Informal housing in Cape Town: delivery, formalization and stakeholder viewpoints

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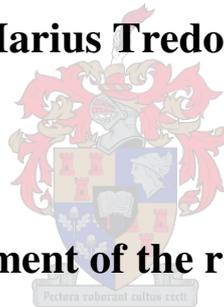
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DECLARATION

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Marius Jacobus Tredoux   Date: 03 November 2008

ABSTRACT

The City of Cape Town is estimated to host approximately three million people. Of those three million, it is also estimated that 22 percent are living in what could be considered informal dwellings. In 2000, one of the United Nations Millennium Development Declaration goals for 2020 was 'to have achieved a significant improvement in the lives of at least 100 million slum dwellers as proposed in the Cities without slums initiative.' The South African government took this initiative on board and has set a goal of eradicating all informal settlements in South Africa by 2014. There is thus a process of formalization currently taking place in South Africa. In Cape Town however, there is currently a backlog of between 300 000 to 400 000 households and this number is growing

The issue of housing delivery, not only in Cape Town, but world-wide, is an aspect that attracts lots of discussion. The viewpoints on how to approach formal urban housing delivery vary from a state-led approach, to a more participatory process, to rental options, or even that informal settlements should be left as they are, as part of a city's social fabric. But why do these viewpoints differ? And how do these divergent viewpoints influence approaches to housing delivery? In this study I will answer, 'How stakeholders in the housing delivery process view informal settlements, and when there are divergent viewpoints, why do they differ'? Four groups of stakeholders in Cape Town were identified, namely government officials, contractors/developers, researchers and residents of informal settlements. Interviews were conducted with the stakeholders on an individual level except for the residents of informal settlements where focus groups where held in two informal settlements.

Some of the conclusions were that most importantly, there are divergences in viewpoints about housing delivery and the differences can be described by using a 'normative theory of stakeholder identification,' where attributes such as power, legitimization by virtue of institutional affiliation and urgent interests influence the approaches that the stakeholders suggest for housing delivery in Cape Town.

OPSOMMING

Die Stad van Kaapstad word geskat om ongeveer drie miljoen mense te huisves. Van die drie miljoen word dit ook geskat dat 22 persent van die Kaap se inwoners in informele nedersettings bly. In die jaar 2000 is een van die 'Verenigde Nasies Millennium Ontwikkelings Verklaring' se mikpunte gestel as, 'om teen die jaar 2020 'n betekenisvolle verskil in die lewens van ten minste 100 miljoen krotbuurt inwoners te maak.' Die Suid-Afrikaanse regering het hierdie inisiatief aan boord geneem en het 'n mikpunt gestel om teen 2014 alle informele nedersettings in Suid-Afrika uit te roei. Daar is dus 'n proses van formalisering wat tans plaasvind in Suid-Afrika. Daar is egter op die oomblik in Kaapstad nog 'n behuisings agterstand van tussen 300 000 en 400 000 huishoudings en die agterstand groei.

Die kwessie van behuisings lewering, nie net in Kaapstad, maar wêreldwyd is aspek wat baie bespreking ontlok. Standpunte van hoe om formele behuisings lewering te takel varieer van 'n staats-geleide benadering, tot meer uitgebreide deelname in besluitneming, meer verhuring opsies en selfs standpunte wat voel informele nedersettings moet aan hulself oorgelaat word as deel van 'n stad se sosiale samestelling. Maar hoekom is die standpunte hieroor verskillend? En hoe beïnvloed uiteenlopende standpunte die benaderings wat voorgestel word vir behuisings lewering? In die studie hoop ek om te antwoord, 'hoe informele nedersettings deur insethouers in die behuisings lewering proses beskou word en as daar uiteenlopende standpunte is, hoekom verskil hulle van mekaar? Vier groepe van insethouers was geïdentifiseer in Kaapstad naamlik regerings beamptes, kontrakteurs/ontwikkelaars, navorsers en inwoners van informele nedersettings. Onderhoude was op 'n individuele basis met insethouers gevoer behalwe met die inwoners van informele nedersettings waar fokus groep onderhoude gevoer is.

Van die belangrikste gevolgtrekkings was dat daar is inderdaad uiteenlopende standpunte oor behuisings lewering en die verskille kan beskryf word deur 'n 'normetatiewe teorie van insethouer identifikasie' te gebruik waar eienskappe soos mag, regmatigheid as gevolg van institusionele verbintenis en dringende belange die benaderings beïnvloed wat insethouers voorstel vir behuisings lewering in Kaapstad.

