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The inner city property scheme (ICPS) and the world class African City in Johannesburg: a social justice perspective

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Chapter one

1.1 Research introduction and Background

Johannesburg is the economic powerhouse of South Africa and increasingly the rest of Africa, while it continues to make a mark on the global scale. As a result, the City of Johannesburg (CoJ) continues to attract migrants from the rest of the world, and from the rural corners of South Africa (City of Joburg 2012). Johannesburg was first established after the discovery of its gold reserves in the Witwatersrand in 1886. The colonial rulers at the time made it a City and it attracted black workers from all parts of Southern Africa to provide labour in its mining industries, making Johannesburg the biggest settlement in South Africa (City of Joburg 2012).

The new political dispensation that ushered democracy in 1994 saw the dismantling of all the segregation laws and policies in South Africa (Lehulere 1997). Johannesburg itself has opened doors to the previously marginalised black populace that was confined to the townships and informal settlements on its outskirts (Cities of the World 2014). However, the unfortunate part is that, while blacks were flocking into the city, many white people left the City to the northern suburbs, leaving behind empty buildings that had no supervision and control (Cities of the World 2014). Because of poverty and unemployment, most people then find themselves in these dilapidated and abandoned buildings in and around the City of Johannesburg.

As South Africa moves rapidly to fit in and compete with the rest of the world, Johannesburg is leading the pack as its economic hub. This aspiration is seen with the implementation of City Urban Renewal policies that seek to put the CoJ as a leading player in the world economy and an attractive City for investments. One cannot run away from the fact that the major aspect of building an investment hub in the Inner City is through its infrastructure and the property market, as housing different sectors of its citizens is a primary concern and the first point of departure.

Johannesburg is the capital of South Africa's aspirations of reaching a developed state status. In 2000, the new City of Johannesburg Metropolitan Municipality stated that it has "a vision of becoming an African World Class City defined by increasing prosperity and quality of life through sustained economic growth" (CoJ 2030 Vision 2002).

The 2030 Vision provides a strategy to achieve a goal for the CoJ "to raise and sustain private investment leading to a steady rise in property values" (in Winkler 2009: 368). Because of this vision, the City Council wanted to implement investor friendly policies to attract private capital, concerned with economic growth and investment in the property market.

In its quest to attract investment into the City, the CoJ has adopted housing policies that sought to upgrade the abandoned and dilapidated buildings in order to attract affluent and the middle class residents into those buildings, but also in the process leaving out the poor people who previously occupied those abandoned properties known as 'bad buildings'. Most of these buildings have deteriorated to a point of being hazardous to occupy, but because of a lack of affordable housing for the majority of the inner city residents, they are being used as accommodation for the urban poor.

Winkler (2009: 364), stressed that, in Johannesburg "the greater majority of existing Inner City residents are poor. Many rely on the informal sector to survive, and many reside in physically dilapidated apartment blocks, or 'bad buildings' as classified by the City Council, while being exploited by slumlords". Fainstein (2005) stressed the concept of a Just City, in which the central purpose of planning is to promote social, economic and spatial justice and argued that a regeneration practice only leads to a gentrification space of social and economic exclusion.

The CoJ City Council's implementation of the 2030 Vision of a World Class African City resembles the regeneration practices of a modern City. The purpose of the research is thus to unpack the Inner City Property Scheme (ICPS) policy (as the CoJ's instrument to create a World Class African City), what it entails, what does it bring different from the Better Buildings Programme (BBP), what it hopes to achieve and whether it has the social aspect of building a Just City incorporated in its policy formation.

The poor citizens of the Inner City of Johannesburg are protected by the South African Constitution and as a matter of fact, the CoJ has got a Constitutional responsibility to provide housing and accommodate all its residents as a form of its service delivery obligation. The research thus investigates the ability of the CoJ to strike a balance between its 2030 Vision of creating a World Class African City through its housing policies in order to attract affluent citizens and tourists, economic growth and investment, and

actually being able to provide housing services to its most vulnerable citizens who cannot afford up-market accommodation. As well, the City Council has got a responsibility to include its residents in the decision-making on how their own City is being shaped, as part of good governance practices that will be outlined through the concept of a Just City.

1.2 Problem statement and the rationale

The Inner City of Johannesburg was at one time a classic illustration of a modern day affluent City, boastful of high-rise lofty up-market apartments, and financial institutions, but it has since undergone a massive decline over the years. This decline is not something of a unique nature to the CoJ however, as it is a common occurrence to even the major Cities in most of the first world countries globally. The local governments in the countries such as the North America, the United Kingdom and Japan have had to grapple with massive rejuvenation as they sought to adapt to the changing economic conditions, at times and mostly employing successful intervention strategies.

The persistence of the City problems such as increasing City resident population, decaying buildings and informal socioeconomic activities indicate an error in how the Johannesburg City Council implements its Urban Renewal policies for economic regeneration. Winkler (2009) stated that the municipal officials, policy-makers and politicians see these issues as undesirable and unmanageable obstacles to achieve their 'World Class African City' vision and thus create policies to deal with them through the exclusionary displacement mechanisms.

The City Council came up with the Bad Buildings Programme (BBP) policy to address the problem of the decaying buildings in the Inner City (Fraser 2010). As argued by Fraser (2010), bad buildings referred to and included those that 'had been abandoned by their owners; were derelict or in a deplorable state; were invaded by crime lords and squatters; were overcrowded; contravened various by-laws and other legislation; were the seat of criminal activities'.

In the 2008 Inner City Property Scheme (ICPS) document, a 'bad building' is further explained as a building where residents are paying rent but the owner or manager is not maintaining it or paying the Council rates and services charges, often leading to restriction/disconnection of services, with a resultant compounding of the problem (ICPS 2008). The BBP was thus faced with dealing with the buildings that do not comply with the building regulations and the CoJ's building by-laws.

This BBP policy/strategy was difficult to implement, as it took two years alone to accomplish the litigation and judgment. When the policy failed in successfully eradicating

the persisting problems of bad buildings and attracting affluent residents, the City Council replaced it with another policy called the Inner City Property Scheme (ICPS).

The deep-rooted problems of homelessness, dilapidated buildings and illegal occupation of such buildings within the CoJ precinct have long haunted the City Council, and the implementation of the BBP and the ICPS were attempts to address them. The research sought therefore, to use the persistence of these problems and analyse the urban renewal policy direction (BBP and ICPS) taken by the City Council as to whether they were the suitable tools to address the problems.

According to Winkler (2009), the above-mentioned City problems could be addressed through policies that incorporate economic competitiveness, responsive governance, social cohesion and social mix strategies. These are the concepts that form the bases of the research investigation as critical to any City Government to discharge its Constitutional duties of servicing all its constituencies and play a critical role in the conceptual framework in terms of whether they could be lacking within the CoJ's vision of building a World Class African City.

1.3 Academic Research Aim

This research looks at the regeneration practices and policies that informed the CoJ to build a World Class African City; and then evaluate how and what aspects of Urban Renewal that should build a Just City have been left out of this vision, since it does not seem to be enjoying as much success in terms of eradicating the persisting problems as indicated above. It seems that Urban Regeneration, which is supposed to be used as a means to attract economic investment in order to reduce Inner City poverty and ultimately building a Just City, is failing in Cities such as Johannesburg because it is being implemented as a means of creating economic growth, inflated property values and higher tax revenues. The City of Johannesburg is thus used as a case study to investigate these policy positions (the evolution from BBP to ICPS in this instance) as to whether they miss important elements critical to Urban Renewal success and to balance the two responsibilities of an Urban City Government, being economic growth and service delivery for its residents.

1.4 Research Topic:

The Inner City Property Scheme (ICPS) and the World Class African City in Johannesburg: A Social Justice perspective.

1.5 Research question:

What are and will the effects and implications of the ICPS be for Social Justice and the construction of a Just City in Johannesburg?

1.6 Research sub-questions:

Was the BBP replacement by the ICPS a deliberate shift by the CoJ to attract capital investment in the Inner City?

As a policy, how is the ICPS related to the CoJ 2030 Vision of building a World Class African City?

What impacts would it leave for different Inner City residents?

Is the ICPS a tool intended to support the realization of the World Class African City vision?

Chapter 2

2.1 Research Methods

The main research question:

What are and will the effects and implications of the ICPS be for Social Justice and the construction of a Just City in Johannesburg?

The above-mentioned research question sets the tone for the research study as the main question that I seek to find answers to. I used qualitative research method here simply because of its ability to focus, as Neuman (2000: 122) puts it, on the "richness, texture, and feeling of raw data because their inductive approach emphasizes developing insights and generalizations out of the data collected". Qualitative research method assisted in many ways in the collection and analyses of this valuable empirical data, because it is the most relevant research strategy to use on soft data such as impressions, words, sentences, photos, document, newspapers and many other tools. Qualitative data involves documenting real events, recording what people say (with words, gestures and tone), observing specific behaviours, studying written documents, or examining visial images.

Neuman (2000:126), in elaborating on what qualitative research entails, argues that qualitative researchers "emphasize the human factor and the intimate firsthand knowledge of the research setting; they avoid distancing themselves from the people or events they study…. It means taking advantage of personal insights, feelings, and human perspectives to understand social life more fully. The researcher makes his or her presence explicit and is sensitive to prior assumptions…. Qualitative researchers emphasize trustworthiness as a parallel idea to objective standards in quantitative research design. This ensures that research activities are dependable and credible".

From the above first question have emerged other sub-questions that have thus formed part of the research in order to get deeper into the research and find related answers that will give proper and complete research findings. As Neuman (2000) puts it, qualitative researchers are open to be persuaded to asks many other questions emanating from their intial question.

The key findings of the research question revolve around the major concepts of the World Class African City, Inner City Rejuvenation and Urban Renewal, the use of the BBP and

ICPS as the policy directions to attract major capital investments and affluent residents, the building of a Just City and role played by the CoJ in policy formation and implementation in the Inner City of Johannesburg.

2.2 Methods and the Methodologies

This research has used a case study of the City of Johannesburg in order to understand its policies of Urban Renewal, particularly in addressing the issue of adopting the BBP and ICPS as its vehicles to build a World Class African City, while it had seemingly not incorporated some significant aspects of Urban Regeneration and Good Governance as expected by the City Rejuvenation objectives. Neuman (2000: 122) agrees that qualitative researchers do "speak the language of 'cases and contexts'. They emphasize conducting detailed examinations of cases that arise in the natural flow of social life. They usually try to present authentic interpretations that are sensitive to specific social-historic contexts".

I have read the CoJ municipal documents on the website about the meaning of this vision to build a World Class African City; the documents include the City of Johannesburg Vision 2030, the Better Buildings Programme policy and the Inner City Property Scheme policy documents. Apart from the internet sources, there was academically published literature on the emergence of homelessness, the abandoning of buildings and the illegal occupation of those buildings in Johannesburg, which I have read and incorporated in the research report.

Furthermore, I have also read more about the emergence and the meaning of Urban Renewal and Regeneration as implemented by the Cities of the North, and this literature has immensely assisted and capacitated the research process in understanding what aspects of regeneration should be incorporated but are missing in the policies as adopted by the City of Johannesburg, and make recommendations of how to build a Just City to advance balanced success of a World Class African City.

All in all, and in order to arrive at some very balanced findings, I have thus also constructed a semi-structured questionnaire that helped in posing questions to follow up on interesting issues. I have researched more about the social aspects of housing, from the times of transitional housing policy and into the new model of economic growth as seen by the emergence of the ICPS. This process followed the chain of "transitional housing for the very poor, through to social housing, through to loft developments for the

wealthy" (Charter: Residential Development 2014), by perusing the policy-wise evolution through the Better Buildings Programme to the Inner City Property Scheme in a bid to create a 'World Class African City' in the City of Johannesburg.

The aim of the research is to understand the challenges the ICPS policy faced in advancing the economic growth initiative of the City, how they could be addressed to restore investor confidence, but to also understand the meaning of this initiative to abandoned building occupation to those who cannot afford. As above-mentioned, the BBP and to some degree the ICPS policy poses a probability to expose the poor people to homelessness as it takes them out of the bad buildings, and initially without the necessary arrangements for alternative housing and without the means to afford rentals of the refurbished buildings.

Reading the ICPS policy's effects and implications on poor residents had given the paper an idea of how it affects poor people's City-space. Such literature has enriched the research findings, added to the participants' responses from the interviews that were conducted, the interviews that I have captured without being biased or judgmental to produce a detailed and informative finding.

Neuman (2000:147) argues that the ability of the researcher to analyse data and capture it in a fair manner requires having a "deep knowledge of one's materials, a collection of esoteric skills, and the capacity to combine them flexibly. The mixture of using diverse materials, applying disparate approaches, and assembling bits and pieces gives qualitative reserachers the aura of being similar to a skilled craftperson who seems to be able to make or repair almost anything".

The primary instrument for collecting and analysing data in qualitative research is the researcher's ability to pose questions that yield relevant answers to the research. My data analysing skills as the researcher were put to test and the results speak for themselves in this report. Neuman (2000) agrees that the researcher's personal integrity is a critical issue in qualitative research, but it also includes a variety of checks on how evidence is gathered. The validity of the research findings can be judged through the quality of this final research report.

The target population for the research were the following participants, the representative from the Department of Economic Development (DED) who was involved in the initial

conceptualisation and the implementation of the ICPS; the Johannesburg Property Company (JPC) representative; two representatives from TUHF, a commercial property financier; a representative from NASHO; a representative from JICP; a representative from the Executive Mayor's office; and two independent Urban Management and Urban Planning consultants who have worked with the City in the conceptualisation and implementation of the housing strategies. The target group was diverse and inclusive of all the valuable stakeholders necessary for the research to arrive at the final findings as shown in this paper.

2.3 Conceptual and Theoretical Framework

As stressed by Winkler (2009), there is no fault in seeking capital reinvestment in any Inner City neighbourhood that is economically stressed out, thus many local authorities find themselves drafting and implementing Urban policies that advance economic regeneration. This economic regeneration is chased through what in Winkler (2009) is termed New Urban Policy and New Conventional Wisdom.

These Urban Renewal policies have been implemented in the Cities of the global North and are then being imported and adopted by municipalities of the global South as they are seen to be the "'best practice', world class enabling precedents to secure a global age of regeneration" (in Winkler 2009: 364). The City of Johannesburg (CoJ) has also been part of the Urban municipalities to implement such policies.

The persistence of the City problems such as increasing City resident population, decaying buildings and informal socioeconomic activities indicate an error in how the Johannesburg City Council implements its Urban Renewal policies for economic regeneration. Winkler (2009) stated that the municipal officials, policy-makers and politicians see these issues as undesirable and unmanageable obstacles to achieve their 'World Class African City' vision and thus create policies to deal with them through the exclusionary displacement mechanisms.

The policies of Urban renewal, regeneration, and reinvestment to accommodate economic reforms provide the foundation of the modern City planning. Looking at them as part of the conceptual framework to reflect the measures and policy direction as taken by the CoJ on its quest to achieve its Vision 2030 of building a World Class African City has assisted in understanding the foundation of the CoJ's economic policy formulation.

Winkler stressed Fainstein's (2005) concept of a Just City, in which the central purpose of planning is to promote social, economic and spatial justice and argued that a regeneration practice such as the one the CoJ City Council has implemented in its 2030 Vision of a World Class African City only leads to a gentrification space of social and economic exclusion. According to Winkler, the above mentioned City problems can be addressed through policies that incorporate economic competitiveness, responsive governance, social cohesion and social mix strategies.

The above-mentioned concepts form part of the conceptual framework of this research initiative, as they form the core of a Just City. The main basis is to find out whether they are being included in the policy formation of the City Council, especially within the ICPS as a policy adopted to address the problem of the decaying buildings within the City to attract capital investment and affluent residents, but with a possibility of excluding the poor from the Urban space.

While the City Council aspires to build a World Class African City through policy tools such as the ICPS, there is a grey area between the aspirations of advancing economic growth by being friendly to private capital investment and the inclusion of the elements that push for a Just City, such as Inclusive Governance, Justice and Equity. These are important elements in building a City that is not only growing its economy, but also including its citizens in decision-making and protecting its poorest and vulnerable citizens.

Although these aspects have not necessarily formed part of the research investigations, they are some of the key aspects of building a Just City and are worthy of a mention. As the research seeks to investigate whether the ICPS policy is a suitable tool to build an Inclusive City, both necessary elements of advancing economic growth and building a Just City are thus critical to pay particular attention to in the conceptual framework.

Chapter 3

3 Literature Review

3.1 Urban renewal and regeneration

3.1.1 Understanding Urban Renewal Policies to advance economic regeneration

Globalization (the interconnectedness of the global countries and their relations socially, economically, politically, etc) has become a phenomenon that most of the developing countries and subsequently their Cities have grappled with. As an example, globalisation has severely changed the fates of most Cities in the Western Europe, the United States and many other parts of the globe, pushing government authorities to reply by conforming to strict competitiveness for private investments. These governments' policy objectives focused on economic growth, believing that they are meant for the greater good of their Cities.

How these Cities' governments decide to locate their facilities is largely influenced by considerations for economic, rather than social impacts (Fainstein 2010). The use of Fainstein in explaining the application of the different facets of globalisation provides the founding guidance of how the globalisation concept becomes the main source of reliance and relevant to our literature review and how the overall research project is tied to this system of governance.

Inner Cities experience lower levels of investment than they require. As argued by Murray (2008), whatever the cause, certain visibly negative features begin to emanate which rapidly draw down the value of the target area. Although different reasons abound as to why such down-turn, the futures are familiar: dilapidation, degradation, infrastructure inadequacy, high crime levels, among other things.

The point of departure, although highly contested by various planners and authors, is in showing that in most cases, capital investments by City governments are executed with the intension to support economic development projects rather than improve the quality of peripheral neighbourhoods, and rezoning for higher densities occurs in response to developer demands for more profitable investment opportunities. As Murray (2008) alluded, the governing authorities in these Cities advance economic growth through

strategies that include investment in infrastructure, City marketing to tourists and subsidies and regulatory relief to property developers.

3.1.2 Economic Growth and Competitiveness within Urban areas

The current emphasis on competitiveness and the dominance in policy making by neoliberal formations aim at reducing government interventions in the market processes. The desire to curb governments' involvement is exacerbated by the belief that market processes result in the efficient allocation of resources and provide incentives that stimulate innovation and economic growth. As argued in Fainstein (2010), functions and activities that once were considered the prerogative of elected officials are now more and more becoming the responsibilities and activities of public-private partnerships, quasi-autonomous authorities, and economic development corporations overseen by boards of business executives in Metropolitan areas.

Turok (2004) stressed that competitive Cities seek to function more like large firms than like governments, and that they use neoliberal approaches of cost-recovery models, efficiency and centralised decision-making while doing it. Huchzermeyer (2011) agrees, arguing that spatially, competitive Cities are characterised by the prioritisation of productive spaces at the expense of others and by investment in mega-projects and mega-events. Competitive Cities create 'a set of values based on how the City should look, who should live in it and what activities should take place there, that is, a form of socio-spatial control' (Rubin 2014: 2).

Cities are thus becoming more and more of contested spaces that marginalise the majority of those who do not form part in the shaping of such spaces, and Rubin (2014: 2) alluded to this point when she pointed out that "thus in World Class City projects the interests of a ruling group are promoted and normalised in order to gain widespread acceptance. It is through such a scheme that a City is spatially reconfigured to not only entice capital but also promise a certain kind of home for a certain set of citizens". The Urban City space is shaped to separate its citizens depending on affordability, and the poor cannot fit in the globalised areas that reflect your New York, Paris, etc.

