two main stakeholders (state and civil society) from synergising effectively to extract their best resources and inputs from being realised.

CHAPTER ONE: Introduction and Background

1.1 Introduction

Correcting societal imbalances produced by the apartheid regime is not a simple endeavour. Fifteen years post-apartheid it is now more evident than ever that the economic, social and political injustices of the past persistently scar South Africa's economic, social and political terrain. Noticeably obvious are the landscapes of sub-standard of housing in which many South Africans live (BNG, 2004, p.11). This phenomenon represents a history of spatial planning across racial divides and the uneven sharing of capital reminiscent of the apartheid era. The impediments within the new dispensation demonstrate a failure to promote the kind of economic and social equalities that its resources can provide and its citizens deserve. Rather than moving forward, it is evident that inequalities are increasing in South Africa. Studies by Bhorat (2009), identify South Africa as the most unequal society in the world (according to the Gini Coefficient), and many other sources cite that poverty and interracial inequalities have increased since 1994 (Bhorat 2009, Carter and May 2001, Hoogeveen 2005, Gelb 2004).

A valid question in this climate of inequality, social divide and class distinction would be 'what interest is civil society taking and what role is it playing in addressing this issue'? From a practical standpoint, there should be two main forces driving this form of activism. Firstly, while it is a complex issue, it can be simply stated that the apartheid era, privileged certain groups in society that today, still reap those benefits (this is made clear through Bhorat's recent conclusion naming South Africa as the most unequal society in the world). During apartheid, capital and resources such as land etc were filtered to the white minority. While the post-apartheid era has seen some changes to this, many good, other sources indicate the inequalities persist and also take new and sinister forms (Robins, 2008, p.4), which privilege a different, yet still small enclave of society. So it is accurate to say that apartheid and some post-apartheid institutions have benefited certain groups who still enjoy a large portion of those benefits today. Given the vastness of the inequality of this country, and a clear political history that points to causes of this, it is a

curiosity of this research to see if there is a consciousness among these privileged groups that is aware of and concerned about these inequalities and wills to contribute towards correcting this through philanthropy and civic activism in social issues – of particular interested to this study, the access to adequate housing.

The second force seen to drive civic activism in development initiatives that reduce poverty and inequality is the simple desire of individuals and groups to assert their right to be decision-makers and contributors in this new democracy and work towards creating a future that is built on their vision for how it should look. This is not to imply that individuals and groups are homogenous in their thinking about what that future looks like (Kabeer, 2005, p.8), but allocates value to the collective sharing of these views and their consequent activities in building a nation on the premise of inclusive citizenry.

This research advocates for strong involvement of civil society in governance and nation-building, with particular focus on the housing sector in South Africa. More than simply the aggregate levels of participation described above, participation goes beyond this to bear an impact on outcomes. Ultimately, participation must add value to outcomes. There are numerous sources that demonstrate the benefits of inclusive citizenship, these will be discussed more fully in chapter three, but to summarise briefly, civic inputs promote justice, sustainability, lead to better designs, can promote a more cost-effective use of resources, and build values of solidarity as well as self-determination (Kabeer, 2005, pp 3-7).

This research positions responsibility for both the development of the nation and the task of correcting the injustices associated with the apartheid era with state leaders as well as an engaged and active citizenry. The Brandt Commission (1980) defines development as "the improvement of the conditions of existence for the majority of the population and particularly for the poorest. It involves not only the idea of economic betterment, but also greater human dignity, security, justice and equity" (p.48). Achievement of this objective calls on the efforts of a wide range of stakeholders who can influence and activate

development processes at number of levels. These include beneficiaries, civil society, government and non-government organizations.

Recent research, emerging from South Africa indicates that there are major weakness in the activism of civil society in South Africa today (Dinokeng, 2009). If true, this generates a great demand for research of this nature that probes the state of civil society in South Africa and works to identify corrective measures necessary to establish a climate in which an active and engaged citizenry can flourish. This research aims to do this by investigating the activism and contribution of civil society towards the housing sector in post-apartheid South Africa. It is hoped that through this research, recommendations can be formulated to find better ways of engaging civic efforts in this sector, if they are found to be in need of improvement.

1.2 Research Title and Questions

The title of this research is:

Increasing access to housing in an economy of disparity – the role of civil society.

The primary research question being investigated is:

Is the civil society contribution to the assisted housing sector in South Africa operating at an appropriate and effective level?

Distinct research questions that arise from the main question, and will help in essence to answer it are:

a. What are the factors that have either enabled or inhibited civil society activism in assisted housing in South Africa from reaching its full potential?

b. What is the shape of state-civil society relations in the assisted housing sector in South Africa?

c. How can the strengths of civil society contributions to the housing sector be capitalized upon and increased?

1.3 Research Aim/Objective:

The central aim of this study is to investigate how civil society can and is contributing to housing assistance for the poor. This is not a quantitative study that attempts to measure the scale of this contribution. Rather it is an overall look at the role, according to literature and state policy that civil society should play in the assisted housing sector. Once this role has been established, the researcher intends to probe the subject further by investigating what is the current shape of state-civil society relations in South Africa's assisted housing sector. The purpose being to identify achievements/successes that could be modelled elsewhere, as well as realizing and drawing attention to inhibiting factors that need to be addressed if we are to see improvement in the civil society contribution to this sector.

1.4 Motivation/Rationale for research:

The motivation for this research is borne of a conglomeration of social, economic, political and developmental perspectives, that tie together to create a very strong case for arguments in favour of increasing the role civil society plays in all areas of governance – but in relation to this research – assisted housing.

Economic Impetus

South Africa is a landscape of contradictions. It was the scene of one the most disgraceful politically endorsed racial divides in history, yet, when apartheid was broken – the scene of one of the most monumental transitions to peace and institutionalized equality ever

witnessed. In the context of Africa – a continent suffering under poverty, hardship and HIV/AIDS, South Africa is a jewel – a hub of economic activity and prosperity. But within its own borders South Africa is the scene of unimaginable disparity – the opulently rich and destitute poor living side by side. Socially, the uprising of South Africa's marginalized during apartheid, represented unity, bravery and empowerment at a massive social scale and eventually lead to the collapse of the regime. But today, buckling under a climate of violent crime, persistent inequality and hardship, many disenfranchised South Africans are disengaging from social activism, disconnecting altogether, and seeking homes across seas at alarming rates.

Political/Social Impetus

The role of civil society in participating energetically in the struggle for liberation has been well documented. Robins (2008) notes that the collapse of apartheid was followed by 'heady' times of vibrant and emerging civil society activism which contributed a voice previously unheard to build a new and representative democracy (p.vii). However recently it was stated that the vibrancy of South African civil society has become increasingly muted since 1994 (Dinokeng, 2009 p. 11). A growing body of literature is documenting a withdrawal of civil society participation in national issues and governance. This idea does not bode well with notions of democratization, which since 1994 should be steadily increasing. Instead, it appears fractures in participatory mechanisms of the state are widening and instead of converging, civil society state relations are moving further and further apart. This research seeks to investigate the truth of these ideas by focusing on the history of civil society-state relations in the housing sector and analysing the space created for civil society engagement and the results of these energies observable today within the sector.

Developmental Impetus

Symptoms emerging from a history whose imbalances and inequalities time and effort have not yet been able to correct, as well as a civil society that is not yet playing an

influential enough role in governance can be observed in many ways. This research has particularly focused on the evidence of these symptoms in the housing sector. From a developmental perspective, shelter is considered among the most basic of human needs essential to survival (Maslow, 1943). The apartheid regime which sanctioned physical separation of human settlements and filtered capital to a small subset of society created an enclaved social fabric that in the main persists today based on race and class. More concerning however, than this persistent physical separation of settlement types is the simple inability of a large and growing portion of South Africa's population to adequately shelter itself. It is a great social travesty, that a nation rich in resources and wealth can still have a mass of its people living in abject poverty in shacks across its length and breadth with no power to determine a solution to their predicament. Yet in the context of a developed, thriving market, the price of land and building materials are driven so high that those living in these shacks, earning a minimum income have few means for a genuinely legitimate way to provide adequate shelter for themselves.

Finding genuine solutions to these complex challenges requires ingenuity, commitment, contribution and connectedness from a wide variety of stakeholders. Many efforts towards this goal have been underway for decades. For example Habit for Humanity report that the scale of South African state efforts to address housing shortages are unprecedented anywhere in Africa and the Middle East (Duncan 2008). However could greater inputs from civil society towards both the actual delivery of housing through philanthropic means and mobilization of the human resources therein, as well as advocacy for holding state structures accountable increase outputs? In order to answer this question, the history and capacity of current civil society, as well as existing governance structures and patterns need to be examined further. The research questions outlined earlier aim at probing this and enabling conclusions to be drawn on the current impacts of civil society contributions to the assisted housing sector.

1.5 Methodology:

1.5.1 Overall approach

This study employs qualitative research methodologies to explore the concept of how civil society activism in housing can contribute to improving the housing and income inequality dilemmas in South Africa. Answering the research question required the experiences of stakeholders; civil society activists and state leaders to be carefully probed and understood. To achieve this, a qualitative approach is preferred to draw rich descriptions from participants as they exist and reflect on their experiences in this field (Elliot, 2007, p.18). This information is pursued in the form of descriptive data sourced from interviews (in-depth, open-ended interviews). The method of document analysis was also employed to investigate key DHS policies that speak to the ideal/intended roles that civic and state housing stakeholders should be playing.

1.5.2 Sampling

The population identified for this study was civil society organizations contributing towards housing-assistance programmes for the poor in South Africa and state leaders within the Department of Human Settlements at National and Provincial level. Understanding the relationship these two parties share was important in this research as it determines the space in which the two groups can work - either collaboratively, or in isolation from one another. In order to reach these groups the technique of snowball sampling was used. Coleman (1958) notes that when the researcher needs to focus on relationships between people or groups in this way, snowball sampling is an effective approach (p.32). In this study the researcher made initial contact with a small group of people relevant to the research topic and used this to establish contacts with others (Bryman, 2004, p.100). In this way, a deeper understanding of relationships between the stakeholders was obtained. Trochim (2007) warns that the limitation of this method is that it is difficult to obtain a sample that is representative, but given the limitations of this study in time and funding to broaden to a more representative sample, it is expected that

while not entirely generalisable, this data can make insightful contributions towards a better understanding of the contribution of civil society towards housing initiatives.

1.5.3 Data collection techniques

a. Document Analysis:

Document analysis of primary literature from state acts and policies was necessary to ascertain the perceived value that the state places on civil society inputs and their intended roles and relationships. It further served to obtain a broad perspective on DHS history with a focus on examining their strategies and interactions with civil society organisations also involved in social housing.

b. In-depth Interviews

Following document analysis, in-depth interviews with key state and civil society stakeholders served to provide an empirical perspective on how the intended roles and relationships documented in acts and policies actually play out in practice. An open ended questioning technique was employed as it allowed participants to delve into the aspects of the questions which affect them most (Weiss, 1995). Through this process, identification of strengths and weaknesses further served to formulate a strategy for improving roles and relationships with the ultimate goal of building practice that truly enables increasing access to housing through the involvement of many state and non-state actors. This method allowed for the development of detailed descriptions about the relationship between civil society organisations (CSOs) and state and the integration of multiple perspectives to provide a broader picture that no single person could have observed in totality (Weiss, 1995, p. 9).

1.6 Introduction of Field Study

Employing the methodologies described above, this research targets key stakeholders from the state Department of Human Settlements (DHS) and civil society groups

involved in the housing sector in South Africa. A transect of stakeholders was selected that would offer the greatest insight into perspectives on this issue across a number of levels e.g. at the state level from the national office to provincial, and in civil society from grassroots organisation such as Abahlali baseMjondolo (a shack dwellers movement), to an International NGO, Habitat for Humanity, with decades of experience across many borders. In addition to this, independent consultants were sought who had gained experience as both state and civil society housing stakeholders through their years of experience. These consultants were found to bring a more unbiased, reflective analysis of the issues. Finally a representative from the Dinokeng secretariat with experience in the housing sector was sought to draw empirical studies as close as possible to the theoretical framework of the investigation.

1.7 Ethical Considerations

Important consideration was given on how this research could infringe on the rights and welfare of the participants. Involvement in this study was premised on the voluntary and informed consent of the participants. In order to ensure the protection of the participants' right to privacy informed consent sheets were issued to participants which outlined the study and ethical considerations involved. Participants were offered confidentiality when they wished for their identity to be protected by pseudonyms. It should be noted that in two instances where some participants (senior officials from the DHS) offered full-disclosure of their names, I opted to conceal them as I perceived that their frank participation in the interview posed for them an undue risk. The sincere insights and contributions of these participants is deeply appreciated and considered to enrich the study greatly.

1.8 Scope and Limitations

An obvious limitation of any time-bound, self-funded study is the availability of funds and time to access resources, and to pursue more representative, generalisable sample sizes and methodologies. This was in the experience of this study. In addition to this two

other factors are seen to limit this study. Firstly as alluded to in the ethical considerations above, it was difficult to gain honest, open-minded, critical self-reflection from some interviewees from the national DHS. Interview responses from one interviewee in particular were found to be diplomatic and desk bound and did not help to probe the true interests of the study which was to see how these state programmes and initiatives translate in practice. Fortunately, some candidates were identified who embodied values of critical departmental reflection and were willing to give instances where they felt department programmes were failing. The second limitation was the unfortunate redundancy of some of the information offered by civil society stakeholders who documented serious contraventions of justice in their work, but were unable to verify these statements due to either pending court trials, or a failure on the part of the legal system to investigate crimes alleged to have occurred by the stakeholders. In spite of this redundancy, I still chose to include these statements, as they were substantiated by a statement from a senior provincial DHS official regarding political violence in post-apartheid South Africa. Where information of this nature is presented in the findings section, the researcher draws the attention of the reader to the ambiguous nature of the information.

1.9 Structure of the Report

Chapter one of this report introduces the research, explains what is being investigated, the researchers' motivation for doing so and outlines methodologies employed throughout the study.

Chapter two provides a background to the issues investigated in this study – namely providing a history to the economic and social inequalities that plague this landscape and the important role shelter plays in breaking cycles of poverty. This chapter also introduces important notions such as participatory development and sustainable human settlements which become important themes throughout the report.

Chapter three explores both empirically and theoretically the 'space for civic engagement' that are promoted in both South African housing policies and in literature. Chapter three demonstrates that a variety of academic sources identify a need for more concerted efforts with the housing sector in South Africa from both state and civic actors.

Chapter four offers a critical perspective on known fractures in participatory mechanisms in South Africa and gives evidence of this through presentation of the stories and the development to the People Housing Process Policy, and of Abahlali baseMjondolo, a civil society organization of shack dwellers in Kwa-Zulu Natal.

Chapter five presents the findings from the field study in terms of themes that have emerged from the interviews. The themes highlight weaknesses evident in state structures that limit the space in which civil society can contribute to housing, as well as problems found within civil society itself that need to be corrected for it to flourish.

Finally, chapter six reconciles all the issues emergent from the research and provides recommendations for improving civil society contributions towards assisted housing ultimately playing part in increasing access to housing for the poor.

1.10 Definition of Key Terms:

There are some common phrases used throughout this report that should be defined clearly at the outset to avoid confusion. The terms civil society, housing assistance and formal housing are defined according to how they are viewed in this research.

Civil Society: The term civil society has become popular in development discourse in the last couple of decades and is a complex and contested concept with multiple interpretations. It is important therefore to distinguish at the outset of this study how civil society is understood and applied in this investigation.