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INTRODUCTION

1.1   Background and Problem Statement

In the city of Cape Town there is a large backlog of formal housing. This problem is exacerbated by the fact that, of South Africa's major metropolitan areas, Cape Town experienced the highest net migration between the years of 1997 and 2001 (Haskins & Smith, 2006: 8). Many of the individuals and families that enter Cape Town are unemployed and in search of work. Unemployment means that these individuals can not afford formal housing and they are left to squat (Davis, 2006: 27). The problem has escalated so much that it is estimated that there were more than 200 informal settlements in the City of Cape Town alone in 2005 (Haskins & Smith, 2006: 8).

In 2000, the United Millennium Development Declaration defined one of its goals as 'to have achieved a significant improvement in the lives of at least 100 million slum dwellers as proposed in the "cities without slums" initiative' by 2020 (Huchzermeyer & Karam, 2006: 2). Lindiwe Sisulu, minister of housing in 2004, emphasized that 'this government has indicated its intention to move towards a shack-free society' (Sisulu, as cited in Huchzermeyer & Karam, 2006: 44). The South African government's comprehensive plan of sustainable development of human settlements has earmarked 2014 as the year by which all shacks are to be eradicated in South Africa (Cross as cited in Huchzermeyer, 2006: 251).

The backlog of housing in South Africa overall currently stands at 2, 4 million houses' (Kane-Berman, 2007: 406). By any scale, the housing problem that confronts South Africa is enormous. Access to housing and secure accommodation is an integral part of the government's commitment to reducing poverty and improving the quality of people's lives. Not only is adequate shelter needed, but a formal house to live in is sought. To define a house can become a philosophical concept, but for the purposes of this study a house can be defined as an authorized, closed vertical structure with a roof, that is built for people to live in.

For governments around the world as well as the South African government, it has however become a necessity to build not only houses, but 'sustainable human settlements.' By this term it is meant that not only houses need to be built, but also services and surroundings that

support and stimulate the individual within the environment that he lives. Thus to build sustainable human settlements, you need enriching aspects to be added such as basic services, access to transport, access to employment opportunities, access to a play park, access to shops, a school etc. If these elements are not added to a settlement, it is likely to break down and disintegrate eventually. There is thus a process of formalization that is currently taking place not only with the housing structures, but also with services that surrounds it.

However, not everyone is in agreement about the process of housing formalization and how it is being or should be implemented in Cape Town. The current policies that are in place are also a topic of discussion. There is also an issue of market-driven displacements or market-driven evictions, where 'the liberalization of land markets in many developing countries and land titling programmes carried out in the name of economic development and poverty reduction, are increasing the market pressure on urban low-income settlements' (Durand-Lasserve as cited in Huchzermeyer & Karam, 2006: 207). Even when the informal dweller is compensated for being removed from the land, regardless of how equitable it may be, this removal frequently results in a poorer economic and housing condition for the individual, which leaves little option but to squat again.

Analysts in the housing delivery sector mention that because of various reasons such as 'poor location, cost of home ownership and unemployment, housing delivery has had little impact on poverty alleviation' (Charlton & Kihato as cited in Pillay, Tomlinson & Du Toit, 2006: 255). In addition, investigations by government suggested that a 'more active role for the state was needed to overcome obstacles which had become evident in the development process and to speed up delivery' (Charlton & Kihato as cited in Pillay et al, 2006: 264). There were also some negative perceptions from the construction sector where difficulties were being associated with low-income housing delivery. Construction costs were rising, demands for bigger houses were being made and the subsidies awarded to the builders were not being adjusted (Charlton & Kihato as cited in Pillay et al, 2006: 265).

In conjunction with these statements, a study by the Urban Landmark (Joffe, 2007: 4) found that the government should reconsider its policy of eradicating informal settlements as they play a critical role in enabling the poor to access land in urban areas. Calls were made to rather develop social interventions that support poor people's access to land and to integrate formal and informal markets. There were also suggestions in the Cape Town local

government that the 'provision of rental housing could be regarded as an alternative form of tenure to help meet the housing challenge (Joffe, 2007: 4). In Cape Town, there is an added dimension with a coalition government governing the City. Certain factions want to 'impose an identity on Cape Town and local politicians exploit crude perceptions of Cape Town to advance their own political agendas' (Edmunds, 2006:1). It is thus clear that there are some political struggles in the City of Cape and these may slow down processes such as housing delivery. These are just some of the options and challenges facing housing delivery in Cape Town and this does not even include the views of those individuals for whom housing delivery is the most important – residents of informal settlements. It is thus evident that divergent arguments and perceptions come from various groups and individuals on housing delivery in South Africa.