The primary undertaking and the objective of the neo-liberal state is to build enabling business environment and therefore to optimize conditions for capital accumulation, regardless of the consequences for employment or the social well-being. That is how one

can sum up Neo-liberalism. As Harvey (2006:26) concurs, neo-liberalism "looks to further the cause of and to facilitate and stimulate (by tax breaks and other concessions as well as infrastructural provision at state expense if necessary) all business interests, arguing that this will foster growth and innovation and that this is the only way to eradicate poverty and to deliver, in the long run, higher standards to the mass of the population".

As stressed by Winkler (2009), there is no fault in seeking capital reinvestment in any Inner City neighbourhood that is economically stressed out, thus many local authorities find themselves drafting and implementing Urban policies that advance economic regeneration. A colloquium on economic regeneration that was held in Orleans according to Harvey, resolved on how Urban governments should be much more innovative and entrepreneurial, and thus expand their willingness to 'explore all kinds of avenues through which to alleviate their distressed condition and thereby secure a better future for their populations' (Harvey 1989). In the midst of such resolutions, greater debates revolved around the role of Urban governments in the implementation of such economic activities, as compared to the role of the business sector as investors.

According to Kipfer and Keil, there are three elements that any City seeking to become competitive need to combine, which are to be an Entrepreneurial City, the City of Difference and the Revanchist City (2002), and these concepts are looked into. As outlined in Rubin (2014: 1), "Harvey (1989) noted the shift from managerialism to entrepreneuriasm, with its attendant focus on local development, employment and growth, in the late 1970s". Ever since this turn of events, many other strategic Urban Regeneration policies followed in local Cities to foster specific aspects of growth dedicated to the attraction of international capital and local investment (Boyne 1997).

The Entrepreneurial City is said to mean a "supply-side-oriented accumulation strategy that prioritizes export maximization and proactively pursues business investment for the (inputed or real) goal of intercity competition" (in Kipfer and Keil 2002: 235). The competitiveness that focused on upgrading the supplying of training, employment, education and investments in physical and social infrastructure, which is considered to be 'soft', is now being pushed outside the City by the 'hard' competitiveness promoting

the fiscal conservation, tax incentives, cutbacks, deregulation of land-use planning, privatization and the marketization of the local state (Kipfer and Keil 2002).

As argued by Huchzermeyer (2011: 47) in Rubin (2014), the strategic shift from managerialism to entrepreneurial would require investment in both a high level of transport and communications infrastructure and high-quality living environments that ensure the attraction and retention of highly skilled people.

The City of Difference has to do with depicting the City as culturally different and artistic both in appearance and experience. The City of Difference implements municipal policies that integrate cultural diversity into urban development, while driving economic competitiveness. As highlighted in Kipfer and Keil (2002: 236), "by supporting gentrification and ''place-making' through spectacular urban development, policies of land-use planning, urban design, historic preservation, and multiculturalism form part of a broader process by which categories of difference become integrated into a commodified 'global postmodern' space of new middle-class sensibilities (Hall 1991) and are aestheticized in a 'corporate and commercial' multicultural body aesthetic with fascistic undertones".

Kipfer and Keil (2002) argued that building a Competitive City also requires integrating what they called '*The Revanchist City'*, shifting the integrative growth machines of the Fordist City to the exclusionary growth machine of the Competitive City, characterized by forms of sociospatial segregation and much more visible coercive forms of social control (in Goldberg 1993; Lea 1997; Marcuse 1993; Ronneberger, Lanz and Jahn 1999). The Revanchist City dismisses policies such as '.... Social housing administration and parks management that promote social planning (Smith 1996).

As argued in conclusion by Kipfer and Keil (2002: 237), these exclusionary forms of social control have now become essential ingredients in a competitive race among Cities to make Urban space safe, clean, and secure for investors, real-estate capital, and the new urban middle classes (Grell, Sambale and Veith 1998). Urban competitiveness has thus become a mechanism to relegate social expenditure on the poor and excludes them from the Urban space, while safeguarding the interests of capital and to ensure economic growth.

3.1.3 The impacts of competitiveness on the poor urban residents

The entrepreneurial stance and the managerial approach to economic growth and investment development soon became a general consensus throughout the advancement of the capitalist world, adopted by Cities that seek to compete globally (Boddy 1984). Cochrane (1987) and Boddy (1984) believe that this stance emerged in the British Cities, which became serious about taking part in economic development aspects of investment and growth.

Harvey (1989: 4) stressed however, that in order for these British Cities to advance and "attract industrial and commercial concerns which were looking for suitable sites for investment and trading", these Cities had to leave out the reciprocal involvement with the community. This meant that the local authorities were involved only with the private sector, not including the residents they were representing or governing in the decision-making of urban Renewal.

Harvey argued that this new Urban entrepreneurialism focuses typically on the private-public's aim of investment and economic development. Hall and Hubbard (1998) called this the building of an '*Entrepreneurial City',* referring to a supply-side-oriented accumulation strategy that prioritizes export maximization and proactively pursues business for the.... goal of intercity competition (Clarke and Gaile 1998; Fainstein 1994; Harvey 1989; Jessop 1998; Leitner and Sheppard 1999; Mayer 1994, 1998). Harvey (1989) showed how this model of Private-Public relations of urban renewal focusing only on the image of the City to attract investment is done in the expense of proper City planning to eradicate all problems facing the citizens.

Using the City of Baltimore as an example, Harvey (1989: 14) argued that it "appeared as a dynamic go-getting City, ready to accommodate outside capital and of the 'right' people. No matter that the reality is one of increased impoverishment and overall Urban deterioration that a thorough local enquiry based on interviews with the community, civic and business leaders identified plenty of 'rot beneath the glitter' (Szanton 1986)". This shows that Urban development does not eliminate the impoverishment of a City, but only attempts to sweep it under the carpet, sometimes by removing the poor from the City centre to its peripheries.

Fainstein argues in Marcuse et al (2009) that the emphasis on economic competitiveness that tops every City's list of objectives causes planning to give priority to growth at the expense of all other values, providing additional evidence to the critics who see it as serving developer interests at the expense of everyone else. To give an example of the point raised, The Mayor of New York, Edward Koch, when accused of his biasness against the poor, argued that "I speak out for the middle class. You know why? Because they pay taxes; they provide jobs for the poor people", (Koch 1994: 221. in Fainstein 2010: 3). This shows that even state bureaucrats are not hiding the fact that policies are erected to shield the interests of the capital, and that the poor are always at the bottom of the ladder when it comes to priorities in Urban Cities.

One concurs with Huchzermeyer (2011) that in the developing world, where City decision-makers' aspirations to Urban competitiveness through modernity are constantly challenged by the visual presence of informal trade and informal settlements, social control is translated into mass evictions and demolitions. As stated by Rubin (2014: 2), slums, informal traders, and illegal or off-register activities are not desirable for Cities that are attempting to join the modern globalised competition for capital and highly skilled people. The normative aesthetic requires that these people and activities are moved out of sight to the peripheries of the Cities.

Here, we are able to see and point out that there are social aspects neglected by the new Urban Renewal policies, and that it should be recognized that behind the mask of many successful projects there lie some serious social and economic problems and that in many Cities these are taking geographical shape in the form of a dual City of Inner City Regeneration and a surrounding sea of increasing impoverishment (Harvey 1989).

The globalised Cities seek to attract the affluent kind of citizens into the Urban spaces, and this simultaneously relegate the impoverished poor masses into the outskirts and the peripheries of such Cities as they do not afford the kind of Cities envisaged for the educated and the rich. Bhan (2009) and Ghertner (2011) agree that in such a hegemonic project of building a mega-city, there is limited, if any, space for confusion, poverty or disorder, or for people and spaces that represent such things to the middle classes (in Rubin 2014).

"Concentration on spectacle and image rather than on the substance of economic and social problems can also prove deleterious in the long-run, even though political benefits can all too easily be had" (Harvey 1989: 16). This literature shows how most Cities all over the world are moving to adopt City planning policies that seek to advance economic growth, attract investment and interest on its image to target affluent residents, while neglecting most social and economic problems these policies might leave their Cities with, affecting mostly their poorest residents. This is the reason why the CoJ has also adopted the Vision 2030 of building a World Class African City that seeks to attract investment and build the City's economy, while holding a potential of its poorest citizens being left out of the whole plan.

3.2. Social Justice and a Just City

3.2.1 What is a Just City?

The critiques to how decision making of Urban development is done started in the 1960s by Urban politics scholars, who dismissed this route of Urban development for economic growth, for imposing policies that aggravated the marginalization of the low-income and minority residents. Scholars in the United States and Europe criticized and categorized these policies as prioritizing tourist facilities and stadiums at the expense of housing, schools and labour related issues. This is where the concept of a Just City was first conceived, as these scholars were against the injustices brought by a narrowly focused objective of capital investments, as argued by Feinstein.

A Just City would thus refer to a City in which public investment and regulation would produce equitable outcomes rather than support those already well off, while injustice is constituted by the actions that disadvantage those who already have less or who are excluded from entitlements enjoyed by others who are no more deserving (Fainstein 2010). In the process of building a Just City, it is thus considered an injustice to take away housing, employment, or access to public space from the politically or economically weak.

A Just City concept aims at promoting social, economic and spatial justice as its central purpose of planning, as argued by Winkler (2005), and Fainstein concurs in that the Urban context should name Justice as encompassing Equity, Democracy and Diversity, and that its influence should bear on all public decisions without going so far as to develop a theory of the good (Fainstein 2005). The main question in regards to the City of

Johannesburg, still remains on whether the regeneration practice as seen through its 2030 Vision of a World Class African City leads to and encompass the Just City principles, or to a gentrification space of social and economic exclusion.

Building a Just City envisages 'the formation of local stakeholder forums, where a vision and a strategy for improving the City can be developed on the basis of a "socio-economic map of a city" (Cities Alliance 2002, In Robinson 2008). The argument of a Just City is for the City development strategies to incorporate antipoverty agenda alongside that of economic growth and investment, not exclusionary strategies of the poorer residents. The Rawlsian argument for a Just distribution is that, there should be equality of opportunity and that any inequality should be to the benefit of the least-advantaged member of society (in Fainstein 2010).

Leonie Sandercock's definition of a Just City relates to Social Inclusivity, at which difference is treated with respect and recognition, not just tolerated. Her assertion is to connect 'planning theory with other theoretical discourses – specifically debates around Marginality, Identity and Difference, and Social Justice in the City – because these are debates which empower groups whose voices are not often heard by planners (Sandercock 1998: 110, in Fainstein 2010: 20).

When the importance of Justice in the City formation is well understood and accepted, then there appear various questions that need answering in any Urban setting. Questions emerge as to the qualities comprising a Just City in a City made up of diverse communities (Fainstein 2010). The main question relates to economic and social forces, politics, planning and policies that shape a Just City in a City that needs to combine social forces and governmental activities.

Robinson (2008: 76) argues that "if cities are to respond to the demands of the electorate to support redistribution, to promote inclusive economic opportunities, and to deliver services more equitably—all demands which have been framed in local government legislation in South Africa—the alternative understandings of cities and their economies are required". There is an ongoing debate amongst planning theorists between those advancing for Communication, Negotiation, and Democratic decision making as the principal normative standard for planning, while others prefer the substantive concept of Justice.

There is no, or should be no trade-off between Justice and Efficiency, because even to those preferring democratic deliberation there is no denying the importance of Justice. This puts people in the centre-stage of their City formation, and is essential to evaluate Urban planning and policy. Whichever one is the urgent or correct method of advancing a Just City, the City authorities and governments need to start leaning towards the idea of people first.

Fainstein admits to her hope of redirecting City planners from their 'obsession' with economic development to now focus on Social Equity. The focus should be lessened from the economic growth processes that dominate City planning, simply because growth does not necessarily trickle down to the less fortunate. Connolly and Steil (2009) put it that 'understanding justice requires not only engaging with the dialectical relationship between social and economic conditions, but also with the spatial implications of that relationship. How does attention to the production and experience of urban space illuminate the philosophical articulations and concrete struggles for social justice?'

There seems to be no contestation of a relationship between the types of procedures employed and social outcomes, between institutional forms and the distribution of benefits, between growth and the possibility of improvements for those at the bottom, according to Fainstein (2010). The success to include all these strategies into Urban planning rests on the ability of the City government to practice its autonomous powers independent of national government or the private sector pressures of capital growth.

3.2.2 Examples of Policies and Programmes of a Just City

As highlighted above, Equity, Diversity and Democracy are the three primary qualities that constitute Urban Justice and the building of a Just City. Fainstein(2010) confers that these three qualities need to be included in the direction and evaluation of policy for any society, and that it is incumbent on government to provide the social basis for availability of Justice, although not for its actual realization. Harvey and Potter argue that "urban rights and justice are therefore mediated by the spatial organization of political powers. Patterns of urban administration, policing, and regulation are all embedded in a system of governance that allows for the playing out of multiple interests in the murky corridors of urban politics and through the labyrinthine channels of urban bureaucracy and administration" (in Marcuse et al 2009: 42).

Harvey (1973) stresses in Connolly and Steil (2009) that to attempt at arriving at Justice, there must be a transformation attempt at processes that gave rise to Urban inequalities, 'the asymmetries of economic and political power embedded in the practices of capital accumulation'. What Harvey advocates for, is the investigation of different means of production, consumption, and distribution that could rearrange the class structure of society.

This part of the literature review thus look at the possible strategies and policies that local government decision makers can look into, in order to attempt to arrive at increasing Justice in their Urban planning, in relation to the above-discussed criteria of Equity, Democracy and Diversity. In order to advance to a Just City, certain kind of programs needs to be included in the Urban planning, so as to benefit relatively disadvantaged social groups in such a City. This is to attempt at tackling the questions posed by Connolly and Steil (2009), who wondered 'what would constitute justice in an urban setting? What social, political, economic, and other structures are needed to produce a Just City?'

As it is to be expected, the type of the interventions given for non-profit purposes by the government for housing, and how it balances it with its local economic development activities will be different for Cities and their countries, because of their different historical backgrounds and their developments. Even with this as the case, "we can imagine a movement toward a common goal of increasing equity in relation to housing, economic development, and access to public space" (Fainstein 2010: 171).

Harvey and Potter (2009: 48) emphasise that "the right to the city cannot be construed simply as an individualised right. It demands a collective effort and the shaping of a collective politics around social solidarities. Neoliberalism has, however, changed the rules of the political games. Governance has displaced government; rights and freedoms are prioritized over democracy; law and public-private partnerships lacking in transparency have displaced representational democratic institutions; the anarchy of the market and competitive entrepreneurialism replace deliberative capacities based in social solidarities".

As Ong (2006) points out, the right to the City, a Just City, and good City formulations share a desire to rearticulate the political and moral connections between inhabitance,

social provision and Social Justice (in Connolly and Steil 2009), while Connolly and Steil (2009) themselves argue that the Just City concept shares the articulations of the 'good city', particularly among Urban dwellers and imagining the contexts in which Urban conditions can be changed for the better.

Harvey and Potter (2009: 49) conclude that "The creation of a new urban commons, a public sphere of active democratic participation, requires the rolling back of that huge wave of privatization that has been the mantra of a destructive neoliberalism in the last few years. We must imagine a more inclusive even if continuously fractious city based not only upon a different ordering of rights but upon different political-economic practices. Individualized rights to be treated with dignity as a human being and to freedoms of expression are too precious to be set aside, but to these we must add the right to adequate life chances for all, to elementary material support, to inclusion, and to difference.

"The right to the city is an active right to make the city different, to shape it more in accord with our collective needs and desires and so re-make our daily lives, to re-shape our architectural practices (as it were), and to define an alternative way of simply being human. If our urban world has been imagined and made, then it can be re-imagined and re-made". The right to the city therefore, has to be fought for by the urban social and political movements, for the majority of the marginalised people, in accordance with their desires, and as Marcuse (2009) emphasises, 'the call for a just city is compelling, it is not a call for another world, but for changes in this world, in one clear direction'.

This is achievable through the implementation of Social Justice by the relevant City legislatives, and inasmuch as the national government can either restrict or allow local attempts to advance Justice, Cities still hold the powers to decide on being either favourable to Justice or not. To emphasise this point 'moves the entire discussion forward in an important way; introducing the concept of justice, even without resolving all its implications, is a major step forward, and is immediately useful in fields of planning and social policy' (Marcuse 2009). To achieve Justice in City planning and attempt building a Just City therefore, Equity, Diversity and Democracy should be furthered and applied through policy.

3.2.3 Equity, Diversity and Democracy

To drive the principle of Equity, Fainstein (2010: 172) suggests that City authorities and planners need to play an important part in pushing for equal resolutions, restricting and minimizing those that already benefit the previously catered-for households, and that "housing units developed to be affordable should remain in perpetuity in the affordable housing pool or be subjected to one-on-one replacement", for starters.

Fainstein (2010) further suggests that there should not be an uncontrolled relocation of businesses or households for the intention of achieving economic development or community balance. There should be offered a sufficient compensation to those dislocated in order for them to afford an equivalent dwelling, if ever their relocation is needed for the construction of public facilities, to improve their housing quality or to increase the density to be able to accommodate additional population, and that, "all new housing development should provide units for households with incomes below the median, either on-site or elsewhere, with the goal of providing a decent home and suitable living environment for everyone" (Fainstein 2010: 172). Affordable housing supply is an urgent need for any City advancing the social principle of Equity in its Urban planning policy.

To further the ideal of achieving Diversity, the recommendation would be to ensure a mixture of land use to the practical extent and the desire of the affected populations, and that "public authorities should assist groups who have historically suffered from discrimination in achieving access to opportunity in housing, education, and employment" (Fainstein 2010: 174). When zoning is done, it should be for the purposes of encouraging inclusion, not to promote discrimination or marginalisation of the lower-income groups. Of course one has to emphasize the careful point that for the sake of obtaining or sustaining Diversity, there should not be built new communities that expand segregation, or that households should not be relocated or displaced. Diversity should rather be included in the initial planning of any housing construction.

In terms of furthering Democratic principle, people need to show a level of willingness to partake and participate in democratic processes themselves. People who do not wish to participate cannot be expected to do so, and as alluded by Fainstein (2010), the purpose of inclusion in decision-making should be to have interests fairly represented, not to

value participation in and of itself. If Justice is the goal, the requirement of Democracy is mainly instrumental- without it; those with less power are more likely not to be treated well.

Many social movements and groups that oppose neo-liberalism and capitalism have advocated for a greater demand of Democracy. In reality, there can be achieved a better representation in decision-making for greater affected populations than to broader participation. The problem that needs to be addressed therefore is making elected representatives to respond to the needs of their constituents. As Fainstein (2010: 178) shows, the main concern "encompasses unelected policy makers as well, both those who work for state bureaucracies and those who advocate for community groups within civil society. In both cases there is a need for actors to promote just policies and to get them to do so without constant monitoring and activism by those on whose behalf they act".

Fainstein (2010: 175) further suggests three points to advance Democracy-

- Groups that are not able to participate directly in decision-making processes should be represented by advocates.
- Plans should be developed in consultation with the target population if the area is already developed. The existing population, however, should not be the sole arbiter of the future of an area. Citywide considerations must also apply.
- In planning for as yet uninhabited or sparsely occupied areas, there should be broad consultation that includes representatives of groups currently living outside the affected areas.