Common ground within the debate agrees that civil society refers to the voluntary participation by average citizens and excludes behaviour imposed or coerced by the state[1]. According to the UNDP, civil society is identified as a third sector in a tripartite relationship with the state and market: a political space or sphere between government and business in which social movements become organized (UNDP, 1993). Similarly 'Civil society delineates a sphere that is formally distinct from the body politic and state authority on one hand, and from the immediate pursuit of self-interest and the imperatives of the market on the other' (Ehrenburg, 1999 p. 234).

This research seeks to take heed to the cautionary note made by Knight, Chigudu and Tandon (2007) who warned that focussing only on NGOs as agents of civil society ignores the most important feature of civil society - its citizens (p.3). Applying this logic, the following broad categories of civil society organisations (CSOs) will be considered in this study: Private sector/corporate organisations involved in housing assistance programmes for the poor, non-government organisations (NGOs), and Community-Based Organisations (CBOs). It also includes less structured types of civil society activism at an individual and household level. This is an important inclusion, especially for a new democracy, because the democracy in infancy may not yet be sensitised to the value of or the mechanisms for organising cohesive civil society voice, and should be considered at a more individualistic level: at least until the democracy broadens and the systems for organising civic voice mature.

Housing assistance: Housing assistance is also an import term to define at the outset. Understanding housing assistance requires thinking in broader terms than bricks and mortar and engaging development theory that informs best practice for improving shelter security. With this in mind, this study will look at strategies that facilitate access to formal housing for the poor. These include: bricks and mortar initiatives (aid in actual house supply), advocacy (for the improved access to credit for the poor), and education (programmes to assist the poor in knowing about and accessing assistance they are eligible for, or strategies to put them on a pathway to home ownership).

[1] British Library http://pages.britishlibrary.net accessed 20/05/09

Formal housing: Formal housing in this study applies the minimum standards for basic house structure as outlined by the reconstruction and development programme (RDP) in South Africa.[2] This study avoids housing assistance programmes associated with rent as development literature is markedly undecided on the benefits of this approach and is currently attempting to address the wide range of sustainability issues inherent in it.

[2] These can be accessed at www.housing.gov.za

CHAPTER TWO: Background to the Issue

2.1 Introduction

This chapter serves to provide a background to the issues at stake in this research – a shortage of access to adequate housing for a large portion of South Africa's population; and a concern that state and civil, human and fiscal resources are not being utilised appropriately or effectively to induce the change needed to correct this problem.

The causes of a proliferation of inadequate housing in South Africa are more complex than the origins of this problem in a sleuth of developing countries. Commonly in developing nations, inadequate housing is linked to predictable factors such as poor resources, immature industrial development, unemployment, conflict etc. However, in South Africa, a robust economy and a history of uneven social planning based on race from the apartheid era adds a complexity to this issue that warrants further enquiry and explanation in this study. This is explored in the first section of this chapter under the heading economic and social polarisation in South Africa and explains why uneven settlement patterns distinguished by class and wealth have developed.

Against this backdrop of poorly distributed (but available) resources, a case is put forward in the following section titled - shelter and development. This section explains just how crucial accessing adequate shelter can be in, not only reducing poverty, but creating sustainable livelihoods. This section also discusses why meeting the demand for adequate housing is further complicated by rapidly increasing urbanization and challenges faced in designing both affordable and sustainable programmes.

This background forms a solid foundation for chapter three where strategies for reversing these patterns through participatory governance are explored.

2.2 Economic and Social Polarization in South Africa

2.2.1 The Apartheid Legacy: Landscapes of Inequality

Many of South Africa's economic and social challenges today have their roots in the history of apartheid. South Africa is a resource-rich nation and bears many of the hallmarks of a developed country. However, the restrictions imposed on social mobility, entrepreneurship and access to capital markets of the non-white sector during apartheid created a capital divide that is socially unjust and difficult to correct.

The South African economy was built on racial divisions. The *Group Areas Act of 1950* prevented blacks[3] from owning, renting or even occupying property in the areas deemed as "white-zones", unless they had received permission from the state to do so. Rural areas were divided into underdeveloped Bantustans (homelands), alongside well-developed, white-owned commercial farming areas. Towns and cities were divided into townships for blacks that had no basic infrastructure. White suburbs, on the other hand, had good services and infrastructure. Segregation was at every level: in education, health, welfare, transport, housing and employment. It left deep scars of inequality and economic inefficiency (UN Habitat 2008, p.1).

2.2.2 A Slow Recovery: Persistent Post-Apartheid Inequalities

The sudden demise of apartheid in the 1990's brought to an end the institutionalised political discrimination of the majority of the South African population and promised an improvement in living conditions for the masses (Moller, 1998p, 28). While the gains made in South Africa since the collapse of apartheid are celebrated both locally and internationally, many of the improvements in living conditions have progressed a lot slower than initially hoped. Carter and May (2001) found that poverty rates among the non-white population in Kwazulu-Natal increased from 27% to 43% between 1993 and

[3] The apartheid racial categories are necessarily used throughout this paper, but this should not be taken to constitute endorsement of these categories.

1998: Hoogeveen (2005) reports that inequality within racial groups increased substantially, while between group inequality declined only slightly, resulting in total inequality increasing in South Africa between 1995 and 2000. This is supported by Gelb (2003) who, over a study spanning three decades, found that, inequality between races has declined significantly while inequality within racial groups (except Indians) has risen (Gelb 2003). Writing in 1994, economists McGrath and Whiteford stated that 'South Africa has the worst distribution of income for any country for which national household data is available' (1994, p. 73). Fifteen years on, in a study released in May 2009, Bhorat found that this was still the case through application of the Gini Coefficient (a measure used to measure inequality)[4]. It is clear that there is a break down in the racial hierarchy of privilege which the apartheid system promoted. However, evidence that suggests that attempts to shift resource/capital have not been pro-poor remains a large concern.

In juxtaposition to increasing inequalities in South Africa is data indicating that South Africa has the most sophisticated free-market economy on the African continent. South Africa represents 3% of the continents surface area, yet accounts for approximately 40% of all industrial output, 25% of GDP, over half of generated electricity and 45% of mineral production in Africa" (UN HABITAT 2008, p. 4). The persistent alarmingly disparate distribution of such wealth, and the high incidence of poverty in such a resource-rich nation even today, 15 years post-apartheid, suggests that despite the gains made, much more needs to be done to promote 'a better Africa for all.'[5]

The distinction created by income inequality in housing is apparent in the habitation patterns of the rich and poor in South Africa. Speaking generally about Africa, Berner (2007) purports that established urbanites and urban elites in particular, are not keen to share space and opportunities with what they consider ignorant, unrefined and potentially dangerous newcomers, less so if those are distinguished by different nationality, ethnicity or creed. 'The medieval model of the walled citadel can hardly be emulated today, and the eternal efforts to push migrants and other poor people to marginal locations at the

[4] Source: http://www.busrep.co.za/index.php?fArticleId=5181018 accessed 10/11/09
[5] Slogan of the ANC's election campaign, 1994

urban periphery have nowhere been very effective or sustainable' (Berner, 2007). While this phenomenon may be present in many African states it is undoubtedly most apparent in South Africa. South African cities have unique and complex histories that deeply mark post-1994 developments. The legacy of segregated neighbourhoods is stubbornly persistent (Goebel 2007). Gated communities, heavily guarded condominiums and malls on the one side with excluded ghettos on the other, are mushrooming in almost all megacities of the South' (Berner 2007, p. 1).

2.2.3 Conclusion

While significant improvements of services have taken place in historically disadvantaged areas, many wards, mostly populated by black people still have the lowest rates of improved services. The historically uneven development of infrastructure means that addressing these inequalities will be a complex and expensive urban development task. The challenges are exacerbated by the influx of new migrant arrivals who typically settle in areas, or on the periphery of areas, historically reserved for 'Africans' during apartheid (Goebel 2007, p. 293).

Unequal wealth is important not only as a measure of socio-economic injustice, but also correlates with debilitating economic capacity for large sectors of society which impedes poverty reduction. With regard to housing, Duncan (2008) highlights that two of the factors directly linking poverty with inadequate housing are low incomes and high inequality of wealth. The promise of 'a better south Africa for all', the slogan used for the election campaign of the ANC in 1994 has not been fully realised for poor South Africans. Reducing such entrenched inequality will take years to peacefully undo. In the meantime, the effects of it reach to all areas of life for the poor, this research however focuses mainly on the effect is has on housing. The section below discusses the issue of housing and outlines the value of formal housing in interrupting poverty cycles and documents state effort towards increase access.

2.3 Shelter and Development

According to Maslow's hierarchy of needs (1943) shelter is among the most basic of physiological needs essential to survival. Various international and domestic codes and acts further promote this as not just a need, but as a right. The Universal Declaration of Human Rights (1948) codifies the right to adequate housing in Article 17, and the South African Constitution (Act 108 of 1996) states that everyone has the right to have access to adequate housing (Section 26(1).

The potential to enjoy this right for the majority of black South African has only been possible since 1994. In post-apartheid South Africa, the state has attempted to redress the housing crisis, and facilitate the realisation of this basic human right to adequate shelter through national policies and plans such as the Reconstruction and Development Programme, the Housing White Paper (1994), and the Social Housing Policy (2003) among others. However as early as 1995, the housing backlog was estimated to be approximately 1.5 million units. By 2009, according to Housing Minister Tokoyo Sexwale's budget speech, this number had grown to 2.1 million units (Sexwale, 2009). Clearly supply is not meeting demand. This research aims to explore how increased civil society inputs can help narrow this gap and also improve livelihoods through helping plan and provide for sustainable human settlements. This will form the focus of the discussion of this section, however before doing so, it is important to simply take stock of the role of shelter in breaking cycles of poverty.

2.3.1 The Role of Shelter in Breaking the Poverty Cycle

Habitat for Humanity, a leading not-for-profit organization in research and poverty housing relief, have found that addressing housing needs provides an entry point into breaking cyclical poverty loops (Duncan, 2008, p. 22). Few would dispute that inadequate housing is a result of poverty, but on the flipside, it is also a primary cause (ibid). Rising costs for housing results in less household money being available for other basic needs. Families must choose between losing their housing and or cutting back on

food, healthcare, clothing and education for children (Baharoglu 2005 cited in Duncan 2008, p. 22). In a recent report titled 'measuring transformation through houses' Habitat for Humanity found that improved shelter conditions served to enhance a broad range of factors affecting quality of life including increased school attendance by children, greater household economic activity, improved health (indicated by fewer days of work missed due to poor health), heightened self confidence of women and increased participation in civil society (Duncan 2008).

It is important however, not to over-simplify poverty and solutions to it. As Chambers (1995) duly notes 'the realities of poor people are local, complex, diverse dynamic. Income-poverty, though important, is only one aspect of deprivation' (p. 173). A state document, *Towards a 10 Year Review* (2003), goes some way in explaining the role housing can play in breaking poverty cycles. This document asserts that poverty is understood to involve three critical dimensions: income, human capital (services and opportunity) and assets. Housing primarily contributes towards the alleviation of asset poverty.

2.3.2 The difference between providing housing and fostering sustainable livelihoods

These 'broad range of factors affecting quality of life' referred to by Duncan (2008) allude to the important developmental power of shelter in improving livelihoods. However, to harness this power fully, housing initiatives aimed at assisting the poor need to be undertaken with a cognizance of the difference between the provision of a house and the facilitation of sustainable livelihoods. Chambers (1995) defines sustainable livelihood as a living which is adequate for the satisfaction of basic needs, and secure against anticipated shocks and stresses (p. 175). This definition highlights the call for housing initiatives to go beyond the provision of bricks and mortar and consider a more multi-faceted look at what constitutes a sustainable human settlement ie. Does the location of the settlement foster the same or better economic opportunities; is the new dwelling affordable - or does it expose the beneficiary to financial shocks previously unaccustomed to in their informal dwelling – rates, electricity, water etc; are values such

as community fostered within the new location and able to support residents and add value to life there etc? The failure of some development programmes to plan for these shocks has rendered many housing initiatives futile. There are ample examples in both international and domestic literature that illustrate that good-willed intentions to increase housing and reduce poverty fall short in doing so due to a poor understanding of the collective elements that constitute a sustainable livelihood.

A prime example of this is stated by Bourdreaux (2008). He explains how many government programmes have fallen under heavy criticism for not giving enough attention to values of sustainability in planning, for example, providing re-location housing up to 30-40 kilometres away from city centres. Residents complain that they find themselves in greater economic hardship once acquiring the government assisted house because of the rise in cost of travelling to work and the loss of community infrastructure where they were able to source child-care cheaply from neighbours and friends (p. 20).

In a case from Pakistan, out of 15,000 plots that were developed, only 35 plots were found to be inhabited, the rest remained vacant (Siddiqui+Khan, 1994, p. 279). This was due to a combination of factors: the location of the settlement was far from employment opportunities; it increased transport and childcare costs, increased travel time; and was compounded by a lack of community infrastructure residents were accustomed to in the previous location. As a result the beneficiaries forwent the new residential development in favour of remaining in their informal structure which was amenable to a more sustainable livelihood and less susceptible to the shocks and stresses of the new settlement. The South African DHS has had similar experiences. During 2009 Housing Minister Tokoyo Sexwale expressed concern about houses that were reportedly standing empty (housing budget vote speech, June 30, 2009), and in 2005 the Cape Argus reported some RDP recipients were returning to informal settlements after re-location, explicitly stating that the location and lack of services in the new township compromised their livelihood (Cape Argus, Aug 29, 2005).

There is evidence that attention to these issues is growing. *Breaking New Ground* – the states' *Comprehensive Plan for the Development of Sustainable Human Settlements* (2004) speaks directly of a desire to move *from* housing *to* sustainable human settlements. In this document sustainable human settlements are defined as:

> *"Well-managed entities in which economic growth and social development are in balance with the carrying capacity of the natural systems on which they depend for their existence and result in sustainable development, wealth creation, poverty alleviation and equity.' (*p. 11).

Further, the enhanced *People's Housing Process Policy* (ePHP, 2004) talks about supply-led and demand-led housing. In the past, systems have been dominated by a supply approach based on state-led planning and resources. There is at least in policy, a shift towards demand-led development (p.6) which aims to incorporate stronger notions of participatory development whereby beneficiaries become involved and lead out in the type of services that are needed: what these should look like, and the processes necessary to reach these goals etc.

It should be noted however, that participatory development is not a straightforward process. It can become easily tainted by leaders wishing to dictate programs but still be viewed as working within a spirit of partnership, and in the best interests of the community (see Arnstein's ladder of participation in chapter four). If done well, however, a participatory development approach towards development has the potential to yield infinitely better outcomes than programs conceptualised and delivered from central institutions. Lemanski (2009) documents that previous failures by both state and market interventions to address local level poverty are attributed largely to the exclusion of poor people from project planning, Participatory approaches are thus favoured in the belief that giving poor people control over their development will decrease poverty (p. 393). Jennings (2000) supports this stating 'participation increased odds that a program will be on target and its results will more likely be sustainable' (p. 2).

These examples highlight the dire need for housing assistance programmes that not only build houses, but foster sustainable livelihoods through participatory planning that considers the multifarious elements that constitute livelihoods. If, as many residents report, the provision of a new home puts them in a worse-off financial situation because of poor location and planning, then the entire theory that housing helps is flawed. Of course as the literature explored illustrated, shelter does indeed contribute toward alleviating asset poverty, but only when it is planned for and provided in a way that incorporates the participation and leadership of its beneficiaries in determining needs and strategies for meeting them. Done any other way, housing assistance offers few benefits to the poor.