1.2   Research question

From the above-mentioned statements, it can be seen that there is a housing delivery challenge for the City of Cape Town, and how to move forward with this challenge is differently perceived and conceptualized. But who are these individuals or groups that suggest methods for housing delivery? How much impact do they have on what is actually being done about housing delivery and how do they claim to hold a stake in the housing delivery process? And if there are different views held on what is to be done about housing delivery, why are the viewpoints different? As Wood (1997: 353) states, there can be a vast range of viewpoints on a certain issue, but why are there differences?

This leads me to my research question which is, 'How do stakeholders in the housing delivery process view informal settlements and if there are divergent viewpoints, why do they differ?

1.3   Stakeholders and profile

In the process of housing delivery, there are a number of people, groups, organizations, communities, and institutions etc. that have a role to play. To identify and describe these role-players is a difficult task. For the purposes of my study I have termed the role-players in the housing delivery process 'stakeholders.' Babiuch and Farhar (as cited in Glicken, 2000: 307) define stakeholder as 'an individual or group influenced by – and with an ability to significantly impact (either directly or indirectly) – the topical area of interest.' 'Although a

stakeholder can be an individual, the individual generally participates in public processes through groups of individuals with a common interest' (Glicken, 2000: 307).

It is also noted in Glicken (2000: 307) that mid-level government officials felt that 'the absence of groups that constitute the "civil sector" in mature democracies was one of the biggest perceived barriers to the implementation of effective public participation processes.' Groups of the civil or public sphere thus need to be included in decision-making processes to ensure more inclusive and transparent legislative procedures. It is not only the government officials who create policies and legislation that need to form part of decision-making processes, but also those who can claim a possible 'stake' in the specific issue. A feature of all potential stakeholders is that they become or can be seen as stakeholders in a certain issue once they have interests, institutions affiliation etc in the specific issue. 'They thus only become stakeholders towards a particular issue for which they have their own set of interests, affiliations etc. Stakeholder therefore could be seen as a relative term' (Glicken, 2000: 307).

Given the fact that stakeholders is a relative term, public participation can also be described as relative, specific to time, site and issue. Consequently, there are agreements made that are relevant for 'that particular people in particular circumstances at a particular time' (Glicken, 2000: 308). These agreements can change for the interested parties as local values and issues change, as they will over time. It is only once agreements go through certain procedures and qualification criteria that they are eligible to become policy. Some of these policies evoke many contested views, opinions and criticisms.

'As with the management of all social processes, an important element to avoiding problems is to control communication, but because complete understanding is impossible, there is no guarantee of a problem-free process' (Glicken, 2000: 308). There are ways to minimize the likelihood of problems and one of these is communication between stakeholders of the specific issue. It is clear that stakeholders play or could play an integral role in housing delivery. Next follows a brief overview of the stakeholders of this specific study.

1.3.1   *Selection of stakeholders*

The four stakeholder groups selected with regard to housing delivery in Cape Town were government officials, researchers (conducting research independently of government), contractors/developers of formal houses and residents that live in informal settlements in

Cape Town. I claim that all four play a role in the delivery of urban housing and although these stakeholders cannot be considered the only groups to hold a stake in housing delivery, it is reasonable to suggest that the four selected groups either have a direct or indirect influence or interest in housing delivery or policy at some stage.

1.3.2 The profile of the stakeholders

- **Government officials:** Senior bureaucrats working at the local department of housing in the City of Cape Town

- **Researchers:** Senior academics who have conducted research on housing in South Africa, independently of government either at a tertiary or research institution

- **Contractors/developers:** Individuals whose company partakes in building low-cost formal housing for informal dwellers

- **Residents of informal settlements:** Men and women of varying ages who live in informal settlements.

1.3.3 Four questions were raised and responded to by stakeholders:

- How do you define an informal settlement?
- What is government doing about informal settlements?
- What has been done about informal settlements in Cape Town in the last 5 years?
- What is to be done about informal settlements?