Of course, in the deliberations and the advocacy of building a Just City, many other elements and concepts fit and are needed to be incorporated into the process, but for the sake of remaining within the context of our research investigation, the three concepts of Equity, Diversity and Democracy are very relevant and enough. Participation of the affected and the vulnerable in decision-making processes should be the cornerstone of any Just City aspirations, hence we look into the participation of the Johannesburg Inner City residents who are mostly affected and in need of housing in the decision making, the allocation and the building of a Just City

3.3 The Public-Private Partnership

It has already been indicated in the literature review that the current system of governance indicates societies that afford a dominant role for the market in the allocation of resources. Moving forward, the suggestion is not for the governments, be they national or local metropolis, to take-over the functioning or provision of resources such as education, housing or business premises. As Fainstein (2010) alluded, the propositions to build a Just City "require a considerable increase in government involvement through regulation and some increase in public ownership.

"Thus, development of affordable housing could occur via the governmental, for-profit, and non-profit sectors, but would depend on generous public subsidy and intervention. Likewise, public space may be government or privately owned, but if the latter it should be subject to substantial constraint" (Fainstein 2010: 175). Local governments need to conceive frameworks that can allow them 'powers to channel resources toward the non-profit sector rather than depending wholly on deal-making with private developers who, in return for governmental largesse, offer a public benefit as a component of their projects' (Fainstein 2010). This system was used and continue to be used in both the United States and Europe, at which private sector has to guarantee a social project for the City in which it does business, in return for space to operate (Fainstein 2010).

'A move toward greater reliance on non-profits, which would require both assured funding and guarantees of their longevity, would produce a public-private hybrid that was less bureaucratic than programs operated directly by government, although with some loss of accountability' (Fainstein 2010). Housing Associations in both America and Europe use the mixture of generosity and public subsidy to provide housing, while also supporting business endeavours too. This is because of the Non-Governmental Organisations' (NGOs) abilities to use public funds in order to implement housing and social welfare policies. Also, as suggested by Fainstein (2010), the establishment of a land bank is important, at which the government can plan the use and the releasing of the land, while the private and non-profit sectors can carry out the actual development.

Local City governments need to support the NGOs, who at most times experience the difficulties of funding and carrying out certain projects. To address this shortfall, there can be established the 'housing trust funds, the use of loan pools, and the recycling of

revenues from commercial enterprises in which they have equity shares', and as Fainstein (2010: 177) stressed, the "goal is to move incrementally, as much as possible, to removing critical areas that impinge directly on the well-being of most of the population from the injustices caused by market distributions".

As an instance, there is a greater direct governmental contribution in Cities such as Amsterdam, because their national government plays a much larger role in financing affordable housing development. Of course this contribution depends much on the profitability of the market-driven parts of their projects. Fainstein (2010: 179) points out that "Only three forms of construction have the potential to generate big profits for private developers: luxury residences and hotels, large-footprint office towers, and shopping malls.

"The extent to which the gains from profit-driven property investment are spread throughout the society depends on the extent of governmental commitment to public benefits. This is greatest in the Netherlands, where the welfare state, albeit somewhat shrunken, lives on; it is least in the United States, where the small size of national expenditures on housing and social welfare means that low-income people must depend almost wholly on trickle-down effects to gain from new development."

To achieve and build a Just City in a modern Urban area concerned with economic growth, it is important for the powers that be to enforce social projects for the benefit of the public use, this from the private sector investors doing their business within the very City. The real implementation of the Public-Private Partnership means to ensure that while business carries out the development projects within the City, the local government authorities regulate the use of the space on behalf of its marginalized majority of residents, so as to afford them a say in the decision making through representation; to afford them the right to the City through the use of public spaces; and ultimately, through building the City that would meet the needs of its citizens and according to their hearts' desire.

Local City government authorities and elected leaders rely on and make use of policy analysts and Urban planners to build their Cities. These planners are sourced from private consulting firms, public bureaucracies or even non-profit organisations. Inasmuch as they wield much powers and advantage to influence the shaping of and

implementation of policies as experts, Fainstein (2010: 180) maintains that "they lack the power to implement policy on their own, and they are restricted by their political masters and their clients regarding the objectives they can seek". What planners can only do is control the information to lure political superiors to view things in their own perspectives.

The only way that planners and developers can shift their policies to accommodate the ideals of Equity, Diversity and Democracy, however, is through the support of the political base from the collective citizenry. This is the point at which citizen activism is of utmost importance. The methods to drive public participation in planning can yield desirable results and as argued by Fainstein (2010: 181), "Without a mobilized constituency and supportive officials, no prescription for justice will be implemented. But regardless of authorization or not, justice is a goal to continually press for and to deploy when evaluating decisions. It is way too easy to follow the lead of developers and politicians who make economic competitiveness the highest priority and give little or no consideration to questions of justice".

In the modern system of governance, City governments need to accelerate their revenues and compete globally with their City counterparts. Competitiveness and assuring capital investment is the first priority of many Urban governments, of which is of major significance in the sustenance of Urban Cities. In the midst of competitiveness, Urban Cities should not neglect the responsibility of service delivery for its citizenry and most importantly, of building a City that is accommodative of its most valuable assert; people.

Cities are built for and by people, and their participation in building it is therefore an important element of Urban planning. This literature review seeks to analyze and understand how Urban planning is carried out in the modern system. The case study of the City of Johannesburg will thereby be measured in relation to how its Urban planning is carried out in terms of housing provision. The three discussed ideals that ensure Justice in advancing the building of a Just City; Equity, Diversity, and Democracy, will be assessed in the City planning of the City of Johannesburg when implementing its housing strategy (ICPS).

It is important to ensure a healthy working relationship between a local City government and its national government to provide services, especially social and affordable housing.

The City of Johannesburg will thus be analysed in terms of its relationship with the national government in terms of how service delivery policies and projects are carried out towards the citizens of the City, especially the consultation towards the implementation of housing policies of Better Building Programme (BBP) and the Inner City Property Scheme (ICPS). The local government policies have to be in line with those of the national government in housing delivery, and the local government should then be liable to carry out the duties of service delivery for its local constituents.

Furthermore, the City of Johannesburg authorities should be evaluated in terms of their relation to social movements in the local space. Social movements are the agents of social benefits and Justice for the residents of any Urban area, and their inclusion in the planning of Urban spaces is of importance to ensure that Cities are built in accordance with the desires of the hearts of their residents. Social movements play a very critical role in ensuring democratic participation, and lead City protests against policies that do not represent the desires of the residents within any Urban area. Citizens' representation in decision-making is therefore a greater tool to achieve democracy within the planning and implementation of policies.

The ICPS policy/strategy is therefore evaluated and analysed in relation to the three ideals of Justice and the building of a Just City; being Equity, Diversity and Democracy, as discussed and evaluated above. The findings of this research paper would thus include the analyses of the emergence of the City of Johannesburg, its desire of building a World Class African City as a means to promote economic growth and global competitiveness, and the analyses of the policy tool it seeks to use in the provision of housing within its Inner City. The analyses of its tool will include the evolution of the Better Building Programme to the Inner City Property Scheme. The main research purpose is to find out whether the ICPS is a tool to build a city that is inclusive of the three ideals of Equity, Diversity and Democracy, or whether it advanced purely the programmes of economic growth and competitiveness.

3.4 The State and Urban governments

3.4.1 The expected role of the State and Urban governments in capitalism

In the midst of such economic resolutions, greater debates revolved around the role of Urban governments in the implementation of such economic activities, as compared to

the role of the business sector, who are the primary investors. “There seems to be a general consensus emerging throughout the advanced capitalist world that positive benefits are to be had by cities taking an entrepreneurial stance to economic development”, and a major question is thus whether Urban governments should play some kind of supportive or even direct role in the creation of new enterprises, and if so, what kind they should be (Harvey 1989: 4).

Harvey and Potter highlight that to ‘live in a capitalist society is to accept or to submit to that bundle of rights necessary for capital accumulation and market exchange to proceed in a legally justifiable and enforceable way.... the state is supposed to act as a guarantor of these rights. Though it sometimes signally fails to support them, the state needs money to maintain and enhance its power and is therefore very much, in contemporary times, at the mercy of the capitalistic logic of power’ (in Marcuse et al 2009).

Connolly and Steil argue in Marcuse et al (2009) that within contemporary Urban politics, the dominance of neo-liberalism and discourses of the competitive City have effectively redirected attention away from traditional issues of Social Justice and toward a new liberal formulation of social problems as questions of ‘social cohesion, social exclusion and social capital’ (Harloe 2001). Rogerson (1999) maintains however, that the poor should not be marginalised due to the perception of being an embarrassment to the common national aspiration of creating World Class Cities.

Harvey (2005) stresses that ‘government initiatives to deregulate financial and other industries, privatize public goods, restrain unions and limit workers’ rights have been combined with efforts to strengthen private property rights and extend free trade and market incentives to new economic sectors and new global regions’ (in Connolly and Steil 2009: 5). Indeed, we live in a society that encourage individualism ideals such as private property rights, independence from state intervention and free market, as Harvey and Potter (2009) argue.

To quote from Harvey (1989: 6), the “real power to reorganise urban life so often lies elsewhere or at least within a broader coalition of forces within which urban government and administration have only a facilitative and coordinating role to play. The power to organise space derives from a whole complex of forces mobilised by diverse social agents. It is a conflictual process, the more so in the ecological spaces of highly variegated social

density. Within a metropolitan region as a whole, we have to look to the formation of coalition politics, to class alliance formation as the basis for any kind of urban entrepreneurialism at all. Civic boosterism has, of course, often been the prerogative of the local chamber of commerce, some cabal of local financiers, industrialists and merchants, or some 'roundtable' of business leaders and real estate and property developers".

3.4.2 The role of City governments in housing provision

3.4.2.1 City governments in the hierarchy of governance

How autonomous can a City government be from the private sector in implementing policies, and "how constrained is the city by its national context and by the forces of global competition?" (Fainstein 2010: 16). How any City is able to enrol redistributive programs is mostly constraint by the welfare policies of their national governments. Cities do not exist in seclusion, but within a chain of governmental institutions and the capital flow. But even as Cities are a layer of hierarchical governance of a country, there still subsists some kind of autonomy in relation to tolerance, quality of public services, and the availability of affordable housing (Fainstein 2010).

The building of social housing alongside Urban institutions in Urban planning to include and respond to the needs of low-income households gained momentum after the World War 2. This new model of City planning was assisted by the fact that in Western Europe and the United States, national governments mostly play an important role in financing and guiding local welfare and development programs (Fainstein 2010). This highlights the importance of having a good working combination and relation between the local City government and its national counterpart in seeing through its policies and programs.

However, in Marcuse et al (2009: 21), Fainstein thinks that there are particular policy areas in which municipalities have considerable discretion and thus the power to distribute benefits and cause harm. These policy areas are inclusive of the Urban redevelopment, racial and ethnic relations, open space planning, and service delivery. Inasmuch as Cities are not the prime focus of national governments' policies, most social programs inclusive of housing and others affect the success of the national governments and their Urban populations.

In Marcuse et al (2009: 21), Fainstein further stresses that "at the level of the neighbourhood, there is the greatest opportunity for democracy but the least amount of power; as we scale up the amount of decision-making power increases, but the potential of people to affect outcomes diminishes". This point highlights the fact that a City is just part of the chain in the pecking order of governance. Despite this fact, Feinstein still indicates the extent of autonomy to different Cities in terms of the variations of the values such as the availability of housing, tolerance, integration or marginalisation, and the way it handles public service delivery (in Marcuse et al 2009).

3.4.2.2 The governance hierarchy and the Constitution in relation to housing provision in South Africa

Since the first democratic national elections of 1994, there has been a mounting frustration among black Africans who expected better service delivery from the government. The South African Constitution specifically states that 'everyone has the right to have access to adequate housing' (Constitution 1996: 26(1)) and in so doing, it treats access to housing as a human right that would be violated through its denial or deferment. It is thus the responsibility of the state to use its available resources to achieve the progressive realisation of this basic human right. The Constitution is complemented by the Housing Act of 1997, which embraced the need to avail access to housing to the needy through housing development. It placed significance on housing development as a means for ensuring the availability of houses for distribution.

The 1994 Housing White Paper states that 'the time for policy debate is now past – the time for delivery has arrived' (DoH in Charlton and Kihato 2006). Huchzermeyer (2004: 339) stresses that 'if the DoH can still be held to its 1994 commitment to "a partnership between the various tiers of government, the private sector and the communities" within which "all parties... argue for their rights" (DoH 1994: 4), then it should allow for a definition of the problem of informality in human settlements by those actually needing to cope with this phenomenon on a daily basis – residents and their community-based representatives, who struggle to secure a place to live, and to secure the gradual improvement of its conditions'.

Because of the economic nature of capitalism and globalisation today, the South African government finds itself in a position at which it not only has to provide housing to the

poor, it also has the obligation to protect capital and investments, hence some of its Housing Acts protect property rights.

The Housing Act 107 of 1997, 2(1)(a) stresses that all the spheres of government, starting from national, to provincial and local must 'give priority to the needs of the poor in respect of housing development'. This Act, as argued above, compliments the white paper of 1994 in that the new government must prioritise the housing development of the previously marginalised poor, mainly black Africans.

As also stated above, the Act 2(1)(d) agrees that all levels of government must 'encourage and support individuals and communities, including but not limited to, co-operatives, associations and other bodies which are community-based, in their efforts to fulfil their own housing needs by assisting them in accessing land, services and technical assistance in a way that leads to the transfer of skills to, and empowerment of the community'.

This relationship and supportive arrangements should run through all the hierarchical levels of government, at which the provincial gets its administrative support from the national government, and it should as a result provide support and give ability to the municipal level administrations to perform their duties in respect to housing development.

The national government should establish what the Housing Act 107 of 1997 (5)(1) calls the 'South African Housing Development Board'. The main duties of this board is basically to advice the minister in matters relating to housing development and monitor the implementation of national housing policy. The provincial governments are also expected to establish their own provincial housing development boards for regulative purposes.

Much work lies with the ability of municipal governments to perform their duties as they are closer to the people. The Housing Act 107 0f 1997 (9)(1) maintains that every municipality must, '(a) ensure that the inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis, (b) set housing delivery goals in respect of its area of jurisdiction', among its main immediate duties in implementing housing development for the people.

The Housing Act no 50 0f 1999 advocates for the government to promote private property ownership. In chapter 2, this Act argues that in its responsibility to promote

rental housing property, the government must 2(1)(a) 'promote a stable and growing market that progressively meets the latent demands for affordable rental housing among persons historically disadvantaged by unfair discrimination and poor persons, and (b) facilitate the provision of rental housing in partnership with the private sector'. The national government is expected by this Act to introduce a policy framework on rental housing to give effect to it. The Act also gives general provisions to the relations between tenants and landlords that protect the rights of tenants and these implementation and monitoring processes are carried under the Rental Housing Tribunal.

This part of literature gives a practical outlook of the South African Housing Acts as outlined in the Constitution of the Republic, and gives a particular context in how the legislative framework applies to housing. It also assists in the practical hierarchical relations of the South African governments from the National, Provincial and Municipal level, in terms of how they alternate and share governance powers. Inasmuch as the national government sets the housing goals and development processes to be followed, it is ultimately at the local municipal level where service delivery is implemented, as municipalities are closer and in the midst of the people and the communities.

3.4.2.3 City governments and society relations

There is a possibility of developing the concept of Justice that is relevant within the City government's powers relating to Urban movements. Castells (1983) argued that Urban social movements carry a potential to produce a municipal revolution, although they cannot achieve social transformation, as they are mostly restricted only to the level in which they are operating (in Fainstein 2010).

Fainstein asked the strategies that can be implemented by any City seeking to promote Social Justice, and if any social movements can be brought about to improve Justice deliberations. "Is there reason to expect that a benevolent state, guided by a competent bureaucracy, will be the leader in promoting progressive change? Do social movements carry with them the hope of transformation toward a more just society? Is it possible to promote growth and equity simultaneously...?" (Fainstein 2010: 17).

It is fundamentally important for the City authorities and governments to allow the pressure voice of the people below to participate in creating and seeing the way forward for their City. This is because, as Harvey and Potter caution, "state powers are invariably

obsessed with maintaining order and erasing difference when disorder and difference are fundamental to the creativity of urban life" (in Marcuse et al 2009: 42). The approachable policy afforded by the political and bureaucratic authorities to their residents would not only allow people to point directly what their needs are, but will persuade the authorities to advance programs that seek to provide benefits to the supposed majority.

Cities are the concentration spaces at which the quality of public programs and policies perceived to be discriminatory or conflicting for other ethnic, racial or class populations are opposed by social movements. As Connolly and Steil (2009: 6) put it, "it is in cities that the places of community is organized relative to the space of capital investment and that the effect upon urban residents- be they in the rapidly expanding cities of developing countries or in the post-industrial regions of the advanced economy- is ultimately decided". This argument is persuaded by their belief that actions taken at all scales of governance are very relevant and important, but the City is the measure where questions of Justice are felt concretely as part of everyday life.

Without the provision of the space for Urban residents to participate in the planning of their space and the application of programs, Urban residents form movements to resist and oppose the policy direction that marginalise them and prevent their voices. Castells (1977) mentions in Fainstein (2010: 168), that "urban bureaucracies rather than capitalist employers became the target of movements aiming at equity and recognition". Metropolitan areas and Urban Cities experience most of the protests promulgated by Urban movements and this is where social welfare programs and the most affected or marginalised populations are found.

Connolly and Steil believe that the search for a Just City should start by exploring the everyday reality of City life and then look for the ways to reshape that reality and re-imagine that life. They argue in fact that it begins with the injustices that have come with rapid Urbanization- the violence, insecurity, exploitation, and poverty that characterize Urban life for many, as well as the physical expressions of unequal access to social, cultural, political, and economic capital that arise from intertwined divisions between race, class and gender categories (in Marcuse et al 2009).

As concurred within Marcuse et al (2009), in most Cities you often find high concentrations of inequality, insecurity, and exploitation. Again, the major concern remains the possibility of realizing a Just City within an Urban area full of injustices and conflicts. Asked by Marcuse et al (2009); is a Just City merely a utopia, or does it have practical relevance in a global and dynamic development? Is it the best formulation of the most desirable goal for urban development?

Fainstein (2010) believes that there is a possible leeway, but only backed by sufficient political will and mobilization from Urban social movements, to produce significant changes from the way City planning is implemented in focusing on economic growth and global capitalism. As Feinstein again highlights in Connolly and Steil (2009), 'the values that guide the creation of public space, housing, economic development, and social programs that should exist within a just city can and must be made explicit in order to mobilize broad-based and inclusive movements for change rooted in social rationality and a definition of the collective good'.

Urban social movements can achieve this by advocating for what Harvey (2009) called 'participatory budgeting as a form of collective form of governance' (in Fainstein 2010). Harvey and Potter (2009) argue that the right to the City 'cannot be conceived of as a simple visiting right or as a return to traditional cities', but that the right to the city 'can only be formulated as a transformed and renewed right to urban life'.

There needs to be a mobilization of sufficient power through political organization as well as in the streets to change things (Harvey and Potter 2009). The freedom of the City resembles the right to change it more after the desires of the people's hearts. So, when the City residents determine that the City does not conform to their hearts' desires, Lefebvre (2003) stresses that the right to the City can then be exercised by changing urban life only through social mobilization and collective political/social struggle (in Harvey and Potter 2009).