Having established the role of shelter in promoting development and alleviating poverty, the discussion below introduces the challenge that growing global urbanisation places on housing demand; why developing nations are more prone to these shocks; and how participatory development can aide in planning for and facilitating the development of sustainable human settlements.

2.3.3 Forwards or Backwards? Urbanisation and its burgeoning effect on housing demand

Affording a home is becoming more and more difficult for South Africans in the low income bracket. The rapid rise of urbanization has increased demand for land and low-cost housing, driving up the value of property and making it difficult for the poor to find affordable space in desired locations. This, combined with the trend of rising inequalities in wealth discussed above, paints a clear picture of the challenges South Africa's poor face in finding adequate shelter. As a result of these factors, many of the poor rent rooms or build shacks in informal settlements. Worldwide statistics project that in a few years more than half of the world's population will be city dwellers (Berner, 2007 p.1). As a result of relatively high levels of industrialization, South Africa's urbanization rate is well above international averages. In 2000 South Africa's urban population was estimated at 56.9% and projected figures for 2010 are 64.2% (UN-Habitat 2003:253 cited in Goebel

2007, p. 295). These figures give South Africa a higher rate of urbanization than anywhere else in Africa (ibid).

Many of the rural poor, who leave their homes in the hope of better employment prospects in the city, increasingly find their dreams unfulfilled. 'Instead of being the focus for growth and prosperity, the cities have become a dumping ground for a surplus population working in unskilled, unprotected and low-wage informal industries and trade' (UN Habitat 2003 p. 46). In speaking about the growing problems associated with urbanization and shelter, former UN president Kofi Annan said "the world has entered the urban millennium; more accurately it is becoming a 'planet of slums'" (cited in Berner 2007). Davis (2006) recounting the future of cities envisioned by earlier generation urbanists said 'The cities of the future, rather than be made out of glass and steel, are instead largely constructed out of the crude brick, straw, recycled plastic, cement blocks, and scrap wood. Instead of cities of light soaring toward the heaven, much of the twenty-first century urban world squats in squalor, surrounded by pollution, excrement and decay" (p.19).

The highest rates of urbanization are found in developing countries where preparation for the influx does not take place and as a result, the urban sprawl takes shape in an unplanned chaotic fashion leading to haphazard peri-urban growth as well as informal settlements within urban boundaries (Berner, 2007, p.2). Development strategies that aim to both, create better living conditions for the poor as well improvements to urban infrastructure have a hard time re-organizing the historical informal settlement patterns, creating a cadre of sustainability issues.

2.3.4 Civil Society Participation in Housing Improves Sustainability

Bourdreaux (2008) purports that 'whether they are called civil society organizations or self-help organizations, some groups of local citizens, particularly members of shack and slum dwellers' associations have been relatively successful at working together to meet a variety of local needs (p.21). Participation that it is genuinely and effectively achieved

(more about how to achieve this is explored in chapter four), has proven to spur extremely cost-effective and simple solutions. An excellent example comes from recent processes undertaken by the Gauteng DHS. An urban community near Germiston was approached by the DHS to participate in devising solutions to their over-crowded, inadequate housing situation. Much to the surprise of the DHS, who had come armed with a large wallet to fund the solutions identified, the community devised a housing plan that was far simpler and economical than models that the state were familiar with. When well-informed about the costs associated with occupying larger plots (which the state assumed would be the preference of beneficiaries), they opted to remain on small plots and undergo in-situ upgrading where upgrades of infrastructure such as roads, electricity and water would be undertaken giving residents a platform for improving their own dwellings over time, and ultimately dodging the shocks that would be imposed on their livelihood if they were to be subjects of a state-led relocation. Chambers (1995) highlights the conundrum that "good things which poor people want have not been done because they have not been recognised to have high pay-offs. Many measures which make a big difference to poor people have low financial costs" (p. 201). The key is effectively employing principles of participation and inclusive citizenship and then implementing them.

2.3.5 Conclusion

This chapter has outlined the historical context of South Africa's housing dilemma and the spatial and economic problems this has created which still persist today. Also illustrated was the role increased access to adequate shelter plays in interrupting poverty cycles and spurring on sustainable development, and the conceptual challenges that need to be overcome to realise this. These were seen to constitute a move beyond seeing solutions as the provision of bricks and mortar to a vision for engaging community participation in development initiatives that inform and lead to the development of sustainable livelihoods and sustainable human settlements.

The scale of the housing problem and inadequate supply of affordable housing in South Africa is demonstrated by the housing backlog. The gap between those who qualify for government assisted housing and those who have received it is monumental. This issue is compounded by the problems of rapid urbanization. The number of people under-housed or un-housed is growing rapidly in South Africa (Boudreaux 2008). With these challenges clearly established the discussion now moves to an empirical and theoretical analysis of the spaces that have been created for civic inputs in housing in South Africa through its various state acts and policies and the theoretical models that support a move in this direction.

CHAPTER THREE: A Conceptual Framework for Civil Society Contribution to the Housing Sector

The previous chapter has clearly shown that South Africa's housing and development challenges are unique, firstly through the history that underpins them and secondly in the sense that funds to help correct this problem are available (though admittedly difficult to access). In order to both leverage the resources available as well as overturn the apartheid legacy which allowed for decisions for the majority to be made by a minority, a climate of inclusive citizenship must be fostered. The purpose of this chapter is twofold; to investigate empirically, how this climate is being fostered in the housing sector through an analysis of state housing acts and policies; and to garner theoretical models that support the cause for enhanced civic participation in governance - specifically housing.

A key phrase that underpins this chapter is participation or participatory development. In order to appreciate the gravity a true understanding of this term brings to development it is important first to define it clearly. Jennings (2000), explains that participatory development is built on a belief that citizens can be trusted to shape their own future and uses local decision making and capacities to steer and define the nature of an intervention. Jennings states that "participation is involvement by a local population and, at times, additional stakeholders in the creation, content and conduct of a program or policy designed to change their lives" (p. 2). He adds that: .

Participatory development promotes equity and accepts that the exercise of decision making power at the local level is as legitimate as it is at the national level, it champions the sovereignty of people over the sovereignty of a state. It is not just about meeting a people's needs. It is about helping to create an environment where people can more effectively identify and address their own needs. It explicitly recognizes the significance of political and social context in an effort to determine the roots of an enduring problem and to avoid harming those who should benefit. (p.2)

With this established, the methodology of document analysis is employed below to investigate how participatory development and civil society inputs in housing are fostered through state acts and policies.

3.1 Creating an Enabling Environment: Evidence in Post Apartheid Policy Development for Civil Society Participation in the Assisted Housing Sector

This title of this section – 'creating an enabling environment' is a term that appears in a variety of state housing papers and codes from the Housing White Paper of 1994 to the National Housing Code 2009. This phrase transcends each policy over time and indicates the departments' long-standing commitment to lead and foster a climate within the political framework that harnesses South Africa's combined energies to increase access to adequate housing. The position of this research is that civil society can make significant contribution to this cause through its multi-dimensional modes of interaction from adversary right though to partner (Habib 2003, Davids 2005, Brown and Korten 1989). It is important therefore to establish first the political climate in which civil society is operating as this helps to determine the role it needs to play and the space, freedom and support that civil society groups can expect when making their contributions. This information goes a long way in helping answer the secondary research question 'what is the shape of state-civil society relations in the housing sector in South Africa?' The field study presented in chapter five clearly also plays a large role in demonstrating empirically what this relationship looks like, but policy, as the mouthpiece of the government, should be the first point of departure in answering this question.

This section of the report therefore, provides a brief, but pointed overview of the space created for civil society participation in the housing sector according to state policies. An exhaustive review of the policies would be a major work, however, as the samples selected below demonstrate, this is not necessary since the value placed on community involvement in policy development and implementation is so clear that just a few samples from post apartheid housing policies are ample for demonstrating this point.

3.1.1 Post Apartheid Housing Policies and Codes

A variety of housing policies, papers and codes have informed state housing practice since 1994. These are listed below and were considered when employing the methodology of document analysis in this study to gain an understanding of the political space created for civil society inputs in the housing sector:

- The Housing White Paper 1994
- The Housing Act 1997 (Act 107 of 1997)
- Social Housing Policy 2003
- The National Housing Code 2000 and 2009
- People Housing Process 1998
- Enhanced People's Housing Process 2009
- Breaking New Ground 2004

3.1.2 People-Centred Development

People-centred development is a notion strongly connected to theories of community participation. This theory centres on the belief that if the public participate in development projects they stand a better chance of becoming sustainable (Jennings 2000, Lemanski 2009, Theron, 2009). The very first housing paper of the new dispensation opens with an expression of the value placed on this kind of development:

> *We believe that of all our resources, nothing compares with the latent energy of the people. The housing programme must be designed to unleash that energy, not only to get the houses onto the ground, but also to give meaning to the notion of a people-centred development. (Housing White Paper 1994, section 1).*

In a section of the Housing White Paper dedicated to emphasizing the centrality of a people-centred development approach the assurance is made that:

> *"Government is committed to a development process driven from within communities. Through its policies and strategies it will encourage and support initiatives emerging from communities or broader local social compacts aimed at equipping and empowering people to drive their own economic empowerment, the development of their physical environment and the satisfaction of their basic needs. Policies must recognise and give effect to this approach.* (Source: Housing White Paper 1994, Section 4.4.4).

The glowing idealism in these words is noted in the next statement which shows a commitment to develop practical mechanisms that would enable the embedding of a people-centred approach to all state development initiatives:

> *"In order to convert these laudable sentiments into reality, government will be required to actively provide support for this process. This will include not only financial resources, but the creation of appropriate institutional frameworks and support structures. In addition, communities as well as government must be constantly alert to people and organisations who abuse this developmental approach for their own ends, and turn development into a contest for influence."* (Ibid).

Subsequent policies and papers, consistently reiterate this point. From the Breaking New Ground policy (2004):

> *"It is important that the programmes respond to the capacity needs of communities, ensuring that they are empowered to constructively engage with municipalities in identifying and fulfilling their housing needs (p. 23)*

And

Communities and CBOs must be mobilized to engage more effectively with the housing programme. In order to bring government housing programmes closer to the community, a cadre of community development workers is to be established. (p 26,27)

3.1.3 Public Consultation and Participation

Commitment to people-centred development is demonstrated by values espoused and mechanisms put in place for processes of genuine community consultation and empowerment in decision-making. Strong evidence of this is found in all policies. Below are excerpts from the Social Housing Policy and ePHP:

The government's Social Housing Policy is underpinned by the principle that social housing:

> *"Must ensure the involvement of residents in the social housing institution (SHI) and or key/stakeholders in the broader environment through defined meaningful consultation, information sharing, education, training and skills transfer. Social housing must encourage and support residents in their efforts to fulfil their own housing needs in a way that leads to the transfer of skills and empowerment" (SHP, 2003).*

> *"The PHP provides for a process in which beneficiaries actively participate in decision-making over the housing process and housing product and make a contribution in such a way that"* empowers, creates partnerships, expands social capital, supports local economic development and fosters sustainability (ePHP 2009, last part paraphrased).

3.1.4 Conclusion

This small collection of excerpts from housing policies and acts is an indication of the governments' broad commitment to people-centred, participatory development in the

housing sector. Perhaps the words of Friedman (2006) sum it up best. According to him, the plethora of formal commitments which enable citizens to participate in government indicates that South Africa should be considered as a 'model of participatory governance, in which citizens have ample opportunity to shape decisions.' (p. 3).

With it established that the space created for civil society inputs to the housing sector has been given pride position in government housing policy, we now move on to look at broader literature that supports the case for increased civic inputs in governance.

3.2 Towards Good Governance: The Role of Civil Society

This section of the report sees discussion shift to emphasize the body of literature that informs the role of civil society in building systems of good governance. It is important to establish these recommended models of practice at the outset, as they will be used in the field study later to gauge the involvement of civil society in the assisted housing sector. Before introducing the broader range of good governance literature from around the globe, it should be duly noted that central to the theoretical framework of this study is a recent model for civic engagement of South African origin created reportedly by the highest standards of broad-based, representative civic participation. A document called the Dinokeng Scenarios was produced by a key group of South African leaders from the State, NGO, and private sectors to critically analyse our current form of governance and interrogate where it is taking us. This is then used to question if the current direction of governance is for public good and finally used to diagnose the change that is needed. The Dinokeng Scenarios will be discussed in detail below along with other models of civil engagement as presented through Amirahmadi's power gap, and Judith Tendler's guidelines on relationships between civil society and the state.

Before commencing an exploration of these models, it is important to distinguish ways in which civil society has found to be active in South Africa. Habib (2003) presents an interesting model of this based on what he calls 'blocs' of civic engagement. These blocs represent various ways of engaging from a grassroots, non-political level right through to

interactions that see NGOs partnering with the government to enhance the delivery of services.

3.2.1 Spaces for Civil Society Participation in Housing

The role of civil society in holding up a democracy that is informed and lead by its people cannot be understated. Putnam (1995) purports that networks of civic engagement foster sturdy norms of shared values and encourage the emergence of social trust. Such networks facilitate coordination and communication, amplify reputations, and thus allow dilemmas of collective action to be resolved (p.69). When this feature of society is functioning well it provides a societal mouthpiece that is both expressed and heard and which helps shape the world in ways that inform policy development and improve service delivery. For example, with specific reference to housing, Duncan (2008) expresses that the difference civil society contributions can play in rebalancing the income equilibrium and upscaling social housing delivery is significant. So what then do these 'spaces' of civic engagement look like? Habib (2003) presents 'blocs' of engagement evident in South Africa. This discussion is followed by more practical analysis to the modes of participation called for from civil society within the housing sector.

Habib (2003) broadly analyses typologies or blocs of civic engagement that have emerged in South Africa. He divides state-civil society relations into three main blocs Firstly, grass-roots CBO groups who have a survivalist function. Habib argues that the failings of the economy and the state for the poor have necessitated organization and activism from community groups that foster and enable survival. These groups are borne from an individual will to survive and seek this through participation in a wider community that involves resource sharing and other beneficial synergies. Habib notes that these different blocs of civic engagement have become distinct in the relationship they share with the state (p. 237). The grassroots organizations have no relationship with the state. They are resource poor, don't require recognition and are solely 'preoccupied with the task of simply surviving'. Stokvels, burial societies, garden clubs and collective buying clubs are all good examples of this.

In contrast to this, the second civil society bloc according to Habib has a very explicit relationship with the state. These consist of more formal service-related NGOs who are sub-contracted to the state. Their mode of their operation is to assist the state in meeting gaps in service delivery and are therefore partners with the state. Habitat for Humanity are a good example of this in the housing sector as they access state grants in order to facilitate the delivery of houses through their programmes.

The final bloc also consists of a range of actors from NGOs to CBOs that relate to the state in an adversarial role as they form social movements to engage with and actively challenge the state on a range of issues. The Treatment Action Campaign (TAC) and Abahlali baseMjondolo are good examples of this. The aim of this bloc of organizations is to coordinate and mobilize society (particularly the poor and under-serviced) to contest and or engage the state and other social actors around the implementation of social policies.

Habib emphasizes that this heterogeneity of civil society playing survivalist, adversary and partnership roles is evidence of its strength. Survivalist groups knitting together to endure in the face of poor service delivery; adversarial groups organising people and their issues in meaningful ways to amplify their 'political voice' for change; and civil-state partnership that allow a struggling state with a capacity deficit to share resources and responsibilities facilitating better service delivery; these collective, but diverse parts contribute to the construction of a civil society that is able to engage in a variety of meaningful ways.

In practice within the housing sector, this translates to a field rich with opportunities for these 'blocs' to participate in various modes. To name a few, these could take the shape of:

- Participation in the development of state housing policies
- Contribution towards technical aspects of better housing strategies or designs
- Advocacy

- Implementation/service delivery
- Monitoring quality and performance, anti-corruption watchdog, gathering best-practice and lessons-learned.

An empirical study of how closely civil society is engaging within these modes will be presented in chapter four of this report. For now, discussion turns to theoretical models of participation according to good governance literature.

3.2.2 Models of Participation

Below three models of civic participation are presented that together provide a solid theoretical framework for this study that advocates for increasing citizen participation in the housing sector. The models presented are perspectives of Dinokeng, Amirahmadi's power gap and a theory by Judith Tendler. While these models are generic and not specifically created for the housing sector, application of the models transcends to this sector specifically and where possible illustrations are given to exemplify this.

3.2.2.1 The Dinokeng Scenarios

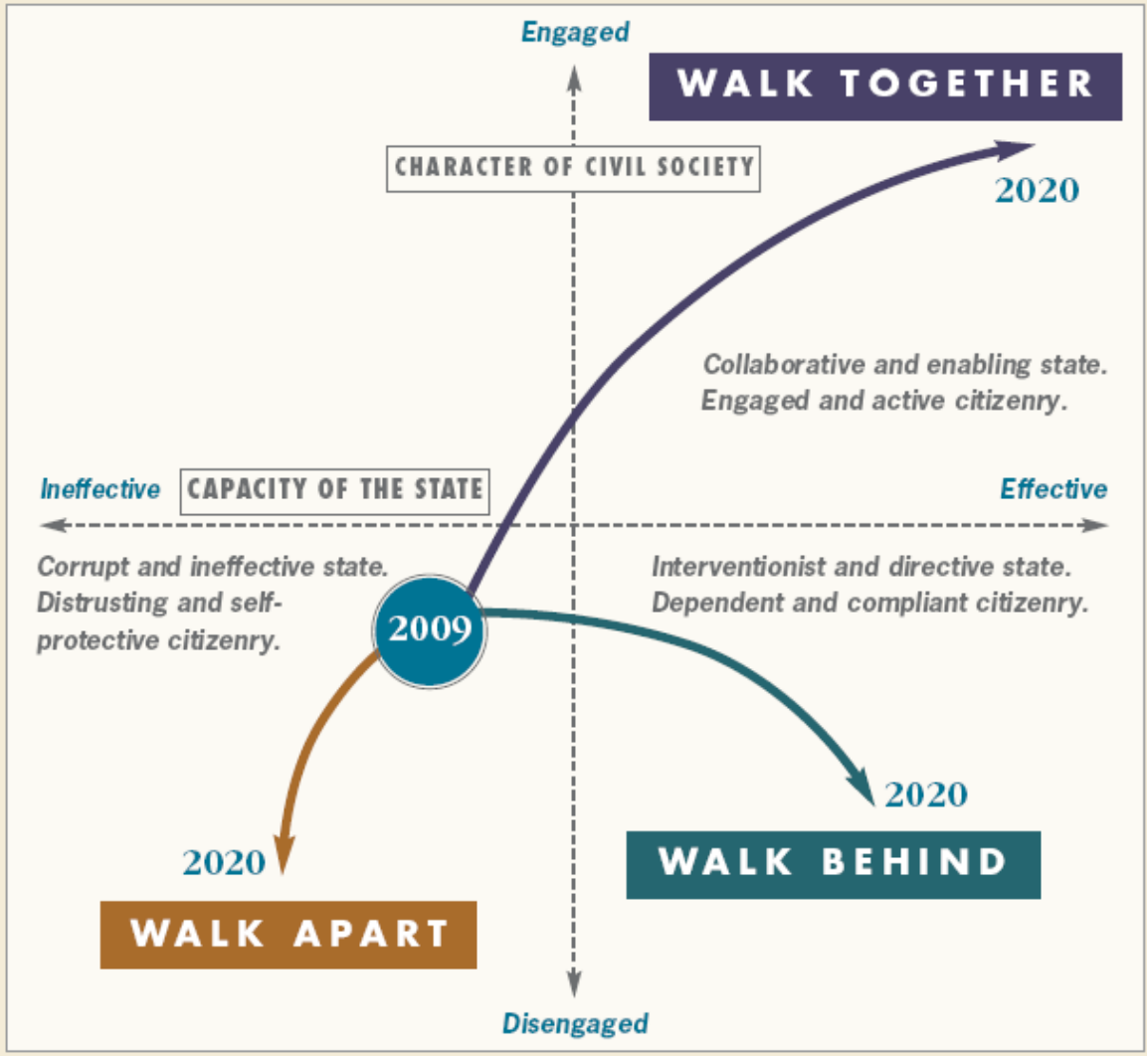
The rich ground for this research that questions civic engagement in the housing sector was laid in 2009 with the release of the Dinokeng Scenarios. This introspective initiative specifically questions governance in South Africa and makes a strong call for civil society to become more engaged in all matters of governance. This broad-based civic initiative has attracted much attention from state, NGO and private groups and as shown later is well-supported theoretically by good governance literature.

The Scenarios were developed by a team of 33 South African leaders from civil society, government, business, and academia in 2008. The think tank analysed South Africa's past and present, formed conclusions about where the paths have lead and what is the state of society and democracy today in South Africa. More importantly the team formulated

three possible scenarios for South Africa's future based on different future pathways the government and society could take.

Figure 1 below provides an excellent summary of the meaning the Dinokeng Scenarios bring to the debate on civil society and state relations. The x axis plots the effectiveness of the state, while the y axis indicates the engagement of civil society. Scenario one, 'walk apart' specifies a state that is ineffective and corrupt and a citizenry that is dissatisfied but also disengaged (p.38). Scenario two, 'walk behind' differs in that the state is characterized as an active, centrally planned and accountable entity. However, strong state intervention crowds out and disengages private initiative by business and civil society, and runs the risk of accumulating unsustainable debt or becoming increasingly authoritarian thereby threatening the gains of democracy (p.48). The third and preferred scenario 'walk together' depicts a state that is connected with and listens to its citizens and a citizenry that is organised, active and engaged. The fruit of this kind of state-citizen relations forecasts the development of a common national vision that transcends narrow economic self-interest, better service delivery, narrowing inequalities and long-term economic growth (p.58).

Figure 1: The comparative paths of the three Dinokeng scenarios



Source: Dinokeng Scenarios, 2009, p. 37.

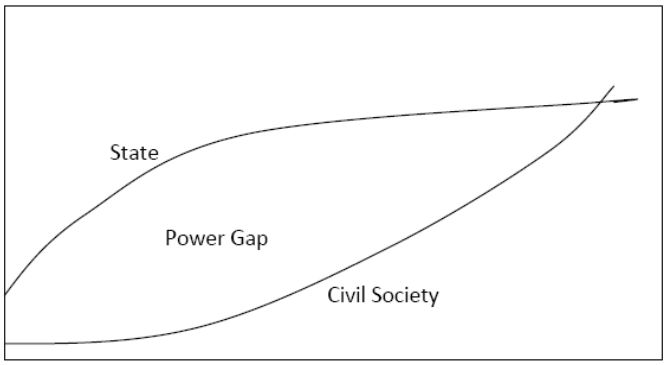
The factor that distinguishes 'walk together' from the other two scenarios is the engagement of the citizenry. The Dinokeng Scenarios are central to this study because of their popularity in South Africa at present and the opportunity they create to re-think and educate the nation on the importance of civic engagement in a healthy democracy. The production of these scenarios is an indication that the nation is thinking critically about, governance, future and the role civil society has in determining those things. Post-apartheid, many sources have criticised the disengagement of civic activism from many realms of societal life and governance. Dinokeng indicates there is an effort to call

attention to this problem and find a way of correcting it. These scenarios have helped tune people in to the issues at hand give a call for the activism needed to turn the corner towards better governance. The models presented below support the theory behind the Dinokeng Scenarios and encourage the development of an active civil society.

3.2.2.2. Amirahmadi's Power Gap

Amirahmadi (1996), through the application of historical analysis, makes an important point about the evolution of the relationship between state and civil society over time. He states that development is a 'dynamic and non-continuous process of state-civil society interaction' (p.26), arguing that the state and civil society assume varying degrees of strength with respect to each other over time and calls this the 'power gap' (p.36, see Figure 2 below). Amirhamadi found that in the early stages of national and economic development a strong state was beneficial in establishing a firm ground for economic development and growth. He cites the histories of Great Britian and the United States as examples of this; only after achieving unchallenged dominance of international economic systems did they begin to advocate free trade policies. Similarly, newly industrialized countries such as South Korea and Taiwan provide additional examples of massive state intervention in the developmental process erecting high tariff barriers, funnelling subsidies into selected industries and providing overall direction to the economy. However, Amirahmadi found that as development occurs, civil society grows in strength and, and over time it becomes more beneficial and appropriate for the balance of power between state and civil society to change, awarding an increasing portion of power and decision-making influence over governance to the citizenry. (p.47).

Figure 2: Amirahmadi's Power Gap



Source: Amirahmadi, 1996, p. 26.

It is interesting to combine Amirahmadi's model with the Dinokeng Scenarios. Amirahmadi presents a theoretical models that says over time, civil society should grow stronger and gradually move up to share a growing portion of decision-making capacities with the state. Dinokeng seems to come from a similar perspective to that of Amirahmadi, but does so though an empirical analysis of how state-civil society relations have developed since democracy in 1994. Their summary is as follows: South African civil society was:

> *"…at its height in the 1980's. Yet since 1994, communities have become increasingly reliant on the government and appear to have lost their sense of initiative. They have become extensions of the state and reinforced the view that criticism of the state is 'counter-revolutionary'"… Fifteen years into democracy, the electorate has yet to call the ruling party to account for non-performance. Until that happens, mediocrity will continue to be rewarded.* (Dinokeng, 1994, p. 18 and 19).

According to this source, the strength of civil society and its share of decision making power are not growing, but decreasing. This directly conflicts with how Amirahmadi suggests power and relations between state and civil society should develop over time. As the chapter five will demonstrate, this certainly is found to be the case in the housing

sector. While a strong state has made a commendable effort in delivering a large number of houses, failure to do so in participatory and inclusive ways has eroded the long-term impact of the initiatives and in many cases resulted in the provision of *houses* instead of *sustainable human settlements*. At the same time, implementation practices (ways of rolling out the projects, funding systems etc) have crowded out, disenfranchised and disabled many civil society groups who at a time, were willing, ready and able to make independent contributions towards the housing sector in South Africa (causes for this are explored more fully in chapter five). Discussion continues below with presentation of a third and final model that supports closer civil society-state partnerships to aide in increasing accountability and improving service delivery.

3.2.2.3 Tendler

Whilst unpacking the challenges of getting strong states to relinquish genuine power to the citizenry, it is important not to swing too far left and become trapped in the belief of a puritan institution in civil society. Judith Tendler (1997) found evidence to support the argument that civil society was not a homogeneously virtuous institution, keeping wayward governments on the straight and narrow. She found that the perceived comparative advantage of NGOs in areas such as flexibility and bottom-up governing styles were wrongfully assumed 'traits' of NGOs and not consistently inherent to them as group (p.162). Rather, Tendler established that what civil society actually did better was to build on already-existing models of service delivery developed by the government and extending these models and services to other groups unserved (p.161). In this way, service delivery is broadened to a potentially larger beneficiary base through sharing models and responsibility for implementation. This is not to infer Tendler did not envisage a role for civil society in independently developing and implementing models of service delivery, rather Tendler is speaking broadly, and admittedly idealistically, to what she observed to be the most practical applications of the generally assumed traits of the different sector groups. Of course Tendlers' model is difficult to apply in the South African housing sector, because as the field study presented in chapter five demonstrates, both the civil society and state sectors in South Africa are grappling with capacity issues

at both fiscal and human level as well as poor synergies between the two stakeholders. Perhaps though, it is for this reason, that Tendler's model is most useful. South Africa has had fifteen years post-apartheid to turn the developmental tide, and while there have been monumental and unprecedented gains in this, it is concerning that despite liberation, the development status of the nation on many key indicators of development are worsening. Life expectancy has decreased from 63 years in 1990 to 51 in 2006, infant mortality rates have increased from 45 in 1990 to 56 in 2006 and maternal mortality rates have also increased greatly. Similarly HIV/AIDS, tuberculosis and crime are all steadily on the rise (all statistics sourced from Stats SA 2001-2008, cited in Dinokeng, 2009).

Evidently, the state is not managing to curb these social issues, while concurrently civic activism is shrinking, which very simply stated, can be called no less than a waste of energy and resources. Dinokeng indicates some reflective thinking in this area, and government-produced reviews such as *Towards a ten Year Review* (2003), also reflects critical thought towards the change required. This document confesses that meeting developmental objectives are beyond the independent scope of the state and may only be realisable through state partnership 'with and through the actions of others'. (p. 8).

> *It is possible to argue that the success or failure of government in achieving its developmental objectives will largely be determined by the appropriateness of the institutional framework that it creates. The success of the state can be assessed in terms of how the government and civil society make use of this framework. The totality of social networks can only be harnessed to the developmental effort if the state manages to provide the central co-ordination and leadership that will ensure that externalities of many separate activities become complementary to the development project. In other words, the state can ensure that the economies of scale beyond the scope of individual actors can be achieved through the better integration of their activities.* (p.9)

The conclusion from *The Ten Year Review* bears striking resemblance to the model purported by Tendler. She found the model to be most beneficial involved a three way

partnership between state, local government and civil society actors. Tendler's findings challenged prevailing development wisdom which said that local; rather than central; and non-government rather than government more inherently possessed the traits required for ethical, effective and accountable public service delivery. In this model, a more broad-based sharing of power based on authentic partnerships between stakeholders, serves to create more genuine processes, better lines of accountability and ultimately better service delivery.

3.3 Conclusion

The literature explored thus far supports the view that civil society has a vital role to play in engaging and sharing responsibility with the state in creating and contributing towards a healthy service delivery model shared by both state and civil society. Through the examination of Habib's blocs of civic engagement and the modes for participation available within the housing sector it became clear that South African civil society is prepared and has a role to play. Amirahmadi's power gap suggests that in terms of developmental timelines South African civil society is ready to assume a larger slice of the power pie. The perspective from the Dinokeng Scenarios solidifies this as it represents the voice of modern South Africa calling for a more involved and engaged citizenry. Finally, Tendler's model pays due caution to the dangers of assuming that civil society groups are homogenously virtuous institutions and promotes partnership between the entities that capitalises on the strengths of the stakeholders and increases accountability.

Attention now turns to literature more embedded in South Africa's history of performance with civic engagement. It has been said that 'the vibrancy of civil society has become muted since 1994.' (Dinokeng, 2009). Such a statement threatens the ability of South Africa to adopt the models explored above and will be examined more closely in the next chapter.

CHAPTER FOUR: A Critical Perspective: Known Fractures in Participatory Mechanisms in South Africa

The review in Chapter three gave a positive account of state policy efforts towards creating an environment where public participation in housing initiatives is not only welcome, but genuinely leads the development process through people-centred action. This chapter provides a critical reflection of this in practice and exposes a number of cases, where practice has shown a major disjunction from processes and values purported in policy.

This chapter begins with the presentation of an analysis of participation according to Arnstein (1971), which may shed some light on why the participatory processes outlined in policy, presented in chapter three have not yielded the benefits they should. Discussion then proceeds with two practical examples of poor participation practices in the housing sector that demonstrates the unhealthy condition of civic participation with the state in the housing sector.