3.5. World Class African City: the case of Johannesburg

3.5.1. Introduction

Johannesburg presents a model of South Africa's aspirations to build a developmental state. In 2000, the new City of Johannesburg Metropolitan Municipality stated that it has 'a vision of becoming an African world class city defined by increasing prosperity and quality of life through sustained economic growth' (CoJ, 2030 Vision 2002). The 2030 Vision provides a strategy to achieve a goal "to raise and sustain private investment leading to a steady rise in property values" (in Winkler 2009: 368). Because of this vision, the City Council wanted to implement investor friendly policies to attract private capital, concerned with economic growth and investment.

In most cases of building a hegemonic mega-project such as a World Class City, there are bound to be a promoted coalition of the propertied elites and the local authorities to see it through. In the Inner City of Johannesburg, there is a case of the BBP, which will be explored in details later, that sought to promote private property ownership and the Inner City as the site for the middle class living and commercial investment, all this within the broader World Class City vision.

The World Class City vision in Johannesburg was driven by a coalition and a network that involved the private sector property owners, the politicians and the City officials, who all wanted to see through the vision of regenerating the Inner City. Initially, the driving force of this vision was to remove the residents from the unsafe living conditions and to create a functional property market to take care of the situation. As time went on, it became more apparent and clearer that the main aim and the focus was more on the World Class Cityness than to house those taken out of unsanitary buildings (Rubin 2014).

Put more directly, "this vision required the removal of the poor and marginalised from the inner city to make it a more planned, controlled and sanitised environment and thus more in keeping with a middle class vision and aesthetic. It was these forces that over a period of about three years (2003-2006) led to the eviction of almost 25000 people from their homes in the inner city" (Rubin 2014: 4).

3.5.2 The Vision 2030: A World Class African City

The Deputy President of South Africa, Thabo Mbeki, launched a Vision for the Inner City of Johannesburg in mid-1997. The Vision, 'The Golden Heartbeat of Africa', emanated from the continuous consultations and intensive engagements of the CoJ with provincial government and national governments, business, community and other stakeholders (Inner City Regeneration Charter 2007).

The aim of this Vision, amongst other things, was to ensure that the Inner City became 'A dynamic city that works; liveable, safe, well-managed and welcoming; a city for residents, workers, tourist, entrepreneurs and learners; a truly global city; the trading hub of Africa, thriving through participation, partnerships and the spirit of Ubuntu' (Inner City Regeneration Charter 2007). This Vision was more about one basic principle of creating an Inner City Johannesburg that resembles the London or Paris of Africa.

As stated in the Joburg 2013 Vision Strategy: "By 2030 Johannesburg will be a World Class City with service deliverable and efficiencies that meet world best practice. Its economy and labour force will specialise in the service sector and will be strongly outwardly oriented such that the city economy operates on a global scale. The result of this competitive behaviour will be strong economic growth that will drive up city tax revenue, private sector profits and individual disposable income levels such that the standard of living and quality of life of all the city's inhabitants will increase in a sustainable manner" (GJMC 2002: 114).

The 1997 Vision statement opened the gate for many strategies and plans that sought to address the problems that emanated as a result of the deterioration of the Inner City. It was these strategies that assisted and funnelled the work of the Inner City Office (ICO), instituted in 1998. It was the ICO that established various projects and interventions that aimed at arresting and redressing the decline and dilapidations that became visible in the Inner City over the years, and those initiatives included the Better Buildings Programme (Inner City Regeneration Charter 2007).

The Better Buildings Programme and various other regeneration strategies came to light as a result of a working collaboration of the CoJ and the private sector. As written and emphasised in the Charter, 'the work that has been done in areas of the City covered by City Improvement Districts demonstrate physically what can be done when non-

government stakeholders are energised and enabled to enter into collaboration with government', the private sector instituted the conditions for themselves at which their private investment assisted in the upgrading and improvement of the city as a whole' (Inner City Regeneration Charter 2007).

Despite the positivity shown by the commitment of the collaboration of the CoJ and the private sector in the City, there was still Urban decline seen on the other parts of the City. Problems such as slum-lording and building hijacking, illicit building conversions into residential use and so on, have continued to haunt the City. In fact, 'in the face of these challenges, City efforts have sometimes been seen as localised, fragmented and episodic and have been critiqued as not always sensitive enough to the circumstances of poorer residents and informal business' (Inner City Regeneration Charter 2007).

The challenge for the CoJ was to ensure that all the regeneration efforts were scaled up to realise a more rapid, evenly Just and sustainable positive impacts on the whole of the Inner City, all these without any negative effect on the communities of Johannesburg. In Van Eeden (2008), it is argued that regeneration can be the cause of new segregation, which poses a policy decision challenge, especially where a politically or culturally sensitive need arises to protect both the marginalized and the heritage of an area whilst upgrading the CBD in order to attract new investment.

The Charter had thus proposed that all the stakeholders envisage the Inner City 'with certain desired outcomes, outcomes that would ensure the Inner City becomes a place that will be developed in a balanced way in order to accommodate all people and interests; which works, as many other cities do elsewhere in the world, as a key residential node where a diverse range of people from different income groups and backgrounds can have their residential needs met', the Charter has maintained and emphasised on the point that the 'Inner City will not be a dormitory for the poor, nor an exclusive enclave of loft apartments, galleries and coffee shops' (Inner City Regeneration Charter 2007).

Robinson (2008: 82) argued that "Johannesburg's 2030 policy initiative to align service delivery objectives with economic growth was primarily shaped by consultants and some senior councillors. As a result of political contestation of a process of restructuring and outsourcing of services, trade unions and civic organisations did not participate in the

steering committee established to direct the visioning process". The City Council of Johannesburg itself stressed that "strong action on issues like crime, skills development, and general urban infrastructure, including spatial planning, would enhance the efficiency of firms in the city and encourage expansion and growth while at the same time meeting some basic needs of service delivery goals" (GJMC 2002: pp 66-67, in Robinson 2008).

The City Council, however, seems to have abandoned all these aspects of incorporating good and inclusive governance, social and economic responsibilities and building a City that seeks to improve the standard of living and quality of life of all the City's inhabitants, as it showed through its adopted policies in terms of housing. This intention here is on looking at the social aspects of building a Just City as seemingly omitted by the CoJ's vision 2030 of buildings a World Class African City, through its policies like the Better Buildings Programme and the Inner-City Property Scheme.

The purpose is thus in looking at the regeneration practices and policies that informed the CoJ to build a World Class African City. There is a need to evaluate what aspects of Urban Renewal have been left out of this vision and why, since the contention is on whether or not the aspects of a Just City of accommodating its poorer residents in the making and regeneration of the City are incorporated.

3.6. Better Buildings Programme (BBP)

3.6.1. The emergence of housing problems

As stated in Rubin (2014: 5), there were many buildings in the Inner City of Johannesburg whose owners have started accumulating immense debt to the CoJ and to private lending institutions in the mid-1990s. these huge amounts of debt were most primarily related to non-payments for the services such as water, electricity, refuse collection and sewerage, and/or for taxes and rates. Between 1981 and 1985, there were massive interest rate hikes which varied from 10 to 25 per cent, which ultimately led to huge scores of homeowners being unable to keep up with their financial commitments and just stopped paying their bonds and services.

Morris (1996) and Hornberger (2004) stated that in pursuit of alternate options, property owners increased costs on to their tenants, who also failed to pay for the new

rentals and the other service costs at times, and also either stopped paying rent or sublet their units, which greatly led to the increased Inner City densities and huge burdens on the CoJ's services infrastructure. Landlords were then unable to keep up with both their municipal rates and rent, and their private debt.

This problem was not only applicable to residential buildings, but it affected commercial buildings as well. Goga (2003) and Beavon (2004) stressed that indeed a number of commercial buildings were left vacant as businesses left the Inner City for the northern suburbs, leaving large number of buildings unoccupied. This is what eventually led to the illegal occupation of informal dwellers who used the buildings for both unregulated business dealings and residential means.

Because of the absence of proper regulations and management in these buildings, tenants often took control and tried to ensure that there was some form of maintenance and order in those buildings, but of course they often lacked the required skills, resources and expertise to. In most of these buildings though, criminals came in and hijacked them, forcing tenants therefore to pay rent and protection fees to themselves as the new owners (Rubin 2014).

Those sectional title buildings were also hugely affected by the interest rate hikes though, and "some unit owners were no longer able to contribute their levies or pay for services, with the result that the buildings degraded and services were often cut off, as in most buildings the individual flats did not have separate meters and thus the entire body of owners in the building was held liable" (Rubin 2014: 5). This loss of municipal revenue was to leave the CoJ in dire financial crisis, and the Cnner City in a deplorable state of chaos.

Speaking of a dire financial crisis in the CoJ, Beall et al (2002) stated that in fact the years of rent boycotts, non-payment of rates and municipal taxes, and financial mismanagement by the previous Council meant that by 1997 the CoJ was facing significant debt, financial crisis and arrears to the tune of some R130 million per month. This ultimately meant that even before the early 2000s, the inner city and its surroundings were in decline, with a degrading infrastructure, large urban in-migration by poor households and rapid residential turnover, and literally thousands of buildings that were in debt to the municipality and had had their water and/or electricity supply

terminated, with many of them informally occupied and possibly experiencing overcrowding and inadequate management (Rubin 2014).

3.6.2 The introduction of the BBP

The Better Buildings Programme (BBP) was the CoJ's strategy aimed at providing a solution for buildings that were classified as bad ones (Residential development Charter 2014), and according to Fraser (2010), bad buildings referred to and included those that 'had been abandoned by their owners; were derelict or in a deplorable state; were invaded by crime lords and squatters; were overcrowded; contravened various by-laws and other legislation; were the seat of criminal activities'. Also, it was stated in Davie (2014) that these buildings were usually controlled by slumlords who overfill the flats, charge exorbitant rents and allow the buildings to become rundown. …. Slumlords neglect to pay the rates over to the City, and electricity and water are terminated, further jeopardising the quality of the life of the tenants.

To further emphasise on bad buildings, one can say that these bad buildings were also identified as structures that have been hijacked and so, bad buildings are a result of little or no support on investment and there are no known owners, caretakers or landlords present at times. Davie (2004) explained the concept of a bad building as one that has deteriorated to such an extent that its market value is below the outstanding debt owed. Living conditions in those buildings have become extremely harmful to the occupants.

Rubin (2014) however, warns that inasmuch as the BBP and the Inner City Regeneration in Johannesburg were more about the promotion of a World Class City in order to increase investor capital, there was still more to it than that. To quote Rubin(2014: 1) more directly, the "World class city project was underlain by a clear and hegemonic urban vision of creating an orderly, neat and 'modern' inner city, which housed international capital and middle class residents to the exclusion of poorer people".

Inasmuch as this could be the case, there is no denying that at times, the fear of people living in squalor and hazardous conditions that could lead to their ill health was a genuine concern. As Satterthwaite et al (2007) raised the issue in Rubin (2014), there was certainly a fear that the buildings, due to their lack of sanitation, would lead to illnesses amongst the residents. In many respects such fears were not unfounded: slum conditions

and lack of running water and adequate sanitation can and do cause a range of ailments amongst people living in such conditions.

However, and despite such genuine concerns raised, the BBP was marketed as an investor friendly regeneration policy, which was concerned with "writing off arrears on identified 'bad buildings' and transferring the ownership of these buildings to private sector developers for rehabilitation" (Winkler 2009: 369). What was mostly of great concern to the City was the amounts of debt to the Council owners of such buildings were in, in terms of arrears in rates and services charged. The City identified about 122 buildings within the Inner City, which they wanted to acquire and sell to developers at a price equivalent to the debt for renovations (Fraser 2010).

Winkler (2009) argued that the BBP increased property values through private sector investment and increased investor confidence, but it also became insensitive towards poor citizens by making Inner City apartments highly expensive in its quest to market Johannesburg as an exciting Afropolitan City. These insensitivities included the evictions of poor tenants from buildings earmarked for the programme and the disconnection of water and electricity in buildings with arrears in rates and services.

Rubin (2014) further emphasized that the BBP was in fact an instrument of the World Class City vision and was thus presented by the coalition promoting it as a desirable and common-sense solution to Urban decay that would result in a globalised space attractive to foreign capital, and in positive spin-offs for local people. The desire of the BBP to attract and retain foreign capital was promoted at an expense of the local residents who were poor and unable to afford what was needed to stay in those earmarked buildings.

The CoJ sought to attract a calibre of affluent people through this programme, closing out the space for social aspect of Urban Renewal or a Just City and making the Inner City exclusive for those who can afford, subsequently displacing the working class residents from the Inner City space.

Fraser (2010) highlights the complexity of the programme that made it difficult and time consuming to implement. These challenges included the time-frame for litigation and judgment, higher arrears in worse conditioned buildings, and that the objectives of the programme to facilitate Urban Regeneration and improve the quality of the life of low-

income Inner City residents was in direct conflict with private developers' interest of obtaining a good return on investment.

Bad buildings are occupied by tenants who cannot afford rentals through private housing market, and evicting them for the BBP only means evicting them from the Inner City or disposing them of shelter. As a result of such challenges, it ended up being significantly a lower percentage of targeted bad buildings becoming better buildings out of the initially identified 122 buildings.

The above mentioned challenges have made it difficult for BBP to be implemented accordingly, and the programme ultimately failed. The research is partly intended to look into the policy intensely to investigate the reasons behind its collapse as a chosen policy of Urban Renewal by the CoJ Council. It also unpacks the possibility of deliberate attempt by the CoJ to advance economic growth and investment strategies that eliminated social responsibilities toward its poorer inhabitants through abandoning the BBP and replacing it with the ICPS.

3.7 The Inner City Property Scheme (ICPS)

The CoJ took a policy shift by adopting the Inner City Property Scheme (ICPS), which is to be interested and concerned with restoring investor confidence into the Inner City and increasing the City's revenue streams by rejuvenating these bad buildings and transferring them to private ownership (Masondo 2011). As the then Mayor of the CoJ, Masondo argued that, "the ICPS is an important initiative by the City of Johannesburg in partnership with the private sector to address urban decay and accelerate the rejuvenation of the central business district" (in Ndaba 2011). By replacing the programme that was focused on turning bad buildings into better buildings, the ICPS was seen as a better programme to address the Urban decay of deteriorating buildings.

While this policy shift was meant to open Johannesburg to the space of economic growth and investment opportunities to the rest of the world, it also held a potential of placing a direct impact on social problems facing the City, like homeless people on the streets and those living in dilapidated and abandoned buildings. The 'World class African city', as a vision of the CoJ, is a long-term economic development strategy to present the City as an attraction of neo-liberalism ideals of growth and development investments.

In the midst of this great advancement for economic purposes, the scheme possesses a high potential to relegate the poor people in those buildings to the streets without a shelter, as they have to pay and at times exorbitant rentals to stay in the newly refurbished and privately-owned buildings, the amounts they cannot afford. Part of this research's interest is thus in investigating the possible contradiction between the aspirations of creating a City open for economic growth and investments (through the new ICPS) and the City prone to economic and social legacy inherited from the past political regime such as homelessness and dilapidated but occupied buildings in terms of housing allocation to those affected by such adversities.

The gap the research paper hypothesizes can be closed through the policies that aspire to build a Just City, inclusive for all citizens within the CoJ. The CoJ seeks to build a World Class African City through the Urban Renewal policies, but it has already failed through the implementation of the BBP. It interests the research to find out as well how a policy like the ICPS can assist in building a Just City, which should be inclusive of economic competitiveness, social cohesion, responsive governance and social mix, essential for Inner City Regeneration.

The argument of this research is that Social Justice and the creation of a Just City needed to be included in the ICPS so as to assist in building a City inclusive for residents from all walks of life and thus making Johannesburg accessible for both the poor and the wealthy. The research focuses on the Social Responsibility the ICPS policy brings or should be bringing to the table for the poor residents who regarded the bad buildings as home. Does the policy have a social side to it or is it profit-oriented only? Is the focus on private capital and investor confidence a correct manner of advancing Urban Renewal and thereby viable to achieve the CoJ's 2030 Vision of building a World Class African City? Is the ICPS a Just policy-tool to arrive at this vision? Is the working-class and poor tenants' displacement an intended part of the whole vision of Urban Gentrification for the City Council within the City of Johannesburg? All these questions need to be answered to create a Johannesburg Inner City that balances the two objectives of revenue collection and service delivery for its residents.

Chapter Four

4 Research Findings

4.1 Inner City Regeneration Charter

The Inner City Regeneration Charter is a result of an intensive consultation and dialogue with many relevant Inner City stakeholders, the dialogues that lasted between November 2006 and June 2007. The working groups that represented the various stakeholders were clustered in six groupings, namely Residential development; Transportation; Social development; Public spaces, arts, culture and heritage; Economic development and Urban management, safety and security (Inner City Regeneration Charter 2007).

According to the Charter, various consultations, meetings and discussions followed with various other stakeholders to ensure that the Charter went through a consultative process. It was on the 5th of May 2007 that an Inner City Summit was hosted, which culminated from the consultation process and was attended by almost 1 000 delegates from the various stakeholders. The consultation was made broad and inclusive.

Tanya Zack(interview 2018), an independent town and regional planning consultant, argues that the Charter was the first partnership between the government and the private sector in Johannesburg to regenerate the Inner City. It was a programme that came on the back of a huge decline in the Inner City and it ran for about 10 years as a real discourse to building a World Class City. It was more about trying to rejuvenate the rundown buildings, but it was also more about encouraging private developers to use their own money to transform office buildings into residential. It was more about office stock than the buildings that have been invaded.

The charter made a commitment to provide transitional housing as a resolution for the poor residents who need to be accommodated through the establishment of the Inner City Housing Plan. According to this plan, the City should be able to develop many affordable accommodation units in the Inner City. In fact, as the charter stipulates, “through the City’s Housing Plan, the city will develop emergency and transitional shelter that may cater for the needs of some special groups such as the homeless and street children on a more permanent basis” (Inner City Regeneration Charter 2007).

The challenge for the CoJ was to ensure that all the regeneration efforts were scaled up to realise a more rapid, evenly Just and sustainable positive impacts on the whole of the Inner City, all these without any negative effect on the communities of Johannesburg. The Charter had thus proposed that all the stakeholders envisage the Inner City 'with certain desired outcomes, outcomes that would ensure the Inner City becomes a place that will be developed in a balanced way in order to accommodate all people and interests; which works, as many other cities do elsewhere in the world, as a key residential node where a diverse range of people from different income groups and backgrounds can have their residential needs met', the Charter has maintained and emphasised on the point that the 'Inner City will not be a dormitory for the poor, nor an exclusive enclave of loft apartments, galleries and coffee shops' (Inner City Regeneration Charter 2007).

Despite the positivity shown by the commitment of the collaboration of the CoJ and the private sector in the City, there was still Urban decline seen on the other parts of the City. Problems such as slum-lording and building hijackings, illicit building conversions into residential use and so on, have continued to haunt the City. In fact, 'in the face of these challenges, City efforts have sometimes been seen as localised, fragmented and episodic and have been critiqued as not always sensitive enough to the circumstances of poorer residents and informal business' (Inner City Regeneration Charter 2007).

Also, this comes back to the issue of how cruel and often one-sided the collaboration of government and private sector could be. Often in the neoliberal system of operation, the government's only focus is to create enabling conditions for the private sector to conduct its business of investment and capital growth, which comes in direct expense of the poorer residents of the said government jurisdiction.