4.1 Arnstein's Ladder of Participation

It is very easy to advocate for participatory development and reflect on ones work and say 'we have involved the people and there has been participation'. Arnstein (1971) argues however that participation can manifest in a variety of ways – some beneficial, some not. The main difference Arnstein highlights between genuine and counterfeit participation is participating without power over the outcome and participating knowing that you will influence the decision or result of a process (p.72). Arnstein's view of citizen involvement sees the "redistribution of power that enables citizens, presently excluded from the political and economic processes, to be deliberately included in the future" (p.72). Similarly she highlights that participation without this redistribution of power can become very frustrating to the powerless. The distinction between the confusing, manipulative forms of participation and that which is genuine is best shown in Arnsteins diagrammatic 'ladder of participation' see Figure 3 below:

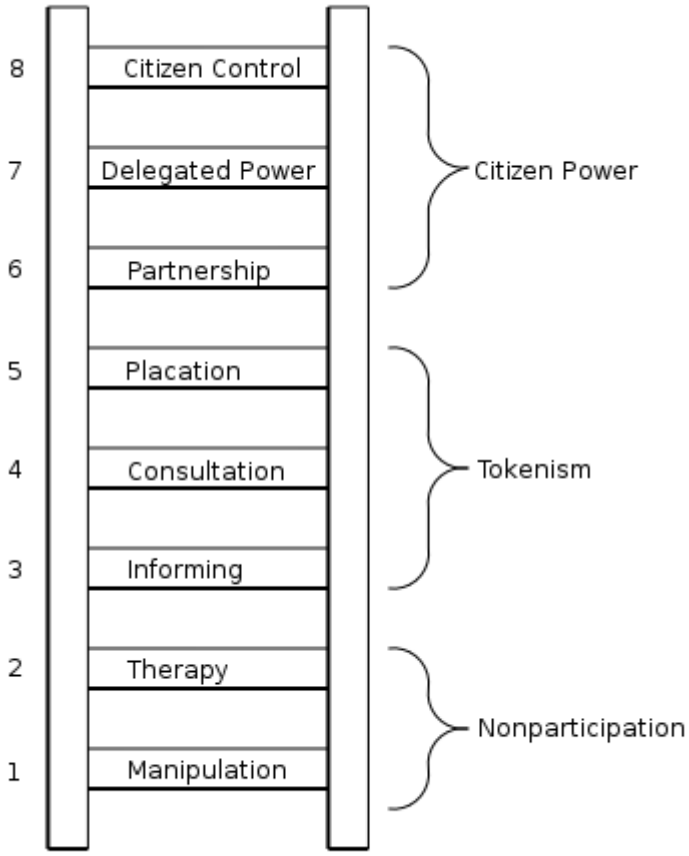


Figure 3: Arnsteins ladder of citizen participation (Arnstein 1971, p. 70)

Arnstein's ladder of participation exemplifies how participation can be introduced by manipulative, insincere means to make citizens feel involved without actually transferring any power to them in determining the outcome of a cause (p.71). As one moves up the rungs on Arnstein's ladder the shift of decision-making power to the citizenry becomes more genuine.

Illustrating non-participatory devices are the bottom two rungs, manipulation and therapy. These tools are often characteristic of programmes that are implemented in a top-down fashion. These devices do not aim for people to genuinely participate in planning or decision-making, the goal of these techniques is to manipulate citizens to

think in terms of what the authority want to do. At this level power is vested with the authorities to educate the powerless and manipulate them to appear as objects of action.

Rungs three to five represent the type of participation where the citizenry still does not have the power to influence decisions. At this level the citizenry are given a chance to be informed and express their voice through consultation, but there is no assurance that their input will be incorporated. Often decisions are taken by authorities prior to the community consultation processes.

The top three rungs of Arnstein's model see a genuine transfer of power to the citizenry. At this level partnerships are formed between the authority and the citizenry or community to solve problems and undertake decisions collaboratively. In the process there is space for the authority to delegate power to the citizenry to make decisions on issues concerning their lives.

Arnstein's model is a simplification and it should be noted that in reality, many rungs may exist that are not as easy to define and differentiate, however, the model is useful in understanding the gradual change in power relation between authorities and a budding, democratizing citizenry. In reality, participation can come in many guises, and Arnstein's model is useful in highlighting that unless participation involves a genuine transfer of power that enables influence in decision-making, participation may be no more than a masquerade for pushing the agendas' of authorities' reluctant to relinquish the locus of control to a developed and deserving citizenry.

Below, cases are cited that exemplify fractures in participatory mechanisms and indicates procedures of participation are taking place that characterise forms of participation closer to the bottom rungs of Arnstein's ladder of participation as opposed to those at the top.

4.2 Participation developing the PHP policy

A documented titled *'Success at a Price – How NGO Advocacy Led to Changes in South Africa's People's Housing Process'* is an recount of state-civil society relations in the housing sector post-94, with particular focus on the development of the *People's Housing Process Policy* (PHP 1998) and the *Enhanced People's Housing Process Policy* (ePHP 2009). PHP is a specific housing policy that focuses on providing a framework for mobilising communities to partner with government in the delivery of housing (ePHP, 2009, p. 3). It aims to garner local knowledge and resources (human and fiscal) in designing programs and building houses through participatory mechanisms that reduce cost to the state and speed up the delivery of houses. The release of the *Breaking New Ground Policy* (BNG) in 2004, bolstered focus towards PHP housing initiatives which had previously floundered somewhat. The renewed focus given to PHP through reinforcement in the BNG policy called for a review of the 1998 PHP policy. To this effect, the National Department of Housing (now called Department of Human Settlements) set up an implementation task team to produce a new set of implementation guidelines for PHP. The team consisted only of officials and housing institution representatives.

Less than a year prior to this, a PHP reference group had been established through the Urban Sector Network (an umbrella organisation designed to coordinate efforts of stakeholders in the housing sector). The PHP Reference Group was an inclusive group of civil society representatives from the housing sector who believed in PHP and aimed to empower communities through PHP mechanisms and funding; demonstrate how PHP could be scaled up; and improve state-community relationships (Carey, 2009, p. 6). Despite the states' full knowledge of the existence of this group and numerous instances where the PHP reference group had tried to work together with the NDoH, the reference group were not only excluded from the task team to review the PHP guidelines, but not even informed that the process was taking place. When the reference group learned about the task team, they requested representation but were denied as it was regarded as a

'government process only'. Consequently, the new PHP guidelines were then produced without direct engagement with the NGO sector (Carey, 2009, p.8). Shortly after this

> *"Without any consultation, and seemingly out of nowhere, NGOs were invited, at very little notice, to be part of a Housing Indaba in September 2005 to be signatory to a social contract. The social contract outlined the commitments to be made by different sectors in working with government to improve service delivery. The NGO section was drafted without any input from the NGOs working in housing. PHP Reference Group members raised concerns about the absence of an inclusionary process and resulting lack of understanding of objectives and intent of the contract. This process highlighted the disconnect between what was trying to be achieved politically, and how this was to be implemented by officials"* (Carey, 2009, p.8).

Greenstein (2009) provides some insight into the 'disconnect' Carey speaks of in the above quotation. Greenstein highlights that the ruling party makes many references to valuing political processes and decision making channels that involve considerable inclusion of local knowledge and cites many examples in ANC policy, speeches and literature where grassroots, participatory process designed to inform practice and policy is preached. However, Greenstein highlights that a bulk of these sentiments have become political rhetoric. Strategies for actually soliciting and utilizing local knowledge and participation are vague or completely absent from state guidelines and in the absence of these systems, genuine instances of participation rarely come to fruition (Greenstein, 2009, p. 7).

The instances of participation described by Carey above such as the Housing Indaba are synonymous with activities found on the bottom three rungs of Arnstein's ladder of participation: manipulation, therapy and informing. Arnstein calls these forms of 'non-participation' and 'tokenism'. It is evident that there was will on behalf of the state to create fanfare about the participatory process that were taking place, but in reality, there was no commitment to actually allowing that participation to inform decision-making or

program/policy development. The NDoH had already prepared the social contract that outlined the roles of stakeholders previously to the Indaba, and through this event, were simply soliciting non-state housing stakeholders' cooperation with the plans they had already decided upon.

A complex and coordinated civic response to these events of 2005 has brought about a resolution and re-development of the ePHP policy which was launched in 2009. Carey reports this version was produced through genuine participatory mechanisms. However, the title, and in fact, mere existence of Carey's '*Success at a Price'* report is a sign of the complicated, costly and frustrating way in which the review of PHP and production of ePHP was achieved. Where there is political will to foster participatory governance (as chapter three to this report demonstrated), it is far more productive when the relationship between state and civil society takes the form of Habib's second bloc of civic engagement – partnership. The complementary objectives of the state and civil society housing stakeholders and the political will demonstrated in state policies (chapter three), should lead to the natural development of Habib's second bloc partnership-type relationships. However, a lack of commitment by the state to uphold the virtues of their own policies is leading to the development of relationships more similar to Habib's third bloc – adversary. While a healthy democracy requires both, it is practically more beneficial if a larger portion of the interface is built on partnership as opposed to adversarialism.

A second case is presented below that further denotes civil society-state relations in the housing sector as adversarial in nature.

4.3 Abahlali baseMjondolo

Good governance literature has indicated that a successful future for South Africa "depends crucially on effective citizens' organization and pressure on government to deliver on an approach to governance that places value on building relationships between various sectors and; on enhanced state capacity and stronger accountability structures that

force the state to focus on delivery rather than on political favours" (Dinokeng, 2009:63). Abahlali baseMjondolo was established to do just this, but their story is worth noting here, as it provides evidence that as much as participatory development approaches are promoted through housing policy, in practice, there are severe fractures in these mechanisms.

Abahlali baseMjondolo is a shackdwellers' movement based in Durban KZN established in 2005. It is run by people who live in shacks, for people who live in shacks. It is committed to improving conditions for people living in the settlements affiliated to it, and to campaigning for the better integration of the poor into the urban fabric[6]. Abahlali's core message is that shack dwellers should not sit back and wait for what is often blithely called 'service delivery', but rather take responsibility by actively campaigning for better housing, sanitation, healthcare and education. (Wilson, 2009).

Abahlali quickly gained status amongst both the poor for which it advocated, and a variety of respected organizations in 2005 by pursing legal action against the state in response to unlawful evictions imposed on members. By forming alliances with legal resource organisations pro bono, Abahlali successfully overturned forced evictions that had been imposed on them by the state and compelled the state to revise their development plans to consider in-situ informal settlement upgrading, which was the initial development preference of the residents.

Abahlali's success using legal superstructures to reinforce their constitutional rights was repeated in October 2009 when the Constitutional Court ruled in Abahlali's favour in a case that challenged the constitutionality of the Slums Act, a piece of provincial legislation which equated the elimination of slums with the eviction of people living in them (independent online 2009[7]). However, this victory of a grass-roots civic movement came at a heavy price…

[6] http://www.abahlali.org/ accessed 07/01/10

[7] http://www.iol.co.za/index.php?from=rss_Crime%20And%20Courts&set_id=1&click_id=15&art_id=nw20091014113016291C589655 accessed 02/02/10

On September 29, 2009, two weeks prior to the constitutional court ruling, Abahlali baseMjondolo leaders found themselves under severe attack. Gangs entered the Kennedy Road informal settlement in Durban, sought out and destroyed the shacks of around 30 leading members of the movement and stole their possessions. Reportedly the police were present but did nothing to stop the pillage (Wilson 2009). A number of sources allege that the attacks were organised by local and regional ANC leaders with the support of the local police (Abahlali.org 2009[8], Anarkismo.org 2009[9]). When the police finally did respond, the only arrests made were those of Abahlali leaders, not those who were attacking them. Following the voilence, local ANC councillor Yacoob Baid and the MEC for community safety Willa Mchunu, addressed and congratulated the community on having removed what they called a criminal element and declared that the now ransacked Abahlali office would become a new branch office of the ANC itself (anarchismo.net 2009)!

Wilson (2009) expresses that what is happening to Abahlali represents something gravely profound. He calls it a 'closing down of political space; it is a warning that the poor should not be too organised, critical or demanding - at least not outside the spaces in which the state can control and marginalise dissent.'[10]

If Wilson is correct, there exists on the ground a reality far from that envisaged in the policies presented in Chapter three. Robins (2008) explains his frustration by his comment that "a decade after democracy the gap has widened between this bright vision of a 'rights paradise' and the grim everyday social, economic and political realities experienced by the majority of South African citizens (p.2). And Friedman (2006) uses the example of the Treatment Action Campaign (TAC) to highlight that in the end, the best gains of this democracy have not been made through effective, genuine participatory mechanisms, but through strong civic forces insisting on constitutional rights: "the most effective example of citizen participation in post-apartheid governance, the change in government policy towards dispensing anti-retroviral medication to people living with

[8] http://www.abahlali.org/node/6123 accessed 20/01/10
[9] http://anarkismo.net/article/14576 accessed 20/01/10
[10] http://allafrica.com/stories/200910161125.html accessed 20/01/10

AIDS, was a product not of participation in formal governance mechanisms, but of activists using their constitutional rights to make demands on the government" (p.3). I would challenge Friedman and argue that Abahlali's fight against forced evictions in the constitutional court is equally exemplary of this point, and again, a reminder that the political maturity of this democracy is yet to reach a standard where adversarial civil activism is not only tolerated, but valued.

The review of literature presented thus far in chapters two to four presents a solid case for the development of strong, active and engaged civil society inputs in governance. The state housing acts and policies presented in chapter three confirm that inputs of civic participation in governance are not only valued by the state, but central to it. Chapter four however began to unravel a picture of how civil society-state relations in practice in the housing sector, do not live up to the participatory values propagated in policy.

A field study was undertaken to investigate these issues more fully. A large focus of the field study was to further probe how state housing policy commitment to community participation and people-centred development actually translated in practice. Observing this would indicate the how much genuine space has been created for civil society inputs in housing and reflect the type of power/decision-making sharing taking place between state and civil society housing stakeholders. The findings of this study are presented in chapter five below.

CHAPTER FIVE: Field Study Findings

5.1 Introduction of Field Study and Description of People Interviewed

Employing the methodologies described in chapter one, this field study targeted key stakeholders from the State Department of Human Settlements and civil society groups involved in the housing sector in South Africa. A transect of stakeholders was selected that would offer greatest insight to perspectives on this issue across a number of levels eg at the state level from the National office to Provincial, and in civil society from grassroots organisation such as Abahlali baseMjondolo (a shack dwellers movement), to an international NGO, Habitat for Humanity, with decades of experience across many borders. In addition to this, independent consultants were sought who had gained experience as both state and civil society housing stakeholders. These consultants were found to bring a more unbiased, reflective analysis of the issues. Finally a representative from the Dinokeng Secretariat with experience in the housing sector was sought in order to draw empirical studies as close as possible to the theoretical framework of the investigation.

5.2 Field Study Findings: Reasons for the Limited Contribution of Civil Society Towards Assisted Housing in South Africa

The overarching message from the field studies investigation was that the civil society contribution to the housing sector in South Africa is not operating at optimum levels. Evidence that supports this finding is described below as well as a summary of the themes recurring across interviews that indicate why civil society inputs are being challenged. Following presentation of these themes I will attempt to give a concise review of how these findings answer the primary and secondary research questions that were posed in this investigation.

5.2.1 Theme 1: Disconnect between Policy and Practice

After all is said and done, a lot more will have been said than done. ~Author Unknown

"What's on paper is commendable, but in practice, you will be disappointed when you see what is actually happening." Ishmael Mkhabela, Dinokeng Secretariat

The first point of departure in determining the extent and health of civil society contribution in the assisted housing sector is to look at policy and ascertain if a 'space' or realm for civil society input has been built into the structure. The document analysis of state housing policies presented in chapter three of this report provided this, and the resounding verdict was that, without a doubt, engaging with participatory processes in the planning and execution of assisted housing services is valued and supported by state policy.

The second point of departure in probing further into this question is an investigation of the congruence between policy and practice. It is a well-known conundrum that in many things, the difference between word and deed are often quite distinct. This research attempted to probe this further through interrogation of the difference between housing policy and how these were being translated and practiced.

A theme that emerged solidly from all interviewees is that there is a clear disconnect between state housing policy and state housing practice, and evidence suggested that this reality crowded out space for civil society inputs. All interviewees indicated that housing policies are written well and support values of inclusion, participation and bottom-up development in planning, however, their recollections of actual policy interpretation and implementation were not as glowing:

"*What's on paper is commendable, but in practice, you will be disappointed when you see what is actually happening."* (Ishmael Mkhabela, Dinokeng Secretariat)

Speaking specifically about the 'Enhanced People's Housing Process Policy (ePHP);

"The policy has never got off the ground. There's no money, no anything to support the policy yet, so nothing's happened." (Susan Carey, independent consultant)

The consistency of this theme from all interview participants is significant, especially when the groups of respondents are considered. It is not surprising to hear civil society and Dinokeng respondents raise this issue, but there was also strong representation of this theme from interviewees from the State DHS at both levels consulted – National and Provincial.

"The housing policy is built on the principle of beneficiary involvement in all aspects of development… Here at the DHS we have not been able to achieve community participation… There is very little compliance with policy transcripts." (Senior National DHS official A)

"In the government we are paying lip service. We are saying we are a developmentally orientated government, but I don't think we understand what that is… Because development is about people, and you cannot do things for people without involving them – but we are not doing that." (Senior Provincial DHS official A)

"The current policy pays lip service to community participation. It has never truly been done in practice. There is no political will to work in a participatory way. Budget allocations affirm this – only 3% of the budget was allocated to community participation in the last financial year." (Senior National DHS official A)

Accusations and confessions that policy is lip service to values that are espoused but not actually practiced are not just evidenced through findings from these interviews, but also in legal action taken by civil society, against the government where they have been successfully charged for unlawful and unconstitutional action in the housing sector. These cases were pursued by CSO Abahlali baseMjondolo and were discussed in detail in

chapter four of this report. A senior Ababhlali member was sought for participation in this study and taking the situation back to a very basic participatory level had this to say about the shape that community liaisons took whilst trying to gain information on the informal settlement upgrading plans.

"We approached the city [municipality] to ask about the development of the informal settlement. But the city was reluctant to give us that info of when, where and how it was going to happen. We wanted to know when are they going to develop us, how, what assurances are they going to give us? It was difficult to access this information but when we got the information it was not clear. We had to seek advice because the words that were used in that were not clear to us. The English was stronger than ours. When finally this was done we found that the documents aren't clear about when and how it will happen. We also discovered the municipality does not have a housing list. How can they be planning to build houses for people if they don't even know if there are beneficiaries – or who the beneficiaries are?!" (Senior Abahlali baseMjondolo leader)

The testimony above is in direct contrast to housing policy sentiments that says that the state adopts a people-centred development approached as described in chapter three.

What is unfortunate about the testimony of Abahlali above, and the attacks on their organization described in chapter four is that well-organised, well-informed, grassroots shack dweller movements such as this are all too few:

*"There aren't many civil society groups contributing towards housing that we are aware of." (*Senior National DHS official B).

If implementers failed to follow through with the policy directives for community participation and inclusion with such a well-organised CBO such as this, it can be assumed that chances of success in less-organised areas are slimmer.[11]

[11] Issues informing this phenomenon are more complex than this and discussed further in theme six under the analysis of an observed intolerance for apolitical structures within the current administration.

The upside of the situation presented by the Abahlali member was that despite the fact that relations between their organization and the local municipality had failed, the municipality did sub-contract a private organization to act as mediator. This mediator facilitated the community participatory mechanisms stated in housing policy, and the final product of these processes was the informal settlement development plan. The interviewee spoke highly of the outcome of this process and described it as:

"A huge achievement because it carries the words from the people on the ground. It is not something that is talked down, but is from us as the people of the settlement that were part of the documentation of the plan". (Senior Abahlali baseMjondolo leader)

Two points are of worthy of mention here. Firstly, one has to be dubious as to whether the municipality would have gone to such great lengths (sub-contracting a mediator) if it were not for the dual forces of relentless civic engagement with the issues and litigation. Secondly, quotes by two respondents above, one a senior DHS official indicates there are insufficient funds dedicated to the costs associated in soliciting genuine community participation (3% of total budget as quoted earlier). It seems that even DHS officials are cognizant that this amount of dedicated funding already sounds the death knell for community participation in the implementation of the policy and that greater dedications of funds towards this cause is needed to make it succeed.

It has been well-documented in this report that many of the post-apartheid housing policies have been widely heralded as pillars of good governance and great tools for nation-building. The potential effects of blatant disregard for these policy directives should be the concern of all stakeholders.

A senior Provincial DHS official succinctly summarized the impact of failing to engage in participatory processes in state housing service delivery:

"Development is about people and you can't do things for people if you want your programme to be sustainable. They have to be owned by the people, particularly the ones that you are targeting. They need to be involved from the planning, from identification of issues, strategies, beneficiaries to the execution and the monitoring of the projects and they must feel like they own the process, and they've been part of it so they understand it and feel it belongs to them" (Senior Provincial DHS official A).

He went on to describe the kind of outcomes the department has become familiar with,which in his opinion, are a direct result of poor participatory and consultative processes:

Most of the houses they fall apart because there's no sense of ownership. Even the people who occupy the houses, they don't really feel that those are their houses. We get people coming to our offices saying 'that door on that RDP house [theirs] *doesn't close nicely'. This is long after we have built and transferred to them a free house – they still feel it's our responsibility to fix things like a door. They fail to realize it is now their home. …If civil society had been involved more from the beginning to end these kind of issues would not be so problematic*." (Senior Provincial DHS official A).

The scenario above points out clearly that the failure to conduct activities without participation from the community and beneficiaries poses a great threat to the sustainability of housing initiatives as well as the counter-productive effect of creating greater dependence among the beneficiary group and disgruntled responses to what should be highly acclaimed outcomes.

5.2.2 Theme 2: Conflicting Priorities: Targets VS Participatory Processes

This research attempted to probe how effectively policies were being translated into practice. The previous section demonstrated this conundrum and highlighted the gaping disconnect between the objectives of policy and the realities of practice. The next emerging theme goes some way in explaining this. Evident in the field study findings was a strong correlation between all interviewees, indicating an awareness of the conflict within the state between delivering on the housing targets set, and following planning and implementation processes that promote community participation and ownership.

The first major indication of why the state does not prioritise participatory planning and implementation practices was that these processes were viewed by state actors to be in direct conflict with targets. The strong and very practical argument was presented by both state and civil society actors that the solicitation of community participation in policy development and implementation is an extremely time consuming task. There is insufficient capacity, funds and time to overcome this – so the fastest form of delivery becomes preferred – private sub-contracting:

"Because we have to deliver, we can't start going for six months talking to civil society whilst there is a need for service delivery! So you end up being caught up in this issue of service delivery and giving scant attention to inclusivity and active participation by civil society." (Senior Provincial DHS official A).

"We are chasing a huge backlog. Community participation is in conflict with service delivery backlog." (Senior National DHS official A).

"From the government side, we don't have the time to debate because we are under pressure. In our budget if we get 1 billion and we are expected to spend 1 billion. So when you work you think target, target, target! We are in a hurry to meet the ever increasing demand and in the process compromising quality." (Senior Provincial DHS official A).

"You know you have a job and you have to get it done. They [the state and its RDP building contractors] *don't see any partnership. They say here is the money I have to satisfy my employer, I've got a contract with my employer and targets so I'm running after my targets. So you achieve the targets, but at whose expense? You have been trampling on people but you don't care because you have met your targets. There has been no partnership, because in partnership you can achieve a lot. Especially if you've got a partnership with an NGO who can share the task with you."* (ibid).

"*The problem is the state wants immense delivery. Using contractors is an idea. But the contractors are business, they want money, they're not so interested in community or doing things slowly. The issue is that mass production is not sustainable. So how do you marry low rate of delivery but sustainable* [that the NGOs can deliver] *with high rate of delivery that is not sustainable?"* (Bosco Khoza, National Director HFH, South Africa).

"The government was focused on numbers 'let's get as many houses built as we can'. In doing so the developmental processes catered for within the policy were overlooked." (Susan Carey, independent consultant).

The second aspect found within this theme to impede civil society contribution towards housing was an observed reluctance within the state to enter into civil society-state partnerships because, even if done well, the capacity of the civil society/NGO sector to deliver is perceived to be unable to make a large enough impact on the scale of delivery required from the state perspective:

"The scale of the backlog and the scale of the contribution civil society can potentially make, even if it is operating well is minimal in comparison to government targets." (Senior National DHS official A)

"The State has their own challenges. They won't partner with civil society because their contribution is too small." (Ishmael Mkhabela, Dinokeng Secretariat).

There was some disagreement on this issue from the civil society respondents. Susan Carey relayed a situation from Ivory Park informal settlement in Gauteng that exemplified very cost effective mobilization of civil society participants who were able to deliver a significant number of houses through their involvement:

"Rooftops Canada is working with a group of women in Ivory Park. They set up a cooperative there with a core team of about ten women who were residents of the settlement. They were tasked as project managers and were able to subcontract to local builders and bring in more people. So at that time they could create up to 100 jobs. They were delivering up to 500 houses a year. It doesn't sound significant but if you have thousands of those groups throughout South Africa delivering, which is very possible (support of an NGO required), they can make a significant contribution. It should be mentioned though, that within this project, Rooftops have had endless problems with the Gauteng DHS; cash flow, payments etc, but we've proven that delivery can happen at scale if enough of those groups are built and supported." (Susan Carey, independent consultant).

This case provides an interesting rebuttal to the argument that civil society-state partnerships are too time consuming and not productive enough. Add to this the fact that projects undertaken with community participation are more sustainable and have a higher rate of client satisfaction; the way in which this kind of community leadership generates jobs and wealth within economically deprived communities; and the level of capacity that is built amongst project leaders (such as the 10 shack-dwelling women who became housing project managers) and it becomes very difficult to ignore the value of this kind of input and partnership.

There is some worth then in also considering the role that the grant payment problems the Rooftops project encountered played in fracturing civil society-state partnerships. This problem was also reported by Habitat for Humanity in their interview. At the roll out of the new ePHP policy Habitat were approached by the state to conduct a trial-pilot in

KZN. Despite the fact that HFH were approached by the state to undertake the initiative, and despite the capacity, willingness and readiness of HFH to undertake this task they are yet to see the funds to support the pilot:

"We were invited by the National DHS to do a test pilot in KZN for the new ePHP but were not given any subsidies to do so. The DHS said to us they will work with the province to give us the subsidy for the pilot, but the national office failed to liaise with the province on this issue and we have still not received funds from the state. But, since the pilot was proposed in an area we wanted to work anyway we have gone ahead to the best of our ability with our own funds. It's very frustrating. We were invited by the state to lead the pilot, yet funds never came to fruition!" (Bosco Khoza, National Director, Habitat for Humanity, South Africa).

One tends to wonder how much the frustrations of the state and their reluctance to partner with civil society groups is a result of their own failure to implement procedures and systems that get parties talking and and funding processed ? As one NGO leader put it:

"It's easy to make agreements, but the time it takes to bring things to reality is interrupting to the process." (Bosco Khoza, National Director, Habitat for Humanity South Africa)

The tragic irony of this aggressive pursuit of targets is that despite this effort, even when annual DHS targets are achieved, their contribution towards narrowing the gap in the broader issues of poverty and housing shortage remains insufficient:

"if we continue delivering at the current rate it will take 29 years to fill the existing backlog in assisted housing demand, and this figure does not factor in our increasing growth rate or the increase placed on demand due to rural-urban migration" (Monty Narsoo, independent consultant).

Further, one DHS provincial interviewee highlighted the kind of scenario we can expect to see if we fail to begin to execute a policy that is participatory:

"If you find people in an informal settlement don't think that it's a coincidence... This is where people's support systems are. You will find they are organised, they have family there, businesses. As soon as you say 'move to Joburg to your RDP house' it means that they lose that community support. So what we have done is build a house the people don't want. If they had participated we would have found that what they needed most was basic services – water, sanitation, roads etc. So what happens is they don't go to their RDP house. They steal from the RDP houses (taps, doors, frames etc) and move them to where? They renovate and improve their own informal settlement with the materials stolen from the RDP houses! So we are not really achieving much... maybe in 10-20 years time we might regret what we have done and want to demolish these homes because you see we are going to need land. We've built houses that we should not have built." (Senior Provincial DHS Director A)

This provincial DHS official spoke frankly about what he felt were the shortcomings of DHS policy and implementation. His view on the value and extent of civil society's potential contribution was summed up as follows:

"Civil society can be involved in the provision of housing, not only government and the private sector. If we [the government] *have this partnership in action I think we can, besides building many houses, we can build quality houses and we can meet the actual target."* (Ibid)

In summary it seems that there is a conflict between the will to deliver on housing targets and the professional execution of community participation processes. It also seems the root causes of frustrations about these processes may be more complex when investigated further, and more connected to state administrative systems that need improvement, rather than to NGOs who can't deliver at scale, and communities that are difficult to work with. Defining the fundamental causes of this problem is beyond the scope of this

investigation and may be worthy of further research. However, from this investigation it is clear that the will to deliver on targets is greater than, and in conflict with, the will to implement according to policy-advocated processes of community participation.

5.2.3 Theme 3: Paternalistic Attitude (and its Child – Dependency)

The issue of paternalistic attitudes in governance proved to be a very important issue to discuss in this context as the field study findings in this research indicate that paternalistic attitudes are alive and well, and threaten the autonomy and development of civil society. The housing sector nestled within the parameters of the states' reconstruction and development programme proved to be an area where this phenomenon could be very clearly observed.

Both civil society and state representatives interviewed indicated problems in the way development is being planned for and promoted within the RDP. Senior Provincial DHS Director A put it this way:

"The mistake we did as government is that [we said] *'we are going to provide houses for people'. A sort of delivery plan that goes around delivering houses for people without saying 'people have been building their houses for a long time – how have they been doing it in these most difficult conditions'… And maybe come up with research about how they achieved. And meet people half way."* […Taking stock of what they are able to contribute themselves and facilitating the remainder that they are not able to meet]. (Senior Provincial DHS Director A).

The interviewee from the Dinokeng Secretariat indicated the kind of values and attitudes this kind of programme began to foster:

"Policy clearly stated the government will deliver 1million houses in 5 years. So right from early on there was an expectation generated that people will be provided for." (Ishmael Mkhabela, Dinokeng Secretariat).

When talking about their attempts to foster relationships with the state to partner in service delivery, the Habitat for Humanity national director shared, what he believed, were attitudes of paternalism within government that blockaded genuine partnership:

"It's the patriarchal way of thinking. Because they [the DHS] *feel like they have the solutions so they don't like hearing from others what must be done. It's like I* [the government] *am the father figure, I know what's good for you so I'm not going to ask you for your opinion."* (Bosco Khoza, National Director, Habitat for Humanity, South Africa).

Bosco felt that there was an over-emphasis on the provision, and a lack of recognition and planning, for the empowerment of groups who have the ability to contribute, even something small:

"We need to better guard against the climate of entitlement. The Habitat for Humanity model asks people to participate with their sweat. How can we leverage that principle more into communities? What other resources can people contribute? There are communities that can do it [help provide their own housing] *but don't because they are waiting for the state to do it for them. So we need to look at ways how we can incentivise people who can't wait, who can do something about meeting their housing needs other than the subsidy mechanism."* (Bosco Khoza, National Director, Habitat for Humanity, South Africa).