To be more direct, when the CoJ realised that due to its own legislation it cannot be a direct owner of the said buildings earmarked for refurbishment, it then "planned to either give those buildings away or sell them at a very reduced rate to a new owner, and commit to writing off the arrears and debts. Following this, the CoJ would evict the occupants and make each vacant building available to a developer in exchange for having some say in the refurbishment and future use of the building' (GJMC 1999b, in Rubin 2014: 10).

4.2 Understanding the World Class African City: Johannesburg

The then Deputy President of South Africa, Thabo Mbeki, launched a Vision for the Inner City of Johannesburg in mid-1997. The Vision, 'The Golden Heartbeat of Africa', emanated from the continuous consultations and intensive engagements of the CoJ with provincial government and national government, business, community and other stakeholders (Inner City Regeneration Charter 1997). As argued in the literature review, the World Class City Vision in Johannesburg was driven by a coalition and a network that involved the private sector property owners, the politicians and the City officials, who all wanted to see through the vision of regenerating the Inner City.

The aim of this Vision, amongst other things, was to ensure that the Inner City became 'A dynamic city that works; liveable, safe, well-managed and welcoming; a city for residents, workers, tourist, entrepreneurs and learners; a truly global city; the trading hub of Africa, thriving through participation, partnerships and the spirit of Ubuntu' (Inner City Regeneration Charter 1997). Inasmuch as the initial purpose of this vision was to provide a liveable space for all residents of the Inner City as stipulated and claimed, the engagements with various stakeholders expose that it was more about keeping up with the most of affluent Cities of the world.

Sizwe Mafunga, the Deputy Director of the Integrated Regional Economic Directorate, a subsidiary of the CoJ's Department of Economic Development understands the vision of World Class African City as a tool to ensure that everything else in the City of Johannesburg should be comparable to those in Cities such as London, Paris, in Spain and all over Europe and America. Mafunga stressed in our interview that "Johannesburg is a city in Africa. Now, being a city in Africa you want it to compare to the best cities in the world. It means being an African city but providing and performing at the same level with any international city anywhere in the world" (Mafunga, interview 2017).

Thabo Maisela (interview 2017), the advisor on special projects to the Executive Mayor of the CoJ, explains the World Class African City as "the vision of the previous African National Congress (ANC) administration, which was to see the benchmarking of the City with the rest of the world. To be up there in comparison with your New York, and not necessarily with other municipalities like Merafong in Gauteng. But with the new vision,

we believe that if Johannesburg works, then South Africa works, and the rest of the world works. That is our whole new vision".

The 1997 Vision statement opened the gate for many strategies and plans that sought to address the problems that emanated as a result of the deterioration of the Inner City. It was these strategies that assisted and funnelled the work of the Inner City Office (ICO), instituted in 1998. It was the ICO that established various projects and interventions that aimed at arresting and redressing the decline and dilapidations that became visible in the Inner City over the years, and those initiatives included the Better Buildings Programme (Inner City Regeneration Charter 200).

The Better Buildings Programme and various other regeneration strategies came to light as a result of a working collaboration of the CoJ and the private sector. As written and emphasised in the Charter, 'the work that has been done in areas of the City covered by City Improvement Districts (CIDs) demonstrate physically what can be done when non-government stakeholders are energised and enabled to enter into collaboration with government', the private sector instituted the conditions for themselves at which their private investment assisted in the upgrading and improvement of the city as a whole' (Inner City Regeneration Charter 2007).

South Africa has a different background that distinguish it from the rest of the world and most of the already affluent Cities. After the political breakthrough of 1994, South Africa, and more especially the City of Johannesburg became an assembling space from people of all walks of life, and was therefore meant to experience its own kind of challenges. Emphasizing of these special challenges, Mafunga stressed that "in South Africa, it's a different situation in a sense that you have a situation where people migrate to Joburg from within South Africa itself. People coming from other provinces and moving towards Joburg for economic reasons and when they come here they require accommodation. But it is not that these people don't have housing where they come from, but they need housing when they get here. Similarly, with the people from SADC region in Africa, they gravitate to Joburg because they see it as an area with the most economic opportunities" (Mafunga, interview 2017).

Mpolai Nkopane(interview 2018), who came from the Johannesburg Social Housing Company (JOSHCO) to become the new CEO of the Johannesburg Inner City Partnerships

(JICP) just recently, agrees with the fact that South Africa has a different situation that distinguish us from the rest of the world. In fact, she alluded that the problem with comparing our country with all these others is that they do not have the kind of issues that we have, "I don't see crisis, I see issues. For instance, we can't avoid the fact that the most mode of transport in the city is taxis, the issue is that how do we create an enabling environment for the taxi drivers, for the uber, for the busses to operate seamlessly and cooperatively at the same space. We can't run away from the fact that we have these guys that collect papers, and it's a good thing because they are creating an income. But how do we make sure that they have space and not drive those things in the middle of the road and disturb drivers? How do we make sure that they live close to where they are recycling? With all these social issues, you address those then in my opinion you will have a world class city that is South African, a city that addresses the needs of South Africans. You are never going to find these characteristics in another city of the world".

Paul Jackson (interview 2018), the CEO of TUHF, a commercial property financier, argues that the City needs a social mitigation programme in order to arrive at the goal of building a world class city. His argument is that if you want to place a city where you can live, work and play, a city with a vibrant economy, you cannot do that with the poor living downtown. That is not how it works, but with the fiscal effect of this, the city gets more than enough funds to mitigate the poor and provide them with a decent housing.

Musa Makhunga (interview 2017), the Project manager of the Inner City Property Rejuvenation (ICPR) at the Johannesburg Property Company (JPC), agrees with the Vision of building a World Class African City, but he emphasises that "you got to deal with your basics first. As you move, you should not leave your residents behind, a world class city that cannot take care of its people is dead. Joburg is the biggest contributor in terms of the GDP in South Africa, so if we cannot change things here, something is going to go wrong. So in a city where someone doesn't have something to eat and you want to build a skyscraper, it doesn't make sense to me. I think it is important to engage with the people to find out what they need because sometimes we want to deliver something that people do not really want just because we did not engage them fully".

4.3 Bad/Better Buildings Programme (BBP)

4.3.1 What constitute a bad building

The concept of a bad building has been defined broadly by different authors, Johannesburg officials and planners in various and different ways, definitions that ultimately come to agree that such a building needs attention or refurbishing. Fraser states that Bad buildings referred to and included those that 'had been abandoned by their owners; were derelict or in a deplorable state; were invaded by crime lords and squatters; were overcrowded; contravened various by-laws and other legislation; were the seat of criminal activities' (Fraser 2010).

To further emphasise on bad buildings, one can say that these bad buildings were also identified as structures that have been hijacked and so, bad buildings are a result of little or no support on investment and there are no known owners, caretakers or landlords present at all times. As put by Mafunga (2016), residents are paying rent but the owner or manager pays little or no attention to the maintenance of the building or payment of rates and service charges to the council, often leading to restriction or disconnection of services, with a resultant compounding of the problems, meaning that the building does not comply with building regulations and the city's building by-laws (Mafunga 2016 in Vicky Phiri 2017, Inner City Regeneration Charter 2007)).

As stated in the literature review, these abandoned buildings result in the absence of proper regulations and management and often tenants then took control and tried to ensure that there was some form of maintenance and order, but of course that option was disadvantaged by their lack of the required skills and resources to do it. Because the buildings could no longer contribute to the City in terms of payments for their levies, electricity, rates and rent, that eventually meant that the loss of municipal revenue was to leave the CoJ in dire financial crisis, and the Inner City in a deplorable state of chaos.

Maisela explained the different elements in terms of the illegal occupation. According to Maisela (interview 2017), "you find a shelter at the bottom of the housing ladder. Here, you pay a certain amount for a night and when you wake up tomorrow, you leave. You do not have any claim to a bed. The second one is what is called TEA (Temporary Emergency Accommodation), where you find that people have been evicted and want accommodation, so they stay there for a duration a much longer than at a shelter. But still,

there is no ownership of that property. Then, you have your subsided, rental, social housing and your penthouses as you climb up the ladder. Now, these ones at the bottom have been neglected historically by both the private sector and the public sector. That is why people who stay in absolute squalor in the city are paying someone a rent, because we have neglected them and they have no alternative".

It was because of the state of the City, with degrading infrastructure and deplorable conditions that led the CoJ to come with policies and strategies to address the problem of bad buildings in order to restore the Inner City and make it a World Class African City that would make it liveable, workable and attract tourists. For the CoJ to pull capital investments and economic growth, it had to device mechanisms to deal with the issue of bad buildings in the Inner City, and the BBP was the programme aimed at that.

4.3.2 The initial purpose and targets of the BBP in the Inner City

The BBP was marketed as an investor friendly regeneration policy, which was concerned with "writing off arrears on identified 'bad buildings' and transferring the ownership of these buildings to private sector developers for rehabilitation" (Winkler 2009: 369). What was mostly of great concern to the City was the amounts of debt to the Council owners of such buildings were in, in terms of arrears in rates and services charged. The City identified about 122 buildings within the Inner City, which they wanted to acquire and sell to developers at a price equivalent to the debt for renovations (Fraser 2010).

As outlined in the Inner City Regeneration Charter, the BBP was actually seen as a tool to fast-track the renewal and bringing old buildings to market value for new residential development. "it makes provision for a building where the rates and services charge arrears exceed the market value of the building to be sold to a new owner at the assessed market value, with a consequent writing down of the debt owed to the city" (Inner City Regeneration Charter 2007).

The World Class City ambitions got the Central Johannesburg Partnership (CJP) to arrive at the establishment of the ICO in 1998 to run the Inner City development. As stated by Rubin (2014), the BBP was developed in 1999 by the ICO. "The BBP encapsulated the property-led and market-based vision of urban renewal: the idea was that in order to regenerate the Johannesburg inner city, there would have to be a functional property

market led by a partnership between the local authorities and the inner city property owners and developers".

The Better Buildings Programme (BBP) was the CoJ's policy aimed at providing a solution for buildings that were classified as bad ones (Residential development Charter 2014). Mafunga argued that "the Better Buildings Programme was initiated by the City, it was intended to turn around the bad buildings, or the problematic buildings, or the toxic buildings. the objective was to change the conditions that was obtained in these buildings, have them being capitalised by the investors and let them be properly managed so that people will have affordable accommodation. The developers who we invited to tender for these buildings were meant to transform them so that they can create safe habitable conditions, and they formalise tenancy, they make money out of rentals, having transformed the buildings from slum-lord conditions to better-managed and habitable buildings.

"how it works is that the City will acquire these properties which were highly indebted, properties owing a lot of outstanding rates and taxes, the City will expropriate them, clear them up and make them available to developers. Back then it was easy for the City to do evictions because it was not encompassed by the court ruling of 2007 that said 'you need to provide alternative accommodation when you evict', so the City was churning out these buildings. basically it would leverage on debt, attach them, sell on auction and issue out these properties on tender to developers" (Mafunga, interview 2017).

Maisela concurs with Mafunga on the initial purpose and the mandate of the BBP, which was to renovate buildings, which was meant to cater mostly the social housing market. But then, "it still excluded the poor and that is how they ultimately decided to move away from it. Dealing with bad buildings have a side effect that can and do exclude the poor" (Maisela, interview 2017).

4.3.3 The performance of the BBP as a strategy for the CoJ

Winkler (2009) argued that the BBP increased property values through private sector investment and increased investor confidence, but it also became insensitive towards poor citizens by making Inner City apartments highly expensive in its quest to market Johannesburg as an exciting Afropolitan City. These insensitivities included the evictions

of poor tenants from buildings earmarked for the programme and the disconnection of water and electricity in buildings with arrears in rates and services.

The CoJ sought to attract a calibre of affluent people through this programme, closing out the space for social aspect of Urban Renewal or a Just City and making the Inner City exclusive for those who can afford, subsequently displacing the working class residents from the Inner City space.

Fraser (2010) highlights the complexity of the programme that made it difficult and time consuming to implement. These challenges included the time-frame for litigation and judgment, higher arrears in worse conditioned buildings, and that the objectives of the programme to facilitate Urban Regeneration and improve the quality of the life of low-income Inner City residents was in direct conflict with private developers' interest of obtaining a good return on investment (Fraser 2010).

As highlighted in Rubin (2014), there were a number of contentions when it comes to the BBP. While of course most property developers saw a wonderful opportunity to make a very quick profit from very cheap or free buildings, some of them still were very committed to actually assist the lower-income and poor households with better and very affordable accommodation, but whichever approach or intention they held, property owners were in a rush to take advantage of the opportunity as presented to them through the BBP.

Here, Rubin (2014) concluded that the project that the ICO and the propertied elite were trying to push was not supported by all of the other structures within the CoJ. That a significant proportion of the officials and councillors were operating according to their own departmental mandates, direction and vision and as a result, the programme's progress was obstructed.

Of course the programme was backed by some high level councillors who agreed to open doors for the private sector to thrive in this regard, but there was always a contradiction of the red tape and full cooperation of the Council and the private sector. As a result of this lack of direction within the CoJ, only about 12 of the identified 122 buildings underwent the BBP rehabilitation process.

Mafunga mentioned that the Better Buildings Programme was extensive in terms of the properties that were acquired by the City. 'The development of those properties post-acquisition by the City is debatable though, because some properties were developed, others were not developed, others are still in the same situation. Others were never transferred; some processes were never followed through. So it's a mix bag in terms of the success of the programme. More could have been done in terms of achieving what was the objectives of the programme" (Mafunga, interview 2017).

The BBP was always met with mixed reception from the onset. Either there was a lack of political will and bureaucratic capacity on the one hand to execute and accomplish the intended project to its full implementation, or some of the municipal officials saw it for what it really was meant to achieve on the other hand. While there was no denying that the project was 'presented by the CoJ as a way of protecting poor inner city residents from the dangers of health that these buildings posed', the other truth is that the very same argument was used to justify the continuous evictions of the poorer communities out of their buildings for the implementation of the programme (Rubin 2014).

One of the greater challenges that confronted the BBP was in consultation between the City and all the affected sectors. As argued by Rubin (2014), she concluded in agreement with the GJMC (1999a) that the "programme on Bad Residential Buildings and other buildings in arrears in the Johannesburg Inner City was approved in principle by the GJMC in January 1999, following which the details were workshopped by the ICO and the corporate private sector, with no input from civil society, in May of the same year".

The BBP was also confronted by the issue of property ownership transformation in that most of the property developers who stood to gain were the same business owners who kept on benefitting. This actually limited the scope of the BBP in terms of implementation, and nothing could pretty much come out of it. As stated by Oelefse (2003) and Lipietz (2004), "This was, first, because only existing landlords who were already in the inner city rental market were both willing and able to participate in the BBP. This severely limited the pool of people who could be called upon to actually renovate the buildings. Second, loan funding in the inner city was in short supply as the Inner City Housing Upgrade Trust which had been tasked with inner city funding was completely tied up in the controversial Seven Buildings Project" (in Rubin 2014: 10).

Mafunga actually agrees with this notion that the BBP was not driving the transformation agenda as much as they hoping it would. 'The problem was that these properties were given to the same group of people with the same colour mix. Basically, it was a group of white people, mostly white men who were benefitting from these properties, and wasn't reaching the City's transformation agenda in terms of changing the complexion of property ownership in the Inner City" (Mafunga, interview 2017).

The main intention of this new version of the BBP, although many argued that there was only a change in naming, actually was to address the dual mandates of rejuvenating the Inner City but also to get back the money owed to the CoJ in arrears. As Mafunga stated, "Better buildings programme is the same thing as bad buildings programme. We still facing the same problems even now of turning bad buildings into better ones in terms of making sure they are habitable and well managed. All the way we just changed the names but it is the same thing" (Mafunga, interview 2017).

As shown in Rubin (2014), the programme was to ensure that the CoJ takes ownership of the buildings and then sell them to the property developers to offset the service costs owed. The programme would then encourage the new owners to renovate them and provide residential stock. What also made the implementation of the BBP a bit difficult was the issue of evictions, which needed to happen to avail the buildings for the programme. Bad buildings are occupied by tenants who cannot afford rentals through private housing market, and evicting them for the BBP only means evicting them from the Inner City or disposing them of shelter. As a result of such challenges, it ended up being significantly a lower percentage of targeted bad buildings becoming better buildings out of the initially identified 122 buildings.

Now, as argued above, of course the programme was aimed at providing housing stock that was habitable, but it also meant that the CoJ on the other hand saw an opportunity to intensify their evictions so as to implement this programme. The BBP was heavily reliant on the finance department of the CoJ in writing off debts in order to transfer the buildings and recoup more money, and this process meant that evictions were coming in more and more. This problem was made more severe by the fact that the "Finance Department's performance, as individual officials and as a unit, was measured in terms

of how much money they were able to recover, especially on properties that had large arrears" (Gotz 2010, in Rubin 2014).

In conclusion, the BBP was affected by the practices it was supposed to prioritise in order to be a successful programme, but it became very difficult because of neglecting those and many other processes that undermined it. As shown above, the first was the programme's inability to drive the transformation agenda in how the buildings were allocated to the private property developers. It was the same privileged landlords who were getting buildings, making it difficult for the new emerging and mostly black developers to enter the property market, and that played a significant part in the collapse of the programme.

The programme faced many obstacles that made it difficult for it to function, and it was not helped by the fact that it also did not have a permanent home where a department or human capital could focus directly at its implementation. When it was first established, the programme was assigned to the ICO, and it was widely supported because of the people who designed and rooted for it. The problem started when the ICO was changed into the now Johannesburg Development Agency (JDA), and the programme had to be moved to CoJ's Housing Department as the JDA had nothing to do with housing.

Rubin (2014:13) argued that even this relocation was not a successful one for the BBP as "the CoJ Housing Department was focused on the provision of freestanding state-subsidised units largely on the outskirts of the city, in terms of which its performance was measured and which there was enormous political pressure to produce". The programme was later moved to the Department of Economic Development, which had its own challenges as outlined above, and then to the Johannesburg Property Company (JPC) ultimately.

At the JPC, the programme was given a substantial budget and given human resources dedicated to implement it with a better political support as well, but it eventually also reached a deadlock as a result of the bureaucracy of the Council. As stated by Sol Cowan (interview 2010) in Rubin (2014), "the problem with Council is so much red tape… we had a meeting with the mayor and the mayor instructed the officials to interact and involve themselves". Nonetheless, the programme had a significant backing from the Council, and it was also working well with the private sector.

Well, the JPC had its own mandate and area of focus, which of course revolve around equitable distribution of properties owned by the municipality, and given the accusations of the programme mainly giving access of the property market to the white developers, the JPC had to declare a suspension of the BBP. It was from here that the ICPS was established by the JPC.

The consultation process of the BBP was not inclusive to the poorer Inner City residents who were meant to be affected by the implementation of the programme, and most civil societies were left out. The issue of evictions and Constitutional court rulings in order to protect the poor residents is discussed below, which also played a major role in the dismantling of the BBP. Zack (interview 2018) also mentioned that the evictions that came with the BBP were definitely not socially just and they had to be stopped somehow.