Dependency

The obvious by-product of paternalism is dependency. Interviewees spoke about a 'climate of entitlement' that is prevalent in the RDP programme and those expecting to benefit from it:

"*But people are there waiting, standing and sitting and watching for when the day the house is finished* [they think] '*maybe when this house is finished they* [the government] *will call me?' so they are not active participants. That's the problem. They are waiting to receive. So people who are supposed to be beneficiaries are not actively involved. People are dependent on government which is wrong. We are creating a society of dependence."* (Senior Provincial DHS Director A).

The attitude of dependency was found to manifest its prevalence in creative ways also:

"It's not an accident that most informal settlements are named after political leaders. That actually gave people a sense that they will be looked after and it also meant that politics of patronage… if we support this party we might be considered first." (Ishmael Mkhabela, Dinokeng Secretariat).

The perspective of Senior Provincial DHS official A indicated that there is cognizance of this issue at the state level and concern about the development that this type of attitude can lead to:

"There is still that dependency. That is the problem we are having. Although we are saying we are a developmentally oriented government, in reality we are not living up to that." (Senior Provincial DHS official A)

In a nutshell attitudes of paternalism and dependency crowd out civil society inputs as they erode that introspective quality in beneficiaries and activists which asks 'what can I do to make this situation better? What can I contribute?' Rather, people wait for the state

to provide instead of harnessing the energies and resources they already possess to seek innovative and sustainable solutions to the problems they face.

5.2.4 Theme 4: Weak Institutional Memory and High Staff Turnover at the DHS

By definition, institutional memory is 'a collective set of facts, concepts, experiences and know-how held by a group of people. As it transcends the individual, it requires the ongoing transmission of these memories between members of this group.'[12] Many of the respondents in this field study from the NGO/CBO sector indicated poor institutional memory often in association with high staff turnover as a major barrier to their work. Interestingly, this was also a reality and frustration vented from within the department by senior directors from both the national and provisional DHS:

"We are continually losing and reinventing our capacity. We feel that we capacitate people and before we know it they jump rank and go to the private sector where there is more money to be made… People leave with their knowledge … There is a high staff turnover … There is little knowledge of policy." (Senior National DHS official A).

"There's very weak institutional memory within the DHS. There's no community of practice where lessons-learned from the years of experience within the institution are collected, shared and used to inform better implementation." (Monty Narsoo, independent consultant).

An interesting point to consider here is - what are the drivers of change or progress? Unquestionably, in this case policy plays a critical role… but as theme one in this analysis of findings portrayed, without drivers (ie. people), policy can have little meaning. Many interview respondents talked about the importance of relationship-building between civil society groups and state leaders, and the frustration of needing to continually renew these:

[12] http://en.wikipedia.org/wiki/Institutional_memory accessed 25/01/10

"You need the policy there, but you need active drivers who understand the sector. It's complicated. We need to build relationships again and get people on board, talking to each other again. At the moment it's all pulling in different directions, and there's no real direction." (Susan Carey, independent consultant).

"*In the work and organizations I've been involved with over the years a common theme in our interactions with the state and the influence we've had depends who's in office and what kind of relationship we've got."* (Ibid).

"Many of the problems we've encountered in our interactions with the state I believe are influenced by the high degree of staff turn-over within the state. With state agencies you have to nurture a relationship with specific officials. It becomes frustrating when you have to continually start from scratch trying to gain support for your initiative/partnership because the people you are supposed to be working with are always changing." (Bosco Khoza, National Director, Habitat for Humanity South Africa).

"They [the DHS] *keep losing staff too. You feel like you've finally made a connection with someone and then they leave and then you spend another five years trying to find someone to listen to your issues. We've been in the sector for how many years but we can't get traction. Nothing sticks. It's very frustrating. We feel like we take three steps forward and five back."* (Susan Carey, Independent Consultant).

Two respondents used an interesting word to capture what they felt was key in marrying good policy, practice and partnerships. They called for 'champions' within the state:

"*To take this work forward we need dedicated champions - people who can pull it together. Dedicated capacity funding, people actively driving it forward – we haven't seen that in government."* (Susan Carey, Independent Consultant).

And speaking specifically about the ePHP policy: *"My impression is there's not really a key champion in the dept for the ePHP to really drive the process. So the policy's good.*

But the 'how' lacks development." (Bosco Khoza, National Director, Habitat for Humanity South Africa).

To help combat this issue, one of the interviewees who has a long history of service with both the civil society and state sector, has developed and teaches a course through the Wits Business School that aims to create the 'community of practice' within the housing sector that he has found to be lacking. The course is mostly attended by members of civil society involved in the housing sector and the DHS. This seems to be a step in the right direction. The recurrence of this theme among interviewees emphasizes the importance people and relationships play in bringing together policy with practice through partnerships.

5.2.5 Theme 5: Fragmentation of Civil Society and Civil Society Organizations: A Disengaged Civil Society?

The Dinokeng initiative that forms a large part of the theoretical framework for this study sees the level of civic engagement as the variable that differentiates the outcome of a bright or dark future for South Africa. Their position is that a large, active, engaged civil society has a positive impact on all aspects of governance and can lead to an increase in accountability, service delivery, rule of law, equity, inclusivity etc. So the question relevant to this study would be what is the state of civil society activism within the housing sector?

One interviewee very aptly suggested how to answer this question;

"If one wants to look at the role of civil society today one has to be informed by the historical situation." (Senior Provincial DHS official A).

"Before 1994 we had a lot of effective and efficient NGOs in all spectrums of South African society. But with the ushering in of the new dispensation, now there was really no

need. The funders realized that 'now they've got democracy, so let's scale down the funding'. I remember that at some point the government said they would coordinate reconstruction activities. At that time it was through the RDP. They were coordinating funding. In other words, the international donors would give money to the RDP for distribution to NGOs so that in a way NGOs were denied opportunity to get funding and be independent from the government. Because if you are going to start raising critical issues then you have to be independent, but if you are going to get funding through the government and then you are going to criticize that same government they might end up not funding you." (Ibid).

"The NGO [housing] *sector now is quite weak, human settlement stuff isn't a priority. They lost funding, capacity, a whole lot of things that have happened. There was also a fight about roles: NGOs – should they been seen as critical of government or working with government? There was contestation defining those roles. It was easier before with apartheid because we were all working together against the government. In the new South Africa we had to redefine what role the NGOs play. We needed to be independent of government but there was always a bit of friction there."* (Susan Carey, independent consultant).

"So if you look also after 1994, even donors were not certain whether to support the civil society organisations, they actually thought that the best thing to do was to support the new government - rightfully or wrong, anything that was seen to strengthen a move away from apartheid was accepted." (Ishmael Mkhabela, Dinokeng Secretariat).

The similarities in these interviewees' comments (all people with a long history in the housing sector who have represented both state and civil society over the years) provides a fairly high level of corroboration about what was taking place in the sector at the time. It seems the pendulum has swung from complete reliance on independent civic organizations to care for the poor that the apartheid government neglected, to an almost full reliance on the state after 1994. Funds connected to housing assistance were rerouted through the state and its RDP initiative which NGOs felt threatened their autonomy and

ability to be critical in any way of the government (discussed in detail in the next theme). In addition to the loss of funding, there was also a severe loss of capacity as many of the civic leaders of the anti-apartheid movements took up employment with the state after the ANC came to power. Without a doubt, the decrease in funding directed towards housing initiatives and the loss of autonomy and capacity in the civic-led housing sector has contributed towards the weakening of civic involvement. Some interviewees spoke specifically about the impact of this:

"The drying of funds had a serious impact on the efficiency and effectiveness of NGOs in the country. I think in terms of organizations involved in housing programmes the impact has been very serious. If you move about today you see how unorganized people are. You see the needs and you see how frustrated people are… but they are not protesting under a united front." (Senior Provincial DHS official A).

"The NGOs in housing are disbursed. We're not aware of who's out there and who can do what? In fact, I think there aren't many civil society organizations contributing towards housing." (Senior National DHS official B).

"*There aren't many players in this industry* [civil-led assisted housing initiatives]." (Bosco Khoza, National Director, Habitat for Humanity South Africa).

"Civil Society after 1994? I don't' think it's vibrant, and we all acknowledge that. We need an engaged civil society. Engaged I think suggests something more than just participation, it suggests something more than getting involved it means, raising issues, defending causes and promoting interest. I don't think we have had many groups being able to do that." (Ishmael Mkhabela, Dinokeng Secretariat).

The consensus among interviewees certainly pointed to a diminishing contribution of civil society in assisted housing since 1994. The findings herein provide specific answers to the broad question posed in this research 'Is the civil society contribution to the assisted housing sector in South Africa operating effectively and efficiently?' Evidence

presented here indicates the contribution to be far from that described in the good governance literature in chapter three. Key factors in the diminishing contribution of civil society to this sector are a decrease in funding dedicated to housing initiatives, as well as the rerouting of funds from NGOs to the state. There has also been a decrease in human capital in the sector due to absorption of civic leaders into state roles. The ability of the sector to sustain good employees is also threatened by the reduction in funding.

Susan Carey spoke about the effect these factors had on the sector:

"The NGOs have done it at their own cost for many years …but I'm seeing that they've run out of energy and money. In the end they need to survive. So the NGOs have changed focus – but focused on other areas like land rights – something that they can actually make an impact on." (Susan Carey, independent consultant).

Indeed the appearance of the civil society contribution to housing found here is one of fragmentation and diminishing capacity. However, the provision of secure housing for all South Africans has not shifted as a priority since the inception of the housing White Paper in 1994. Despite uneven application, each policy thereafter has sought to strengthen and further emphasise the importance of this issue. These initiatives are further fortified by commitment to international programmes with similar objectives such as the Millenium Development Goals (MDGs)[13] The confessions of state interviewees in theme two of the findings indicates that there is space for civil society to partner with the state, access funds, and assist in the achievement of this development objective. The number of CSOs and NGOs who are currently engaged in this work, despite the challenges mentioned, have not found the environment for building those partnerships to be favourable. These problems are in dire need of correction if the efforts of civil society are going to be strengthened rather than eroded.

[13] http://www.undp.org/mdg/basics.shtml Accessed 26/01/10

5.2.6 Theme 6: The Obstructed Autonomy of Civil Society

"Our institutions – the judiciary, the media, civil society – are still strong, but are being undermined by a discourse of intolerance and divisiveness" (The Dinokeng Scenarios)

To avoid repetition I direct readers to the first four quotes from interviewees provided under theme five. These quotes gave account of why there appears to be fragmentation amongst civic-led inputs in housing, and also contribute to a broader theme worthy of more detailed discussion here. Data from this small study indicated that there is a serious problem threatening the ability of civic-led organizations to act independently and exercise their political and social freedoms without fear. As noted in the discussion on the methodology employed in this study in chapter one, this research has limitations in its generalisability of information as the scale and representiveness of the field study is small. However it is interesting that from the small number of civil society leaders selected to participate in this interview, two recounted incidents where violent acts including murder and extreme vandalism were committed, allegedly in response to apolitical civic activism.

I would like to provide a disclaimer at the outset of this theme so that readers are cognizant of the flaws in extracting knowledge through the methodological process of open-ended interviews. The purpose of this methodology is to gain perspective and insight on issues from interviewees who have experience with them. Some of the instances to be presented below can only be considered as alleged because, at this point in time, they cannot be corroborated by litigation. Despite the lack of evidence to substantiate these claims I have chosen to include this data, as told to me in interviews, as it seems to indicate that the rule of law governing these things is under threat. It was suggested that genuine police investigations of these alleged incidents may never materialize. In this way the incidents presented below, might always remain hearsay. In any case, I am encouraged to present the findings anyway because I believe the information was transferred to me truthfully and also because when I mentioned these cases to senior provincial DHS official A, he indicated knowledge of this kind of political

violence in post-apartheid South Africa. He explained the ideology informing this theme through the following quote:

"After liberation certain people expected that there would be homogeneity of ideas… it was easy during Apartheid, we were all against the government. Today, though there is a strong feeling that if you go against the ruling party, who brought us our liberation you are a traitor… in the past there was what you call the people's camp and the enemies camp. If you did not belong to the peoples' camp you were seen as a traitor." (Senior Provincial DHS official A).

Susan Carey reiterated this point as she illustrated the dilemma of defining the role NGOs should play in the housing sector after apartheid:

"NGOs – should they been seen as critical of government or working with government? [in the transition]*There was contestation defining those roles. It was easier before with apartheid because we were all working together against the government. In the new South Africa we had to redefine what role the NGOs play. We needed to be independent of government but there was always a bit of friction there."* (Susan Carey, independent consultant).

The key issue appears to be closely linked with theme three – the paternalistic attitude of the ruling party, along with a staunch loyalty and a sense of patronage generated by its supporters. This seemed to foster an intolerance, not for people who support other parties (the assumption being that the party chosen becomes its supporters' 'father' and would protect and take care of its members), but for people who chose not to associate with *any* political party – the choice to be apolitical. Ishmael Mkhabela explained the thinking in this way:

"If you don't belong to a particular party, and if you are not with us you are against us. …so if you are autonomous you will be raising issues which affects you directly."

[meaning you will have not have the support of a powerful party behind you to defend you]. (Ishmael Mkhabela, Dinokeng Secretariat).

Ishmael used the example of the homeless/shack-dwellers:

"…so where the homeless are organised they will also raise issues. They may even question why a particular developer was chosen, what type of housing, the location of housing, the quality of housing … and that [these kind of questions] *does not endear them among the powers that be."* (Ishmael Mkhabela, Dinokeng Secretariat).

This has certainly been the experience of Abahlali baseMjondolo. A recount of the violent attacks on leaders of this organization was outlined in Chapter four of this report. The senior Abahlali leader interviewed for this research had this to add:

"We tried to get the head of DHS to intervene in our issues. [But they would not help… so,] *We got proof of corruption and threatened the housing officials.* [We said] *'Anyone who has a hand in this corruption will be expelled from his or her position. We cannot entertain these issues of corruption'. They have work to do but they are stealing from the government. We even went to their offices* [to voice our concerns]*… and as a result there was this attack."* (Senior Abahlali baseMjondolo leader). (This attack is described in detail of chapter four of this report).

The senior Abahlali baseMjondolo leader went on to describe the continuation of the discrimination against members of their organization at court hearings related to the cases:

"When we are attending these court cases there were ANC supporters who were threatening us inside and outside the court. If you are wearing Abahlali t-shirts you get sweared at and called names. There are some top ANC people who are behind these attacks – the same ones who are involved in this corruption. It was organised by higher levels of ANC power. Informants [have told us] *about meetings at regional and provincial*

level about how we [the ANC] *can get rid of this organization"* [Ababhlali]. (Senior Abahlali baseMjondolo leader).

Ishmael Mkhabela, a man with more than 30 years of experience working with people in informal settlements to build capacity and leadership amongst the poor, expressed his encounters with violence and threatened autonomy:

"I've worked with groups, I've seen people die. The more we work with people who can stand on their own, mysteriously they get killed. There are people I can't explain to this day, what happened to them [Ishmael lists names of people he knows who were mysteriously killed] *after I asked him not to be affiliated with any political group* [saying] *he must demonstrate his autonomy – killed. I'm talking about observations also about civil society after 1994."* (Ishmael Mkhabela, Dinokeng Secretariat).

This eerie account was told with solemnity and sadness. Ishmael has spent his life trying to build leadership and capacity amongst the poor. His belief is that leadership and impact can be more meaningful when it is apolitical. So there have been many times where he has worked with different community groups and taught them to become organised, to advocate for issues, govern themselves, and work within political structures as needed but not to become members. Ishmael spoke strongly about the intolerance he has witnessed for this kind of autonomy. Knowing Ishmael was familiar with the Abahlali story I probed the patriarchal theme by asking 'If for example Abahlali got funding from foreign donors, would they be looked down on for that?' Ishmael responded:

"*They would patronize them. It's a situation where they would be seen that they vote for us, therefore, let's protect them. And what I'm saying is subtle, because they would not be attacked because they have received money from foreign donors, they are just attacked because that sense of being autonomous making decisions without deferring to the warlords, if I may be harsh, local warlords, local establishments that makes you be perceived as an opposition… and in South African politics opposition is not a tolerated concept. Are you in the opposition? Why? When there is a ruling party which needs your*

support? So that's why you find that groups like DA, UDM, COPE will always battle, because they will always be seen as being less loyal than those who stick to the historical liberation movement or structures". (Ishmael Mkhabela, Dinokeng Secretariat).

These cases presented in the interviews challenge beliefs about civic rights, autonomy and the maturity of the democracy in South Africa. To try to understand these instances of dogmatic, dictatorial thinking I queried the role and power of the rule of law asking Ishmael 'Doesn't the law protect these people? Why do they need a political party to protect them?' He replied:

"The law is like a constitution, it gives rights, but those rights must be promoted they must be defended. So yes they have the constitution, and what's a constitution when you are under attack and you are not getting protection from the police for various reasons? … normally the people who are organised as the homeless [Homeless Peoples Federation and the like] *they will also be looked at with suspicion. Questions like 'who's funding you to organise yourselves?' There is a political process here which I don't think we are talking much about it… that if you don't belong to the dominant political party in your area you will most likely not be allowed to flourish as an organization or a project."* (Ishmael Mkhabela, Dinokeng Secretariat).

Political activity that is above the law poses a great threat to democracy. Instances of alleged police corruption in the Abahlali case of Sept 29 presented in chapter four, if true, highlight the gravity of Ishmael's words. If the constitution and law are not defended in these matters, if the events in these reports are indeed taking place and being swept under the carpet, then the space for genuine input to this sector (and all others for that matter) is placed in jeopardy.

Of course within the housing sector there are some spaces that are more controversial than others. Rights advocacy and protest about poor service delivery were identified as areas more prone to the kind of political violence alleged above. The work of organizations like Habitat for Humanity, who wish to become delivery agents of shelter

initiatives, are not characterized as much by this kind of controversy. In any case, the political dynamics that promote paternalism (theme 3) and threaten civic autonomy are in need of correction before a space for all kinds of civic engagement can be made available. As Ishmael said:

"I think we need to understand the power and the political dynamics before we can even understand there is space for civil society to play a much more meaningful role in development… Until we are able to build broad-based power, relationships across, class, race, politics, interest. If we are able to work among those lines, we have space to promote good services, development and change the balance of power through organised efforts. We have space there, but it needs to be taken beyond the current limits." (Ishmael Mkhabela, Dinokeng Secretariat)

Speaking about the autonomy of civil society, a senior DHS Provincial official said:

"I believe this is an issue of political maturity. Because for you to have a vibrant democracy obviously you must have people that are critical and is important for that to happen" (Senior Provincial DHS official A).

Despite the attacks they have suffered, the Abahlali spokesperson interviewed said this about their determination to persist in their efforts despite the present danger:

"In a democracy we feel people are supposed to have the freedom to express how they feel without being intimidated. But for us we are being shut down. But that will not stop us because if we keep quiet these things will keep going on, and we will continue to suffer. So these things will not stop us… If we didn't demonstrate none of these negotiations would have taken place. The problems have persisted for 40 years. So our demonstrations have gone a long way in getting noticed. 11 years[14] of democratic

[14] Abahlali was established in 2005, 11 years after the dawn of democracy in South Africa, out of frustration over broken election promises and poor service delivery.

governance still didn't make a difference until we protested." (Senior Abahlali baseMjondolo leader).

It is encouraging to see this spirit of activism and determination sustained under these oppressive conditions. The question is how much have these pressures crushed other civil initiatives less resilient, and how do these adversarial attitudes between state leaders and civic activists get redirected toward more productive and less confrontational ends? These answers will attempt to be provided in the section below that draws conclusions to the primary and secondary research questions posed in this study.

5.3 Conclusion of Findings: Addressing the Primary and Secondary Research Questions

5.3.1 Addressing Secondary Research Question A:

What are the factors that have either enabled or inhibited civil society activism in assisted housing in South Africa from reaching its full potential?

It was reported in the findings above that in the last few years there has been declining interests from donor sources to fund housing initiatives. Further, it was reported that funds that are still available in South Africa have, post-apartheid, been routed through the state and its reconstruction and development programme. This has not meant these funds are not accessible to civil society organizations, but it necessitated a relationship between the state and civil society actors to access these funds.

It has been found that this phenomenon has inhibited civil society activism in housing in two main ways. Firstly, spokespersons from the state interviewed in this research, made it resoundingly clear that the government perceives state-private partnerships with for-profit contractors and state directed programming to yield far more cost-effective outcomes than civil society inputs. Therefore, while the state has the power to direct state housing funds to NGOs, they prefer to finance private sector contractors. This has resulted in a

diminishing fiscal capacity within civil society organizations which has decreased their ability to contribute to the sector.

The second way this issue has inhibited civil society activism in housing is that is has been seen to affect its autonomy and ability to self-govern in a way that is free to challenge the state and therefore encourage healthy and critical debate that spurs positive change. As one respondent despaired "*if you are going to get funding through the government and then you are going to criticize that same government they might end up not funding you.*" So in this way, this is a reflection of the political maturity of the nation, indicating that the state is not yet willing to create space for and allocate funding to groups that may become critical of them. Unless civil society groups are able to access sources of funding independent of the state they will continue to be repressed as this study has demonstrated they are.

Another concerning issue is a seemingly paternalistic state attitude that says 'we can provide for you.' It was evident in the field study that there is an ignorance towards state policies that indicates that development should be directed by the people it seeks to benefit. This has inhibited civil society activism because it has been seen by the paternalistic state as unnecessary. As a result, the voices that represent these groups have been ignored and available funding that could potentially support civic-led initiatives has been on the decline. Naturally, declining human capacity and funding have had a debilitating effect on the ability and energy within civil society to make a meaningful contribution to these issues.

5.3.2 Addressing Secondary Research Question B:

What is the condition of state-civil society relations in the assisted housing sector in South Africa?

The vitality of the relationship between state and civil society actors was found in this research to be weak, and resulted in a diminished space for civil society to contribute to housing.

One contributing factor to why the relationship is weak has been noted whilst addressing research question A. It was mentioned that because of pressure to deliver housing targets, the state has preferred to build a relationship with private sector building contractors who are perceived to be better able to deliver at scale. This shows that there a lack of will for the state to build a relationship with the civil sector.

Another way in which the shape of state-civil society relationships was described in this study was “fettered”. The example of Abahlali exemplified this best. This case indicated more than ignorance towards civil actors, as mentioned above, it demonstrated an outright intolerance for them. If the allegations of Abahlali prove true, it is an indication that there is a need for an attitude to be fostered that views the contribution civil society groups can offer to state initiatives, as a strength and opportunity for improvement, rather than a threat.

The court cases Abahlali have won against the DHS indicate that the relationship between the two entities is not characterized by qualities of listening, debating and negotiating. Rather, a third-force, the law, was needed to bring the dispute to a resolution. Many view this as a costly and unnecessary intervention, and that better tolerance and appreciation for one another is needed to restore and capitalize upon the strength both parties have to offer the sector.

5.3.3 Addressing Secondary Research Question C:

How can the strengths of civil society contributions to the housing sector be capitalized upon and increased?

Because of the way civil society organizations are more characteristically immersed and in touch with the community, that they are potentially a great source of information and leadership that the state could tap into and partner with if connectedness and appreciation between these entities was greater. The quote from a senior provincial DHS official who admitted "*We are saying we are a developmentally orientated government, but I don't think we understand what that is"* appears to be very true in practice, but in policy there is a clear cognizance towards the value of and ways to achieve community-driven development. Therefore it seems that reflection and recommitment on the part of the state to simply follow through with policy processes and commitments, with the help of partnerships with civil society groups who are already connected, could make an outstanding difference in correcting the divergent path practice has taken from policy. Literature indicates that doing this would bring about outcomes that are likely to be more sustainable, and foster greater ownership amongst the beneficiaries. It is believed that this will help create space and build capacity for civil society groups to contribute towards housing.

It is also clear the civil society groups are in great need of funding dedicated towards efforts to solicit community participation in housing initiatives. The example of the Rooftops Canada Ivory Park housing initiative is an indication of the skills NGOs have in fostering community inputs, and the potential they have to bring about outstanding outcomes. The state admitted in this study that not enough funds are being dedicated to the costs associated with bringing about true processes of community participation, and CSO groups in this study reiterated this gap. Without commitment to the cost of these intiatives they cannot be fostered and will not flourish.

5.4 Conclusion: Addressing the Primary Research Question:

Is the civil society contribution to the assisted housing sector in South Africa operating effectively and efficiently?

The central aim of this study was to determine if the contribution civil society is making toward the assisted housing sector in South Africa is operating at a desirable level. The field study and literature engaged in this report indicate that this is not taking place. Reasons for this were identified through this study and are summarized below:

- The availability of funds accessible to civil society organizations is limited.
- Private building contractors are preferred by the state as partners and delivery agents.
- The fostering of paternalistic attitude in governance blindsides both the contributions beneficiaries can make towards housing themselves as well as the skills CSOs have in soliciting these contributions.
- A combination of the attitudes described above with high staff turnover at the DHS and poor institutional memory make it difficult for CSOs to build relationships/partnerships and get the causes heard… and without talking together, synergies can not be created.
- A focus on targets rather than processes of community participation has crowded out one of the greatest strengths CSOs have to offer – soliciting community inputs towards development initiatives.
- A simple failure to carry policy imperatives through to practice has seen the silencing of the community and the privileging of the state as provider. This has obstructed the contribution of valuable ideas and resources to be forthcoming from beneficiaries and civil society organizations.
- Intolerance for civic voice which has a constitutional right to express their concerns and challenge the state has led to unnecessary levels of adversarialism in civil society-state relationships, which dealt with better, could save resource and time as well as improve on projects.

These findings indicate that civil society efforts and initiatives towards housing have become extremely limited and are in need of revival. The recommendations that follow in the next chapter are an effort to determine how this can be achieved.

CHAPTER SIX: Conclusion and Recommendations

6.1 Introduction

The title of this research 'increasing access to housing in an economy of disparity – the role of civil society' captured the motivation of this research – to see how civil society can and is playing a role to help restore a greater balance in the income equilibrium in South Africa through assistance in fulfilling one of the most basic needs humanity shares – the need for shelter.

The good governance literature presented, and in particular the presentation of the theory within the Dinokeng initiative of South Africa made a resounding case about the role civil society has to play in all spheres of life in South Africa. This role transcends into the housing sector, and findings from the field study indicated that the civil society's contribution towards the assisted housing sector in South Africa was not operating at capacity. Factors seen to contribute to this were identified through the field study and were conceptualized in to six themes. These were:

Theme 1: Disconnect Between Policy and Practice
Theme 2: Conflicting Priorities: Targets vs Participatory Processes
Theme 3: Paternalistic Attitude (and its Child – Dependency)
Theme 4: Weak institutional Memory and High Staff Turnover Within the DHS
Theme 5: Fragmentation of Civil Society and Civil Society Organisations: A Disengaged Civil Society?
Theme 6: The Obstructed Autonomy of Civil Society

Data gathered indicating paternalistic attitudes towards housing, and obstructions in the autonomy of civil society potentially place in great jeopardy the 'space' for civil society participation in the housing sector.

This study found that well-written, people-centred policies are not being carried out in practice and that pressure to meet housing delivery targets is crowding out civil society and failing to foster development that is participatory. These disconnects show that the distance between what the nations espouses to desire and what it has currently achieved in practice are vastly different and that much work is needed to realign practice with good development practice and policy.

This may be difficult to achieve as the study revealed that not for profit, civil-led housing sector initiatives are under threat. Funding is scarce, and capacity is weakening, The scale down in funding as well as rerouting of international donor funds through the RDP post-apartheid has threatened both the livelihood and autonomy of civic-led, not-for-profit housing initiatives. However the funding sources and mechanisms are in place, at least in policy, but as evidenced in the field study findings, not really translating to practice.

In an effort towards correcting some of the problems identified in this study, as series of recommendations are outlined below.

6.2 Recommendations

1. **Renew commitments to policy objectives:** It is no accident that present day South Africa has enshrined in its housing policies a 'model of participatory governance, in which citizens have ample opportunity to shape decisions.' (Friedman, 2006 p. 3). This is a result of good-willed leadership efforts to create the most solid base possible for a bright and equitable future for the nation. This is an incredible start to nation-building, and good development practice, but the evidence found in this research indicated that within the housing sector, what is taking in practice is very different to the values and processes espoused in policy. This finding shows that reflections and re-evaluation of the disjuncture between policy and practice is necessary.

   Neglect by the state to interact with the space the policies create for civic engagement has crowded out and weakened energy and inputs from potential non-state

contributory sources. So the recommendation here is to simply work harder at and rededicate commitment to carry out the existing policy.

2. **Fulfil commitments and simplify and speed up processes for allocating funds for community driven initiatives:** The policies reviewed in chapter three reported a strong commitment to the programs and values toward soliciting community participation in the development and implementation of housing. However, this study revealed that funds are not being allocated and these processes are not taking place. In instances where funds are granted, the delays in transferring this are so long, that the initiative often dies out before it begins. It cannot be denied that the solicitation of community participation in state policies and programs comes at a cost. In order to make participatory development a reality this fact needs to be realised and catered for. Therefore this needs to be corrected so that the funds dedicated to this cause can facilitate the processes required.

3. **Improve the coordination, communication and partnerships amongst civil society groups contributing towards assisted housing**

   The study found that there is a decreasing number of civil society organizations focused on housing and that where they do exist, they often work in isolation. The case of Abahalali BaseMjondolo was a prime example of how partnering with other organizations (such as the legal aid firms who assisted their court proceedings), can strengthen the work. These collective efforts were also found to fortify autonomy of the organization that was under attack. Seeking partnerships like this can help establish a community of sharing amongst civic-led housing initiatives that will improve practice and strengthen efforts.

6.3 Final Conclusion

The contribution of civil society towards housing assistance in South Africa has untold benefits. The literature engaged in this report has shown how South Africa's uncharacteristically disparate economy has created a social context where the need for intense efforts towards poverty alleviation and pro-poor development is crucial. The literature further depicts how, partly as a result of these disparities, civil society is well-capacitated to play a role in changing this. Finally, driving home the focus of this study – housing, evidence has been presented that demonstrates how gaining access to permanent, formal housing commonly marks a watershed between remaining in cycles of vicious poverty and rising out of it.

This research has emphasized through undertaking of the field study that civil society inputs to the housing sector are not operating at a level that is desirable. It found that housing policies creating space for civil engagement are good, but that in practice mechanisms for facilitating community involvement are not functioning well and that processes that see the fastest transfer of houses to the ground are needed. These usually take the shape of state-private partnerships and crowd out civil society inputs and diminish sustainability. Unless the problems identified in this research are corrected it is unlikely that this situation will change resulting in a more removed, disengaged civil society contribution to the housing sector.

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