4.3.4 The collapse of the BBP through the courts.

In the article, Forced Evictions 2003-2006, COHRE argued that; -

'The City of Johannesburg has carried out forced evictions in the inner city in the context of the Johannesburg Inner City Regeneration Strategy (ICRS), aimed at creating an 'African World Class City' and attracting investment. The strategy includes the clearance of an estimated 235 'bad buildings', which are regarded as being at the centre of developmental 'sinkholes'. The Johannesburg City Council has obtained urgent eviction orders under the pretence of being concerned for the health and safety of residents. However, evictions have been carried out in the middle of the night and without notice. While conditions in many of the buildings are appalling, the procedures used by the municipality are grossly unfair, including the use of Apartheid-era laws and regulations. In addition, people are not consulted or offered any viable alternatives. In the name of safety and health in the buildings, residents have been made homeless and left on the streets to fend for themselves. The strategy affects a minimum of 25 000 residents of 'bad buildings" (COHRE 2006).

As seen through the displacement of thousands of the Inner City residents by the BBP, Rubin (2014) argued that the Inner City Regeneration scheme clearly showed itself not to be having good intentions for the poorer Inner City people under the World Class City slogan of Urban Rejuvenation. In fact, she argued that "the development of the BBP

excluded inner city residents from participating in the shaping and decision-making processes that directly affected their lives" (Rubin 2014: 14)

It was also becoming a difficult task for these displaced residents to get proper legal representation to fight their daily displacements given their economic status. As shown in Rubin (2014), the research by CALS has concluded that:

"the real motive behind evictions from 'bad buildings' in the inner city is not the need to ensure the health and safety of the occupiers. It is, rather, to push the poor out of the inner city… and if the city was serious about addressing unsafe living conditions for the poor, it would take effective steps, in partnership with the poor, to ensure that the buildings in the inner city are brought under proper management, which would include adherence to safety regulations" (CALS/COHRE 2006).

Given these eviction problems that were happening in the Inner City, the residents needed to protect themselves and they then used the courts as their shield to force the CoJ to give them housing. One known court judgment came in the case of the Olivia Road and San Jose buildings that were targeted by the BBP for evictions and refurbishment, at which the residents approached the Centre for Applied Legal Studies (CALS) organisation for assistance.

The Olivia Road case was about the demonstration that although this building was dilapidated, it was still a home to the poorest people, and that to relocate them to anywhere outside of the City would "deny them access and rights to this important location. Thus they put forward a more inclusive vision of the inner city, one which included informality and poorer people.

"They also showed that the CoJ had been remiss in the procedural aspects of its actions concerning evictions. The Constitutional Court agreed with these arguments and its interim and final judgments insisted on the construction of 'meaningful engagement' mechanisms when evictions were due to take place, as a way of ensuring poorer people had a way of having their voices heard and as mechanisms of co-producing the spaces in which they lived" (Rubin 2014: 17).

As emphasised in the Inner City Prospectus (November 2017), 'courts have ruled that evictions cannot take place from these 'bad buildings' unless alternative accommodation

is provided by the municipality. The City of Johannesburg does not currently have sufficient accommodation for this purpose'. Mafunga mentioned that "the majority of the properties that we were occupied, now since the Constitutional Court judgment of 2007 on the Blue Moon Lighting matter that said if you move people you must provide alternative accommodation, that became the biggest challenge we had as a scheme in that we were sitting with properties that were occupied but we could not evict people in those buildings because housing department did not have alternative accommodation where we could move the people to" (Mafunga, interview 2017).

Thabo Maisela (interview 2017) actually agrees that it was the precedent set by the Blue Moonlight and the Noxolo Grootboom Constitutional case outcomes that upheld the fundamental principle that housing is a basic human right and that government has got to provide that right, that made things harder for the CoJ in regard to evictions and moving people out of the buildings. These cases were referred to because they ruled out that emergency housing is a responsibility of any municipal government at which the need for that emergency housing need arises.

It then became a headache for the CoJ when it comes to the plans of implementation for the programme, since it could not go ahead with evictions and could not as well accommodate those it meant to take out of the buildings earmarked for the BBP to continue with its refurbishments. The Olivia Road Constitutional Court case, and many others, were the reason that saw the temporary pause and the ultimate collapse of the BBP and its evictions of the poor people in the buildings they lived in. The case brought about a new version of how the City should function, "one which hinged on notions of consultation and procedural justice as well as making claims that poorer people also had rights to live in and to use the city, and not just those who conformed to the standards of the World Class City aesthetic" (Rubin 2014: 17).

Phiri (2016) stressed also in conclusion that despite many of the BBP's creative decisions, the programme came across technical and political difficulties that ultimately led to its replacement by the Inner City Property Scheme. So distinct were the challenges experienced in the course of implementing the BBP, against the backdrop of increasing pressure and urgency for accelerated transformation of Inner City Johannesburg, that

there arose a need to develop a fresh approach to Inner City rejuvenation, hence the initiation of the ICPS in 2008.

Nkopane pointed out that actually, the BBP, the ICPS and the current programme of the new Johannesburg administration which is called the Inner City Housing Implementation Plan (ICHIP), which is to be looked into shortly, are strategies of the City and not necessarily housing policies. They are not the same thing, while not mutually exclusive at the same time (Nkopane interview 2018).

4.4. The Inner City Property Scheme (ICPS)

4.4.1 Introduction: the main mandate of the ICPS

The Inner City Regeneration Charter, as argued above in the literature review, came about as a result of a consultation process that involved a wide range of public and private sector role players and the Inner City stakeholders between 2006 and 2007, a process which concluded through the Inner City Summit of 2007. The ICPS was then brought in as a tool to materialise the CoJ's commitments made through the Regeneration Charter, as part of its overall objectives of turning the inner City into a World Class African City and achieving the Johannesburg 2030 vision of economic growth, increased prosperity and improved quality of life (Inner City Property Scheme, 2008).

The CoJ took a strategic policy shift by adopting the Inner City Property Scheme (ICPS), which was to be interested and concerned with restoring investor confidence into the Inner City and increasing the City's revenue streams by rejuvenating these bad buildings and transferring them into private ownership (Masondo 2011). As the then Mayor of the City of Johannesburg, Amos Masondo argued that "the ICPS is an important initiative by the City of Johannesburg in partnership with the private sector to address urban decay and accelerate the rejuvenation of the central business district" (in Ndaba 2011).

As the ICPS itself stated, the programme envisioned for the Inner city of Johannesburg a 'dynamic city that works; is liveable, safe, well-managed and welcoming; people-centred, accessible and celebrating cultural diversity; a vibrant 24-hour city; A city for residents, workers, tourist, entrepreneurs and learners; focused on the 21st Century; Respecting its heritage and capitalizing on its position in South Africa, Africa and the whole world; a

truly global city and the trading hub of Africa, thriving through participation, partnerships and the spirit of Ubuntu' (ICPS 2008: 3).

By replacing the programme that was focused on turning bad buildings into better buildings, the ICPS was seen not only as a better programme to address the Urban decay of deteriorating building, but also as a tool of economic growth. Mafunga believed that the ICPS was meant to create "a transformative agenda and to use the City's properties to bring in historically disadvantaged property developers in the mix, who'll then access the properties and then be able to do the same thing. To develop these properties, make them habitable and provide affordable housing. We are saying we are deliberately going to ensure that these properties are given to black developers in the main so that they can also get a share of the property market in the Inner City" (Mafunga, interview 2017).

The former Mayor further reiterated that "as seen across the world, in most of the big cities, the state and appearance of a CBD is an important indicator to determine the ability of a city to attract and retain investment" (Masondo 2011, in Ndaba 2011). The ICPS document stressed that in fact, 'a successful inner city regeneration program should make the environment feasible to attract private sector investment particularly in the property sector, which translate into long term fixed direct investment' (Inner City Property Scheme 2008).

Also, there was a belief that the ICPS would assist the CoJ in achieving some of the mandate within the property market that the BBP never spoke to or managed to resolve. As argued by the Department of Economic Development, the ICPS was mandated and entrusted to ensure that 'the flow of funding into the rejuvenation of buildings is substantially increased; BBBEE players as far as possible are able to access new property opportunities from the portfolio; the problems that hampered the process of the BBP in the past, including challenges in acquiring the buildings and difficulties in the process of securing rate write-offs and clearance certificates, are effectively dealt with.

'Furthermore, tenants and other occupants of buildings in desperate need of refurbishment are dealt with in a humane and professional manner; the objective of the rejuvenation of the Inner City of Johannesburg is achieved in some way and that some intervention is in place for transitional housing' (DED 2008).

The ICPS was devised to put more focus on rejuvenating the Inner City, but most importantly, it was about restoring the City's ability to collect more revenue from the properties it was not able to make money from, by converting all those illegal properties to legal tenancy and ownership for active rate paying statuses. The programme wanted to boost black property ownership in the Inner City, while also trying to create a revenue generating environment for the CoJ and the black new developers (Zack, interview 2018).

Mafunga (interview 2017) stressed that the ICPS was "transformative in its outlook, while still committed to changing the state of the buildings, formalising tenancy, ending slum-lordism. It sought to say that, instead of taking the buildings and giving them to the same group of white men, we need to make these properties available to a wide range of developers, new developers, black developers who have been excluded from benefitting. They must also come in because we wanted to change the pattern and empower the ownership pattern of the property ownership in the inner city".

Because the CoJ could not put such buildings under its ownership, they were transferred through this programme to private property owners who were supposed to refurbish them and make them ready and habitable for tenancy. The ICPS had a deliberate intention to transform property ownership in the Inner City, and the CoJ felt compelled to change the ownership pattern that benefitted old beneficiaries. As emphasized by Maisela (interview 2017), "the ICPS was a noble attempt at transforming the rental market. The City wanted to bring in black players, because it is largely white. But I think certain processes internally led to a point where the programme could not move, and we have been stuck with it since".

4.4.2 The performance of the ICPS as a strategy for the CoJ

While this policy-shift opened Johannesburg to the space of economic growth and investment opportunities to the rest of the world, it also posed a potential of placing a direct impact on social problems facing the City, problems like homeless people on the streets and those living in dilapidated and abandoned buildings. The World class African City, as a vision of the CoJ, was a long-term economic development strategy to present the city as an attraction of neo-liberal ideals of growth and development investments.

In the midst of this great advancement for economic purposes, the scheme possessed a high potential to relegate the poor in those buildings to the streets without a shelter, as

they have to pay and at times exorbitant rentals to stay in the newly refurbished and privately-owned buildings, the amounts they cannot afford. Because of this observation, one can easily say that there are contradictions between the aspirations of creating a City open for economic growth and investments (through the new ICPS) and the City prone to economic and social legacy inherited from the past political regime such as homelessness and dilapidated but occupied buildings in the Inner City of Johannesburg.

Mafunga actually concurs that the majority of the people who find themselves in those dilapidated buildings in the Inner City came for various and different reasons, he argues that most of them have actually been here for more than ten years, they came to work in the Inner City, their children go to school in the Inner City, so they needed to be closer to where their children go to school. They need to stay closer to their economic opportunities, "because these are your traders, self-employed people. So for them it is never about the City's Vision, it is about getting accommodation. They are not interested in the names we gave to our programmes, they just needed to be accommodated somewhere where it can be affordable and closer to the City. Unfortunately, those people were prone to abuse and taken advantage of by slum-lords, building hijackers who claim to own the buildings" (Mafunga interview 2017).

Speaking on how far the ICPS has come since its inception to 2017, Mafunga points out that the "City already had properties that they could transact with, but the majority of the properties that we had were occupied. But since the Constitutional Court judgment of 2007 on the Blue Moonlight that said if you move people, you must provide alternative accommodation, that became the biggest challenge on the scheme because we could not evict the people who have occupied those buildings.

"So here we were, with many buildings that we acquired, but the Housing department did not have alternative accommodation in which to move the people to, so that became the problem for the scheme. Now as a City department, we could not get to a situation where we create problems for a sister department, where we as Economic Development we go to court and seek an eviction order, and then put pressure on the Housing Department to come up with alternative accommodation when we know that they do not have. As two City departments, we could not be seen to be contradicting each other. Because of that, it delayed the implementation of the scheme" (Mafunga, interview 2017).

Nkopane also stressed the major role played by the unavailability of someone to champion this programme because of the excitement that comes with the changing of political administration. as she alluded, implementation becomes very difficult when you don't have a champion. "My personal view is that when you mix politics and development, things get a bit haywire because those two should not be together. So implementation is just something that I think in South Africa we are just not good at" (Nkopane, interview 2018).

4.4.3 The ICPS lacked the key factors of building a 'Just City'.

As highlighted in the literature review, a Just City encompasses Justice, Equity Democracy and Diversity in a City formation. When we speak of a Just City, we would be referring to a City in which public investment and regulation would produce equitable outcomes rather than support those already well off, while injustice is constituted by the actions that disadvantage those who already have less or who are excluded from entitlements enjoyed by others who are no more deserving (Fainstein 2010).

In the process of building a Just City, it is thus considered an injustice to take away housing, employment, or access to public space from the politically or economically weak. The argument of a Just City is for the City development strategies to incorporate antipoverty agenda alongside that of economic growth and investment, not exclusionary strategies of the poorer residents. To include the views of the poor, a clear consultation and engagements mechanism needs to be put in place to ensure a proper representation of the very poor in the decision-making processes and the shaping of their space and the City.

Speaking to Paul Jackson about the importance of engagement and consultation in regards to the building of a Just City, the CEO of TUHF emphasised the lack of efficiency and competency in the City of Johannesburg. He mentioned that "there should not be an assumption of an efficient government in the city, because it will be a very poor assumption. In fact, Joburg is a highly inefficient government. In the last 10 years, I have only seen the head of Joburg housing once, and that's because I was in the same board as she was and she only came to the board meeting once for the 10 years I was on that board. There is a huge dysfunctionality in government. We want to cooperate with government, our policies are national government policies. we comply with Breaking New ground and

the human settlement policies. But there is very little action between housing in Joburg and us. In fact, I have no idea what those guys do. We concentrate on our mission, which is low-income housing, Black Economic Empowerment and urban regeneration. Our biggest problems in the inner city is urban management and the efficiency of government" (Jackson, interview 2018).

A Just City concept aims at promoting social, economic and spatial Justice as its central purpose of planning, and the ICPS does not look like a programme that is inclusive of the above concepts. Maisela gives a practical example of Justice in the Inner City by arguing that, "as an instance, if Patrice Motsepe decides rent an apartment in the inner city, the lady that cleans his penthouse must also live in the city. She cannot travel to Orange farm every day and spent her salary on transport. That is the kind of an inclusive city we must strive to build. We must prioritise cross subsidization, in that maybe if Patrice lives on the last floor of a building, the lady must probably live on the first floor of the very building" (Maisela, interview 2017). Makhunga also emphasized on the issue of cross subsidizing, in that "the guy who cannot afford R900 and the one who can pay about R6000 must still live in the same building, although different floors with different services and amenities in them" (interview 2017).

4.4.4 The City of Johannesburg and the ICPS.

As Mafunga alluded, when the programme was introduced, "you would have the Executive Mayor speak about it on the radio, the media and publish it on different forums and so on, it will be articulated and explained, but that does not speak directly to the people who are affected and are staying in those buildings. Now, the Executive Mayor and the political principals will be speaking at that level in terms of the programme, but when you have to get to the granular details in terms of the implementation, that is when you come and engage individuals in a particular building because we did not have a mass rally where we can speak to all the people who are affected in those buildings" (Mafunga, interview 2017).

Asked on whether the CoJ officials that are tasked with the implementation of such policies did attempt to consult and have meaningful engagements with the residents of the affected buildings, Mafunga answered that "of course it was not always possible to get everyone because most of the people are working at night, some are not there in the

afternoons, they are at work. We have tried to go to buildings late at night so as to meet people, and sometimes at weekends. So we have spoken to people on a number of occasion where we need to put a system of management in a building or explain that their building has already been issued on a tender. They would be given a first right of refusal but under the conditions of the developer, because remember the developer would have incurred costs in terms of capitalising the building, so whatever rentals that they would charge post the development would be based on their cost of developing the building. So you would have to meet their conditions in terms of criteria, so we would explain all these to the residents so that when that eventuality comes, they understand what is at stake" (Mafunga, interview 2017).

Mafunga (interview 2017) further agreed that the residents of course did not have any form of representation in terms of social movements, but sometimes they were represented by SERI (Social-Economic Rights Institute) on the rights issues, and that communication was not always flowing because they could not meet most of the affected residents. Also, the above explanation shows a lot of flaws in the system that the CoJ had adopted in its attempt to consult the affected residents, in that residents were being consulted only when they were being informed of the finished processes and on the way forward in terms of their buildings, when the building was already issued out on tender to private developers, which more often than not left the residents without a proper opportunity to determine the way forward of their buildings.

Given the above answer by Mafunga, in that the City would go to the people to inform them when their building has been bought or issued out on tender, Zack argued that that was not a sustainable formula and the City got it wrong because "they did not think through their policy effectively, of meaningful engagement or of housing supply in a nuanced way. The City never developed a housing policy even under the Inner City charter of 2007, it took them a good decade to come up with what they came up in ICHIP. The only time they engaged people were because the courts forced them to. They would take up a building and move 100 percent of the people in there to another building, this because they never differentiated between those people. You can never have 100 percent of the people in one building who cannot afford. They are careless to assume that the people in one building are a community, while the people came there for different reasons from different walks of life" (Zack, interview 2018).

4.4.5 The private sector and the ICPS.

On the Norvena Profile, the company stated as its mission objective to help create the City of Johannesburg as a place where community development, personal growth and social mobility are enhanced so that challenges of poverty, vulnerability and equality and social exclusion are fundamentally addressed. It goes further to argue that 'their distinctive commitments involve being politically committed; enforcing social partner involvement and having clear vision of poverty reduction. The mission is operating under the following guiding principles: social equity; people centred; partner oriented; pro-poor; speed of delivery and performance tracking' (Norvena Company Profile 2011).

Norvena, a private property development and management consortium, is a Company that was contracted by the CoJ to ensure a swift transformation of the Inner City of Johannesburg into the World Class African City under the ICPS (Norvena Company Profile 2011). This statement gives one a clear indication that the ICPS was designed by the CoJ as an implementation tool for the Johannesburg 2030 Vision and the building of a World Class African City, in which economic growth, investor confidence and tourist attraction became a major focus in the Inner City of Johannesburg.

There is nothing wrong with the mission objectives of the private property consortium, and some of the buildings transferred to it were meant for social housing. The problem was the fact that there was no mention or intentions of residents' consultation or participation throughout the projects. The Inner City residents have to make do with whatever is offered to them without having any say of how their Inner City is shaped or transformed. This approach is directly against the belief that Cities need to be transformed in accordance with the desires of its residents.

When asked about the relationship of the City with private developers in terms of the bad buildings, Nkopane argued that the problem for the Inner City is that there "is little or no regulation when it comes to the private developers. There are market trends, for instance everybody knows that a three bedroom goes for this much. But otherwise there is absolutely no regulation, which is why people can go in and if they want to get people out, they evict people and take the building because they are private sector. The mayor needed to go to the private sector and say to them, here are the buildings that belongs to the city. I need you to be innovative, tell me what you going to do with these buildings. I

know you need rental housing, but I am saying we need a mix development in them. You can have a market related rentals but include a mix subsidy, that the way of being innovative" (interview 2018).

4.4.6 Inability to transform the property market in the Inner City

Even though the ICPS was seen more as a transformative programme in terms of who gets the property contracts in the Inner City, the reality was that the black developers were experiencing difficulties in breaking into the property market that has always been dominant by the white property developers. Zack (interview 2018) believes that the "relationship between the Johannesburg local government and the private sector was problematic from the onset. The private sector was primarily white; it was less than 10 developers in the inner city who had a very big presence in the property market, and they continue to own a very vast amount of the private buildings in the Inner City".

It must be noted that experience in the property sector is very important, and black players lack it as they have not been in the property space for long. And secondly, they find it very difficult to acquire financial backing from financial institutions because they do not have enough assets as yet.

As argued by Mafunga, "the guys that we contracted who are mainly black have been unable to raise funding to develop the buildings that they were given. They have approached the commercial banks and none of them have received any form of funding yet. We have referred them to the PIC and other institutions, and they got the funding from government institutions like the Social Housing Regulatory Authority, the Provincial Government for subsidies and the Gauteng Partnership Fund that does the funding for social housing. But as I warned, one cannot do proper property developments purely on grants and top-up loans. There is urgent need for commercial banks to come on board to do major capital funding for developers" (Mafunga, interview 2016. In Phiri 2016).

Nkopane (interview 2018) also pointed the problem of Equity for the emerging black developers. "I have this mentality about the private developers because remember I have worked for the public sector; these guys are out to make money. When it comes to the smaller guys that TUHF works with, they are disadvantaged because they are entrepreneurs. They do not have that much equity, and you do need equity to buy these buildings. now if I was the Mayor, I would target those guys and give them the buildings

for free, get somebody to capacitate them for them to be able to do this work, but then the current mayor is a capitalist and so he prefers to work with the private sector".

Netshitendze agrees with Nkopane about the failure of transforming the property market because of the lack of equity for the new players. TUHF, a commercial property financier notes that even though a large group of their clients are the previously disadvantaged developers, "it is still difficult to transform the property market because those who lack property experience are mostly financed on smaller projects, while the bigger developments are only financed when they are done by those with required property development history" (Netshitendze, interview 2018).

McCarthy believe that the principles of the ICPS were good, but it was the operationalisation and the financial side of the programme that were poor. 'The biggest problem is that the programme expected a group of new players who do not have experience to go and leverage large amounts of loan capital from various financial companies, who did not want to expose themselves to such risks. Of course we might want to criticise them and say, what about your commitment to growing the country in social development? The fact is that they are driven by profit, so we have to be realistic. So a large number of the land and buildings were released to these new consortia that did not have a lot of experience or capital to make a difference" (McCarthy, interview 2018).

Zack (interview 2018) also made mention of how problematic the programme became when it tried to push inexperienced developers who did not have a necessary experience or knowledge in what they were doing. 'This was also because most of these black developers came in with an expectation that it was their time and they were going to make money. That expectation was always going to be problematic. What should have happened was to enforce mentorship of the white experienced developers into partnerships, but instead we put the black developers under enormous pressure to deliver without proper guidance".

So as Bethlehem concluded in Phiri (2016), the "ICPS became this scheme with a lot of ambition, a lot of documents, but nothing has happened at all except a lot of frustration. And those buildings in the ICPS are still derelict. So I think the ICPS has been a big mistake, and I think it's a great pity" (Bethlehem, interview 2016 in Phiri 2016). Zack (interview 2018) mentioned that the problem we often do in South Africa is that we "tend to combine

various policy imperatives into one and sometimes we get too ambitious by trying to solve too many diverse problems in one policy or strategy, and that normally misses the mark. The ICPS tried to solve many things at the same time and that was meant to fail. In fact, the ICPS was ambitious in its design, execution and expectations".

Reid (2016) also echoed the same sentiments when he concluded that the ICPS 'was too ambitious, way too complex as compared to the BBP approach where we could respond to an individual property developer around an individual building, whereas the ICPS required substantial investments and a lot of payments without the ability to deliver' (in Phiri 2016). The same sentiments were echoed by Maisela, who admitted that in fact, "it will only be fair to say that the ICPS was a dismal failure" (interview 2017). From an investment point of view, "the programme was an absolute disaster as it was institutionally complicated" (Jackson, interview 2018).

4.4.7 Balancing economic growth and good governance through the ICPS

In the year 2013, the CoJ appointed Rhizome Management Services (RMS) through the DED as a management consultant company to manage the implementation of ICPS on behalf of the Mayoral Office. The main objective of this initiative was to provide a remodelled strategic review of the ICPS so that the programme could be implemented effectively and efficiently.

Firstly, as argued by the RMS itself on the ICPS, the company did admit that the main focus and objective of the programme was to enable the CoJ to put the Inner City properties in the hands of the private developers who will be able to generate profit, but it never made any mention of the role that should be availed for the Inner City residents in any determination, or how poorer residents could be allocated housing space. As directly argued by the RMS, "the primary purpose of the ICPS is to operate as the CoJ's instrument to enable and facilitate the Inner City property market in a way that the market becomes more functional, effective and equitable" (Rhizome Management Services 2013: 8).

The CoJ appears to be struggling with balancing housing allocation for the most vulnerable in the Inner City, and actually laying conducive environment for the private sector to provide rental housing in order to make profits. The land assets and the buildings in the Inner City are owned by the CoJ, and they are managed on the City's behalf by the Johannesburg Property Company (JPC). Jackson (interview 2018) argued that

there is a real gentrification in the Inner City because the City fails to use its generated revenue to assist the poor in terms of housing allocation, and most unfortunate people get displaced out of the City.

The government needs to understand the level of its power and actually get to use it in negotiations with the private sector when it comes to housing allocation. The argument brought by Anne Steffny, an independent Urban Management consultant, is that the incentivising model could assist governments to leverage their powers in that, they could say to the private developer, "give us 20 percent of social housing and a park, then we can give you whatever you want in one building. The state sometimes knows it is powerful, but it does not understand negotiating what it wants. Governments need to set terms and conditions and never back out of it" (interview 2018).

McCarthy from NASHO believes that the JPC is driven by maximising the returns on the investments that it gets, and it has not yet worked out a formula on how to deal with the social housing issue. He believes that the CoJ needed to start working on the relations with the social housing institutions in order to assess the pieces of land and the buildings in order to arrive at formulas on how to do social and transitional housing (McCarthy, interview 2018). The only way to do that is if everyone is willing to listen and engage with the other stakeholders. Steffny believes that the private sector and government need to work together in the Inner City to enable working environments on housing provision for all income group. Shared information and engagement is paramount, the problem with Urban management is that everyone is scared of each other (interview 2018).

The RMS was contracted to review the then current status of the ICPS' performance in terms of rates databases of the bad buildings, the financial factors hindering the programme and how the CoJ could redesign and strengthen its policies and instruments of rates collection through the property market. There was no mention of how the programme could be relooked into how it can accommodate social and transitional housing for the poorer residents of the Inner City, or how the CoJ could include the participation of those affected by the housing shortage or bad buildings conditions in the decision-making when it comes to housing allocation or bad buildings rejuvenation through the ICPS. In conclusion, one could say that the ICPS review project by the RMS had no space for the affected poorer residents, but instead it was all about creating

enabling conditions for the private property owners to make profits and the CoJ itself to collect more revenues.

The point above was emphasised by McCarthy, who gave a distinction between the social housing, which is the responsibility of the City government to provide, and the overlapping of the for-profit rental market in the Inner City. Zack (interview 2018) mentions that "social housing in South Africa is not and can never be developed by the private sector, they might be involved but it is developed by the social housing institutions through subsidies and a lot of grant money. The low income houses are done by developers, but there is a need to work on this distinction".

The overlapping, as McCarthy alluded, pointed to the inability of the CoJ to separate its role as government and the private sector. Social housing is supposed to be "government subsidised, to be well-located, rental medium to high density, well managed by a non-profit social housing institutions that is supposed to be targeted to low income and medium households. Income to about R1000 to R2500 up to R15000 monthly income bracket who are permanently employed. But because of the capital product, it has been possible for the private for profit developers to come and manage stock at a level which overlaps with the social housing. The top end of the social housing and the bottom end of the private for profit were overlapping. Sometimes you find a smaller unit of the private development, not with the same level of management services as social housing unit, overlapping with that of social housing. So people who fall within that bracket often jump around those two overlapping units" (McCarthy, interview 2018).

Horowits (2016) argued that "if you enforce by-laws, if you run good financials, if you do service delivery, if you have an effective billing system, if you do not let arrears run up and so let bad buildings come up, you are then doing your mandate as local government, you have the correct base in which investors will come and give in their money because you have a solid foundation", and Maluleke (2016) emphasized that "there is a social responsibility on the part of the state to make sure that we provide the people with both accommodation and schooling facilities. Everyone must therefore assist the City in ensuring that by-laws are respected, instead of just blaming the City carelessly" (interview in Phiri 2016).

When asked about the Constitutional obligation the CoJ has to deal with that requires it to provide housing for those who need it within its jurisdiction, and given the ICPS that seem to be leasing the property allocation in the hands of the developers, and blurring the line between economic growth and good governance, Mafunga argued that "controversy will always be there, rightfully so. But how do you as a City take your property and hand it to the private developers whose main priority is profit? That is a question which is legitimate to ask the City, and the City will say but we are building RDP houses, but those are in the peripheries. Now you are basically saying the poor must be moved out of the City to the periphery, where they now have to spend 70 percent of their salaries on transport to get to their workplaces, and how do you justify that? Because you are now basically saying the poor must be squeezed out. It's a question that has been vexing us for a long time, and as I said, the ICPS was an economic development initiative. The intention being you want to stimulate the economy through the properties. But there are consequences, social consequences that arise as a result of that project.

'That we must address, and we cannot ignore as a City. Because you can say if we make these assets available and they displace thousands and thousands of people because they cannot afford, then what alternative do you make for those people? It is not good enough to say, look we have developed the City, it is nice, but you cannot afford the rentals, so move away. That becomes a political and a social problem that sometimes as an official one cannot venture an opinion on because maybe that's not my space to do so. But these are problems that vex us as implementers of the programme, we are not isolated from the reality that obtains the City" (Mafunga, interview 2017).

Given the admittance that the consequences of the ICPS, the handing over of the City's buildings to private developers for refurbishments are actually politically and socially negative to the poor citizens of the Inner City, Mafunga shows that the ICPS does indeed lack a critical element necessary to building a Just City, in that the programme is not considerate to those who will not be able to afford rentals after the refurbishments and are thereby most likely have to be pushed to the periphery, as he alluded. Now such a view then leaves one to wonder if the ICPS, which is not a right tool to either build a Just City or to incorporate the poor, is not therefore the tool employed by the CoJ to advance economic growth at the expense of good governance.

McCarthy believes that the only instrument to incorporate the poor is through the social housing programme, and he went further to say that "I don't say it is the answer to everything, but it is the only government programme that actually looks at the ways which you have economic integration and therefore they should be saying, not all but a certain proportion of the land and building assets should go into that programme. Certain portion into transitional housing and the other into rental market, to make it that viable and they are not doing that at the moment. They got a very ad hock approach, which is somehow driven by this idea that somehow the private sector will deliver" (McCarthy, interview 2018).

If the building of a World Class African City means comparing or taking the Inner City to the level of affluent Cities such as Tokyo, Paris and New York, it more likely means the CoJ would consider either getting rid of its poorer residents or hiding them in the periphery because it clearly cannot afford to allow bad buildings to preserve in the Inner City while it is supposed to look the part. There is no denying that getting rid of the bad buildings is tantamount to revamping them, while revamping them equally means, whether we like it or not, that those who were in there must obviously get out.

When asked whether the ICPS is therefore a tool to arrive at this point, Mafunga answered that, "not necessarily. The project is not about displacing the poor, but I spoke about the consequences, unintended consequences that emanate as a result of implementing such a programme. I don't think that there would be a deliberate effort on the part of any administration, irrespective of who is in government, to displace the poor so that you create islands of excellence, that would be irresponsible of any government to do that. But sometimes government comes up with plans to modernise or improve an area, but there are unintended consequences that must be managed in a humane, democratic and a constitutional manner. So when you say we want to attract investment in the Inner City, because remember you have to look at it this way, if these buildings remain as they are, they are a drain on the City's resources because now, the City is unable to accrue any revenue from these assets.

'The revenue which would be used to improve service delivery across the City. Now we sitting with buildings that are not generating any revenue and that becomes a problem. Whereas if you develop them, they become rateable and you have to balance that. Do you

develop them and generate a revenue or do you just allow them to be because now there is a social issue? So as a government you intervene but you must also manage the consequences. We need to come up with other measures to accommodate those people who are going to be affected, but equally the accommodation for those very same people is centred on the availability of resources.

'We also cannot evict as we develop because it becomes problematic, controversial and it attracts all sorts of criticism. So there must be that balance, but saying it and seeing it happen is two different things, because as you develop but people go under bridges is not ideal. You can speak of a World Class City but then people would say look at those displacements, and a World Class African City cannot be a City that is discarding others" (Mafunga, interview 2017).

Maisela added that of course, "all Cities of the world have got problems. The question is, what do we do with poor people? Do we say you are poor and therefore you can't live in the City? If the best Cities that is what they do, we want to show them as Johannesburg that you can have a cosmopolitan society that includes the hip young people, the elderly, the poor and the wealthy living in the same space. So, we would want to be the leaders in that regard. Benchmarking yourself with the best does not mean you only take the glamour, there are a whole lot of people that you want to look at. But like I said, that was the slogan of the previous administration that we believe was just a farce because in reality, our poor remain in poverty and excluded. We have a strong view in order to make sure that the City indeed belongs to everybody. In fact, the Mayor believes that we can't continue to build the RDP in the far places away from the Inner City, so instead of doing that we are trying to make sure that those people are accommodated in the Inner City instead of sending them to the peripheries" (interview 2017).

Mafunga argued that the ICPS might have had many problems and faults, but where it would not be faulted was on its insistence that private property owners should incorporate social housing in their developments. According to Mafunga, "when you make City-owned buildings available for development, you are able to say, in your criteria, if I give you a 20 story building, I want 30 percent of the building to be social housing. You can do that. With the Norvena consortium we said 30 percent of the stock we giving you must be social housing and they delivered that. 122 units O'Reiley and 129

at Norvena Court, the rest was going to be market. You can also understand that you cannot impose to a developer that they do affordable housing, because it must make financial sense. If you say I must come and do affordable housing, and it does not make financial sense to me, I am not going to take it. I do not see any developer who is going to develop at a loss, because I still have an obligation to pay my creditors, the banks" (Mafunga, interview 2017).

4.4.8 The way forward and the lessons learned from the ICPS for the CoJ.

The Inner City of Johannesburg is a more complex situation than most Cities of Africa, in that it houses large business and financial institutions, lofty and upmarket apartments, but also alongside historically informal trade, social housing and bad occupied buildings in the mix (Lukhwareni 2017). The City serves as a magnet for those seeking economic investments and growing their business aspirations on one hand, while attracting the poorest of the poor who are also looking for economic opportunities either through informal trading or lower-income jobs on the other hand, leading to the two extremes of upmarket apartments and bad buildings occupation type of housing within the very City as a result.

The ever changing conditions of Urban regeneration and economic growth in the Inner City mean that there is a continuous increase of demand for the amenities to cater for the people who continue to flock into the City, and residential space and housing tops their demand. As stated in the Charter, "this has taken various forms, from transitional housing for the very poor, through to social housing, through to loft developments for the wealthy. This response to the demand is enormously positive" (Inner City Regeneration Charter 2007).

As Mafunga (interview 2017) agreed above, the building of a World Class African City cannot automatically mean the displacing of the poor from the Inner City, that the revamping of the Inner City as well cannot be equivalent to building the RDP houses somewhere in the periphery that result in them having to spend money on transportation to access their economic opportunities in the Inner City, but what is at the centre of it is the fact that if the Inner City buildings are not being redeveloped, the City is losing revenue, but then again if they are being revamped it means that the poor people occupying them are being displaced of their households.

What is of greater challenge is the fact that even if the City would want to develop, they would be required by law to find alternative temporary housing for those affected by the removals, and the City does not have the housing capacity to do that. Nonetheless, in the midst of all that predicaments, there must be a way out and a way forward in terms of solving the housing problem for the poor people within the Inner City.

Mafunga argued that there must still be "a balance between developing the City and providing accommodation for the less fortunate and the working class. Otherwise you are relegating them to the periphery and making the Inner City an exclusive zone which is only available to those who can afford, and that becomes the problem, socially, politically and otherwise. That is as far as I would go, but I supposed those considerations might be factored in the running new plans of the powers that be in terms of fixing the Inner City. I assume that there are those considerations, given that there is a new political administration now as you would know, and that programme has long left our department" (Mafunga, interview 2017).

The Inner City, seen as an entry point for first time immigrants in search of better economic opportunities and Urban amenities, is faced with a massive challenge to accommodate the increasing number of poorer residents looking for affordable housing, hence the increase of bad hijacked buildings. The proposal of engaging a process to design a clear Housing Plan that is inclusive and agreed upon by the majority of the stakeholders is very important to give certainty to the market for residential development. This Housing Plan, as proposed by the Charter, is needed to clarify how the CoJ and all its partners will be able to provide:

I. Shelters for the homeless and other special groups in need;
II. Emergency accommodation;
III. Accommodation of a transitional nature;
IV. Affordable rental or social housing at various income levels;
V. Inclusionary housing done on the basis of creative partnerships between the public and private sector, and catering to both households wanting affordable rentals and those wanting first access ownership opportunities;
VI. Continued delivery of both medium and high-income rental and ownership options in non-inclusionary buildings (Inner City Regeneration Charter 2007).

According to the Charter, the CoJ does and should make a preference of seeing these kinds of accommodations happening within the Inner City in order to curb the interruption of the people's normal day-to-day life and work routines, and in turn livelihoods of those it is earmarked to vacate from the bad buildings.

With the new political administration in the CoJ, there is also another programme in place that has replaced the ICPS, which is called the Inner City Housing Implementation Plan (ICHIP). It is very significant that we look at the programme in passing to see if the future of housing allocation and the solutions to the dilemma the CoJ finds itself in can be addressed moving forward, or whether this is just another programme that will be half implemented and dropped along the way as like the previous programmes unpacked above.

McCarthy concluded that moving forward and into the ICHIP programme, the City should be "identifying the land and buildings that it has access to in order to leverage both the upgrading and the residential opportunities that exist in those areas. In assessing those, they should keep in mind that they have both a for profit motivation as well as social development responsibility. So the way in which they package those land for release should be geared towards achieving both those things, and it should include transitional housing where its actually necessary. If they were to use that, they would arrive at practical local solutions in which where they have access to land, they will have bargaining power and their leverage to achieving economic and social objectives, rather than throwing their properties willy-nilly and allowing the private sector to determine what it should do for them" (McCarthy, interview 2018).

4.5. The Inner City Housing Implementation Plan (ICHIP).

4.5.1 The introduction of ICHIP.

The new City Council administration, under Herman Mashaba as the Mayor, has just approved the Inner City Housing Implementation Plan (ICHIP) that will see the CoJ confront the challenges of housing in the Inner City. Nkopane alluded that of course the ICHIP was conceptualised under the previous Mayor, Parks Tau's time. The problem was that, as she puts it, "there is a tendency for politicians to warm up to some programmes, so it did take some time to get it to the forefront, but when the new Mayor came, he said the Inner City is his priority. So it was an opportune time to get this programme approved,

and it was approved" (Nkopane, interview 2018). The problem in South Africa, as concurred by Zack (2018), is that we commit to policies and strategies only for a Mayoral term, not to start and seeing the project to the end, because housing policy is not something we can keep changing every 5 years if we want to see long term implementation result.

As put by Mashaba (2017) on the intentions of this new plan, "the City is building relationships with the private sector in order to promote development within Johannesburg. Public Private partnership will ensure that the city works together with all sectors of society to turn the inner city into the City's engine room so that it becomes the place of opportunity for all residents". The advantage carried by the ICHIP is it coming at the back of the failures of the ICPS, and the knowledge of what is right or wrong, what works and what doesn't, will definitely assist it to move the City in a right direction (Zack, interview 2018).

The programme to drive inclusionary housing in the Inner City is based on the principle of co-operation of the CoJ and the private sector property developers who must sign contracts of conditions to support inclusionary housing in the buildings they are given, with a package of incentives afforded to them to attract their participation. Through this new programme, the CoJ Department of Housing argues that it underpins a resilient, liveable, sustainable environment, "where the City establishes greater capacity to absorb new entrants and existing residents into a functioning housing system, where all can find a place to live (irrespective of their income), that offers good quality of life and is connected to the requisite social amenities" (Inner City Prospectus 2017).

Makhunga insists that the target group in terms of housing in the Inner City should always be pro-poor, and when they enter into any contract with the private property developer, they demand a proposal beforehand that should promise the pro-poor housing allocation in the building, and because the JPC deals with audits in terms of the residents' affordability, they then have to ensure that the people who are on the list and should be paying anything around R900 are prioritised (interview 2017).

As indicated by Mashaba, the new ICHIP programme is designed to ensure a close working relation of the CoJ and the private developers to not only create the City that works, but also to create a viable environment for all the citizens of the Inner City to

perform their daily livelihood. The Mayor alludes that the plan 'is an integrated blueprint to create safe, clean, and connected communities who will have access to economic opportunities in the City… communities who are able to live in decent, sound housing that is affordable and are able to elevate their life's circumstances and ensure that they can provide a secure home for their families' (Mashaba 2017).

Maisela (interview 2017) agrees with the Mayor that the "new ICHIP is a better programme to ensure that the City does not just focus on the rental stock where people who can afford are catered for, but to include those who want social housing with the rental expectation of around 900rands. We want to be able to respond to the issues of affordable housing for the very poor who are living in absolute condition through the ICHIP. I have been to Berlin, and I can tell you that I have only seen one homeless person in that City, and the reason for it is that poor people are criminalised in the City. We don't want to do that in Joburg, we can't send the poor packing. We are from that horrible past, and we want to build a City that embraces everyone through the ICHIP". The Mashaba administration is praised by Jackson and Nkopane (interview 2018) in that the Mayor seems to be having a focus on the Inner City.

According to Nkopane, the ICHIP programme is thus meant to ensure that all the government departments come together to contribute whatever they can towards housing. This is because, "if you are to talk about housing in the Inner City, you have to talk about water, about electricity and this strategy is meant to bring everyone to work together in that regard" (Nkopane, interview 2018). This partnership, according to Zack (interview 2018), is the best thing about ICHIP, in that even the treasury in the City is thinking about housing somewhere in terms of how it can come in and assist.

The new MMC for Development Planning in the CoJ, Funzela Ngobeni, stressed that the ICHIP actually "seeks to simultaneously address the challenges… of the City's spatial inequalities, housing shortages and Urban decay. Critically, it aims to attract capital back into the Inner City by rejuvenating the Inner City's ailing residential property market" (Inner City Prospectus 2017).

The ICHIP, through the Public Private Partnership, is argued to thus be aimed at making the Inner City housing market work better for the poor. As highlighted by Ndivhoniswani Lukhwareni, the CoJ's newest City Manager, there is in fact a prospect for a good working

partnership of the public and private sector for the benefit of them both. The City Manager alluded directly that "the attractiveness of the Inner City and its first point of contact, has led to the increasing demand for housing in this contested space. The biggest challenge the City faces is: ensuring that the Inner City remains an inclusive space in light of all the regeneration taking place with the new investment directed to the Inner City development" (Inner City prospectus 2017).

For the ICHIP to work and function effectively in dealing with the Inner City housing problem, the City has decided it is important to look at partnering with business in order to achieve its goal. Lukhwareni argued that "a well housed and transformed Inner City is possible to achieve when we make a collective effort to make our communities live, work and thrive under affordable, good and healthy living conditions. A Joburg that works, is an important foundation to a South Africa that works" (Inner City Prospectus 2017).

There are approximately 150 000 housing backlogs, and over 300 000 people on the housing waiting list according to Maisela, "and as part of addressing this housing problem, we want to use this programme to ensure that the people on the waiting list are prioritised as the major beneficiaries, and the allocation will be done by us as the City in conjunction with the private developers. It is not just about dealing with buildings or dealing with black developers, but it is more comprehensive in its outcome" (Maisela, interview 2017).

There are conditions included in the ICHIP document that private property developers need to first bind themselves to, before they can be allowed to enter into the contract of renovating the given or sold buildings. these are the conditions that the CoJ believes are important in ensuring that social housing remains a priority when the buildings are being renovated in order not to discard the poor away from the Inner City. As some of the specifications that should be used for the development of such properties, according to Makhunga (interview 2017), the new CoJ administration emphasise that:

- 'the property shall be developed into mixed income residential development with a minimum of 20% of the development targeted for low income earners with a maximum of R900 per room per month excluding municipal services.
- The development to cater for people with disabilities.

- The development must align with the CoJ Urban regeneration strategies and the surrounding Urban form' (Inner City Prospectus 2017).

Makhunga emphasised that the City is leasing the buildings, and not selling. This is because they always want to be in control so that when the developer is not meeting their conditions they can cancel the contract (interview 2017). In terms of the lease tenure for such properties within the new ICHIP, the CoJ insists that the long term agreement would give the developers an option to purchase the property upon development completion in line with the standard agreement of the Johannesburg Property Company (JPC), but the normal 50 years lease period they will be giving out should grant the CoJ the right of possession for the property without any form of compensation upon expiry or termination of such a lease agreement (Inner City Prospectus 2017).

In conclusion, Maisela praised the ICHIP programme that since his appointment in the Mayor's office about 3 months back, "we were able to release 14 buildings to the private sector, with an additional 20 buildings to be released by the end of November, and probably by early next year we will be able to go beyond the Inner City. So this one, clearly there is a significant progress that we are making. We do not have the money to develop these buildings, so we rely on the private sector to assist us with the resources" (interview 2017). Makhunga agrees that of course "the City does not have the resources, but it puts the conditions on which to partner with the private sector, the conditions that are clear in that they do not want to displace the people, even though of course the City cannot leave the status quo. So when we partner with the private sector, we prioritise our conditions" (interview 2017).

Chapter five

5 Conclusions

The building of a World Class African City in Johannesburg was influenced by the need to modernise the City and to compare with the rest of the affluent Cities in the world. As we have seen in the paper, Johannesburg is the economic powerhouse of South Africa and increasingly the rest of Africa, and it attracts an influx of new migrants from the rest of the world who are in need of accommodation when they arrive in the Inner City for different economic reasons.

Because of the need to compare the City of Johannesburg with other Cities such as New or Tokyo, there was an adoption of policies that sought to attract tourists, to boost investor confidence and build economic growth, and in terms of housing, policies and strategies were devised in order for the CoJ to arrive at its adoption vision 2030 of building a World Class African City. This 2030 Vision provides a strategy to achieve a goal for the CoJ to raise and sustain private investment leading to a steady rise in property values, and it was opened for social exclusion as it targeted affluent residents who can afford for profit rentals in the developed buildings.

The building of the World Class African City again meant that economic growth and investment could not co-exist within the Inner City marred by bad and dilapidated office buildings which were mostly abandoned, and the hijacked buildings that were run by illegal slum-lords who were mostly mismanaging them, who were no longer paying rates and services to the City even though they were collecting rents from the occupants. This was making the City to lose revenue that was also important to discharge service delivery objectives of the City.

Because of these reasons, the Bad Buildings Programme (BBP) was developed, which was meant to deal with the rejuvenation of the bad buildings by handing them to the private developers to refurbish and make them ready for rentals again. The programme was marred by many problems that made it difficult to implement, the issues of litigation, red tape, the inability to transform the property market in that the buildings were only given to the same white developers who owned the whole City, and the fact that it was evicting people from the buildings earmarked for refurbishment, without the provision of alternative or temporary accommodation. The implementation of the BBP was in nature

exclusionary to the poor people in the Inner City, and was not advocating for the ideals of Social Justice and the building of a Just City in which consultation, inclusivity and both in decision-making and housing allocation is concerned. Because of its inability to resolve the housing problems and its ultimate stop by the Constitutional Court from carrying out evictions, the BBP was replaced by the ICPS.

Now the problem with the ICPS was that it was direct tool to realise the World Class African City dream of the City of Johannesburg, and to do that, it had to focus on the economic growth and increasing the investor confidence. The Norvena Company was given a specific mandate of transforming the Inner City of Johannesburg into World Class African City under the ICPS programme, which was exclusionary for the poor residents.

The programme was aimed at creating an African City that works, is liveable and can attract tourists and entrepreneurs. The ICPS was not only meant to address the Urban decay, but to also oversee economic growth and investment through property. The initial intentions were good, in that it sought to bring aboard previously disadvantaged black property developers into the property market, but this initiative was a failure in that most of those black developers lacked property management experience and were not given proper mentorship. Also, they lacked enough equity and the private banks were not willing to invest in them.

The programme also lacked the regulation mechanisms and conditions for the private development sector, their rentals often overlapped with those of social housing and their building management and services were not up to the standard. At the end, there was a clearly contradictions between a City that wanted to use the ICPS to increase economic growth and investment, or to promote BEE property opportunities for black inexperienced players and also to prioritise the addressing the Urban decay for housing allocation to those who ned it the most.

As argued in the paper, there was no mention of how the programme can accommodate social and transitional housing for the poorer residents of the Inner City, or how the CoJ could include the participation of those affected by the housing shortage or bad buildings conditions in the decision-making when it comes to housing allocation or bad buildings rejuvenation through the ICPS. The City had no clear consultation methods with either the private sector to facilitate regulations or with the Inner City residents on the

programme's implementation. At the end, as argued most of those we spoke to, the ICPS was a total failure, and was thus replaced by the ICHIP, which seems to be coming up with better ideas on how to address the social housing problems in the Inner City and building an inclusive government.

The interviewees all agreed that We need to define the World Class City that is South African, and that means we must stop comparing ourselves with Tokyo or New York, because their issues do not obtain in our context. Our City needs to respond to our specific problems that emanate from our special historic background, a background like no other the world over. The ICPS had no plans nor intentions to create conditions that will allow a unique South African context to thrive, and hence it failed in building an inclusive City that prioritises Social Justice.

'The problem in South Africa is that we do not innovate. There is a political will, but everybody needs to pull together, the private sector, the social housing institutions or the people who are brought by the government to provide social housing. We need to bring a mix of both social housing and market related. The trick is in your design of units, those who will cater for the lower market and those for profit need to be in one building, and we do not have that" (Nkopane, interview 2018).

Chapter Six

6.1 Recommendations

Housing

In the long run, the CoJ needs to envisage an Inner City that will provide a decent, secure accommodation that will cater for the residents in terms of their affordability, but in the meantime as well there is a shortage of temporary accommodation in the short term to solve the housing problems that face the CoJ, and a quick solution is sought. In that quick solution, the CoJ would need to ensure a provision of emergency accommodation for the people who are in a housing crisis or those who had to be vacated from the unsafe bad buildings earmarked for refurbishments of any housing programme.

When asked about the way forward in terms of housing provision in the Inner City, Mafunga argued that "the majority of people who come here are trading and they are in transit and when they come here they require accommodation. So as a City we need to start providing different typologies in terms of housing. Transit orientated housing stock, permanent rental stock for residents in the Inner City and the surrounding areas, and other typologies to cater for a variety of people in terms of the demands that are there for housing. That is the approach that we need to take. How we do it will determine how successful we are. You know that in the Inner City you cannot provide your typical RDP stock, we don't have the land to be able to do that, but you can do a lot of densification, high-rise accommodation, so that we are then able to cater for a different typologies and different demands for housing for everyone across the boards, it will make it easy for the City to control, to govern it, and easy to manage" (interview 2017).

The process to achieve this goal requires the carefully thought and executed plan that would ensure that the poor are not only required to pay affordable rent to well-maintained habitable accommodation, but are also afforded work opportunities to earn a salary to pay the very rent within the City. It would require the CoJ to transform the Inner City in a manner that will create a comfortable space to live and work together for the different income-earning residents, businesses, investors and visitors alike. McCarthy advised that the City need to find a way in which to establish transitional housing opportunities in the Inner City in a way that is financially viable and can be properly managed (interview 2018).

To provide a housing solution that will cater for the needs of the Inner City residents, irrespective of their varying affordability, the CoJ will need to promote the concept of 'inclusionary housing' within the Inner City. As outlined within the Charter, this inclusionary housing will envisage 'the development and maintenance of affordable accommodation within every development, in a proportion of income mixes that ensures both the financial viability and operational sustainability of the development, as well as the significant social and economic benefits for the community at large of housing the poor within decent, well-managed apartment blocks' (Inner City Regeneration Charter 2007).

Maisela (interview 2017) is distraught of the fact that every time there is an eviction happening in the Inner City, the perception is that it is the City that is doing it. According to him, "the City is against those evictions, and the reason is that we do not have emergency accommodation. In terms of moving forward, we are saying that we need to roll out temporary emergency accommodation. So when we identify a building with people inside, we must then start a process of engaging them and say look, we want you to go to this temporary emergency accommodation. We can then renovate this building so that it becomes habitable with services, water and all, and then you can come back and rent in a more decent environment. The process requires that we engage people. If we have to evict them, it must be the last resort. But we do not want to start off with evictions".

As alluded in conclusion by the City Manager Lukhwareni, "the City will no longer allow for its people to live in some of the present inhumane conditions or turn a blind eye to this housing challenge. While fully-supporting the principle of making it easier for people to live in close proximity to employment and educational opportunities, this need has to be met in a better-managed process. Unfortunately, transformation does not come at a cheap price. The City administration could never achieve its goal with a budget faced by so many different needs of its residents. However, in order to lighten this burden, the City is looking at partnering with the private sector to provide affordable rental housing to the people that live at the mercy of the informal rental market" (Inner City Prospectus 2017).

Taking from the suggestion of Steffny (interview 2018) in the building of village communities in the Inner City, housing needs to be seen in a holistic view of the place we want to see and have, as a finished place. Villages should have everybody in them, from the poor to the very wealthy. It is historically a group of people who are interdependent of each other but they are not just a one income group. We need to strive to build villages that have an open space, a library, amenities, schools nearby, transportation and all sorts of basic needs. These villages need to have a voice in which to communicate with the state.

Good governance

The working relationship of the CoJ and the national/provincial government and housing departments will need to be relooked at and improved, if the housing problem is to be curbed and resolved in the Inner City. The CoJ will also need to work well with the social housing organisations so that it concentrates enough resources to the non-private sector housing delivery for the poor residents within the Inner City. What is needed the most in the Inner City is permanent affordable housing stock, so in order to provide this opportunities, it is paramount that the CoJ work very well and closely with the provincial government and social housing providers. Of course it is noted what Zack (interview 2018) highlighted in terms of the City now being accredited, and therefore not being able to receive a housing budget for the RDP housing from the higher level of government. But there is no way RDP housing can provide any alternative solution to the housing crisis within the City, and therefore that issue doesn't carry much weight.

The Inner City Regeneration Charter acknowledges that there is a need to form a strong viable and functioning relationship between the CoJ and the Inner City residents through constant engagement with well-structured organisations. It states that "the City of Johannesburg recognises that legitimate, well-established NGOs, CBOs and FBOs play a valuable role in helping it meet its development objectives. The City wishes to see a more stable civil society environment able to assist more effectively in the processes of absorbing the poor in the Inner City and helping them onto the ladder of prosperity" (Inner City Regeneration Charter 2007).

Given by the circumstances that unfolded with the Olivia Road case that saw the poorer Urban residents approaching the courts in order to force the City to stop with their evictions, it is visibly clear that the CoJ need to voluntarily construct a viable mechanism

that will ensure a harmonious, inclusive and constant consultation with the Inner City residents when it comes to any issues that either involve or affect them and their well-being within the City.

The CoJ needs alternative notions through which they can have meaningful engagements as government, with not just the property developers who are mostly seen as investors looking after their own financial interests when they speak of the Inner City rejuvenation, but also with the real people on the ground who are the residents of the Inner City and the consumers of the very same residential stock being provided for them.

The most viable way is to create trust and networks of engagements with the Inner City NGOs, CBOs and FBOs that will represent the vast majority of the Urban poor residents who sit at the core of what it meant to build not only a World Class African City, but a Just City that will be able to attract investment and build a strong economy, while still championing service delivery and taking care of its most vulnerable citizen through inclusive decision-making processes.

As a way forward, the CoJ will need to revisit some of the commitments and values espoused by the Inner City Regeneration Charter in relation to allowing political and democratic participation of the Inner City residents in the affairs of their City. Indeed, as outlined in the Charter, the CoJ can help to address this situation by communicating effectively with communities, consulting regularly in a way that empowers communities, and in refraining from administrative action that entrenches felt vulnerability and social exclusion or even explicitly compromises established human rights. The principles and the values of good governance, as espoused by the Charter, need to be effected in order to see participatory democracy in how the CoJ runs its government on behalf and for the various sectors of society in the Inner City.

The CoJ needs to implement the values of governance that will make all people "feel pride in their communities, are socially and politically engaged in that they make active use of participatory processes and mechanisms, and believe that their human rights are protected. In fact, two commitments within the charter need to be heeded and applied in order to build an inclusive government and a Just City:

- Within all programmes to communicate with residents spelt out in other sections of this charter, the City of Johannesburg will work to build civic-minded

communities that know their human and consumer rights, and are committed to adhere to the responsibilities and disciplines of community life in dense Urban settings.

- As required by the Municipal Systems Act and other policies and laws, the City will continue to build participatory processes and mechanisms that enable communities to be involved in the affairs of the municipality, and will continue to improve efficient and effective service delivery for all" (Inner City Regeneration Charter 2007)

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6.3 Annexure

Research questionnaire:

Policy makers/municipal officials

Full names

Job designation

How long have you been on your current job?

What is your understanding of Johannesburg: A world class African city?

Do you know and understand what the Bad Buildings Programme is?

What was the BBP's initial target of achievements?

Did the programme achieve any of its initial targets?

Do you have an idea of why the programme was later changed to be called Better Buildings Programme, what was the difference?

Did the programme saw any results after being changed to Better Buildings Programme?

How was the ICPS developed, and how did it come to replace the BBP?

What is its background and history?

What does it intends to accomplish?

What have been its impacts thus far, what has it been able to achieve?

Is the ICPS a tool intended to support the vision of creating a world class African city?

What are the potential impacts of such a policy for different inner city stakeholders, most particularly the poor residents of the dilapidated buildings?

Was there a consultation of the affected stakeholders on the introduction of this policy, and if so, what kind of a consultation was it?

Social movements and NGOs are very critical when it comes to ensuring democratic participation, what was the type of relation or consultation between the CoJ and such movements in relation to the implementation of the BBP and the ICPS?

The local government policies are mostly expected to be in line with that of the national housing department, to what extend is the ICPS in line with that?

Do you understand what a Just city is, and how it is developed?

How is the policy planning to make the city accessible for poor residents, and to build a Just city?