1.4 Literature review

Since Cape Town is considered to have a backlog of approximately 300 000 households with similar numbers (although smaller) in the rest of South Africa, housing in South Africa could be considered as in crisis. This however is not a problem that is unique to Cape Town and South Africa, but many other countries in the world are experiencing similar problems. According to UN-HABITAT, the world's biggest percentage of slum-dwellers is in Ethiopia and Chad (an astonishing 99.4 percent). Bombay with 10 to 12 million squatters and tenement dwellers is the global capital of slum dwelling, followed by Mexico City and Dhaka at 9 to 10 million each. The fastest growing slums are in the Russian Federation and former Soviet republics (Davis, 2006: 23).

Opinions and viewpoints on how to deal with informal settlements range from the demolition of shacks and rebuilding of formal structures elsewhere, renting out houses, supporting

informal settlements by upgrading them or integrating informal settlement into the economy and allowing the selling and buying of these informal dwellings. Or as Abbott (2003: 4) suggests, our ultimate aim should be to integrate these informal settlements into the fabric of the city.' However those that live in 'up-market' areas complain against low-cost housing being built on their 'doorstep' (Charlton & Kihato as cited in Pillay et al, 2006: 254). So to find a balance on how to proceed with housing delivery is very difficult.

My literature review commences with Maslow's hierarchy of basic needs which declares that housing is one of the basic needs for a human being. The formal housing system in South Africa, which is controlled by the Cadastral system, entails an intricate system of land rights governing how land and houses can be accessed. No house in South Africa is officially recognized unless it is registered at the South African Deeds Offices.

I then look at the emergence of informal settlements and the issue of industrialization and how this was instrumental for the process of urbanization. This leads to a discussion on some of the housing statistics world-wide, which emphasizes that housing backlogs is not unique to Cape Town. The scope of the study then becomes more focused as I begin to look at some of the history and historical events that were instrumental in the formation of informal settlements in South Africa. The subsequent repealing of racially based laws in the 1980s and 1990s led to migration into Cape Town intensifying. This influx of large numbers of people into the cities, many being poor and unable to afford formal housing, meant that new housing policies had to be developed to address the housing shortages. Policies and acts such as the Housing Act of 1997 and National Housing Code were instrumental in outlining housing policy. Coalition government and internal politics is an added challenge that housing delivery faces in Cape Town. The literature review commences with some of the new housing programmes in Cape Town and housing statistics for the City of Cape Town. Twenty-two percent of individuals in Cape Town are living in informal dwellings and this number is growing (Small, 2006: 22).

1.5   Theory

To understand why different stakeholders might hold divergent perceptions and viewpoints on housing delivery is a complicated issue. I explain divergent stakeholder viewpoints by virtue of a 'normative theory of stakeholder identification' (Wood, 1997: 853). Attributes such as

power, legitimacy via institutional affiliation (either direct or indirect) and urgency or interests are identified as reasons why stakeholders could hold different or similar viewpoints on housing delivery (Wood, 1997: 863). By looking at these attributes, the reason stakeholders hold divergent perceptions and viewpoints on housing delivery can be explained. The stakeholder viewpoints can also be linked to the possible approaches they suggest for housing delivery.

I then look at two approaches that could be used as methods for housing delivery in South Africa. The first approach, a market-led approach is where the private sector (investors and developers that buy land from the state), can freely build houses on the land that they have purchased and sell the property at what should be considered market value at the time (Mackmin, 1994: 6). However the market is only recognized where formal process take place and in this approach it suggested that informal processes should be recognized and legitimized to allow those who own informal dwellings to sell their land and houses. A couple of alternative methods of looking at this are also suggested. The next approach, namely a state-led approach, claims that it is the duty of the state to supply formal housing to all its country's residents when its residents cannot supply for themselves. Here there are also alternatives suggested for how this could be done by looking at some pro-poor alternatives.

The attributes of stakeholders and approaches to housing delivery could relate and be linked to each other. A stakeholder who is in a position of power in a process (with regard to the access it has to resources, capital, authority etc) might want to relinquish some its responsibilities to another sector, as for example the state suggesting that housing delivery should be state and market assisted (COSATU, 2005: 1). Stakeholders with institutional affiliation who play a direct role in housing delivery could also suggest that the stakeholder with power (once again with regards to resources) supplies houses, since this might be in advantage (financially) to the affiliated stakeholder whilst those institutionally affiliated, but indirectly, might suggest differently. Stakeholders with urgent needs will possibly look at who can supply legitimately the quickest.

There are, however, shortcomings with the theory since there will be substantial overlap at times between the attributes of stakeholders and the attributes will not necessarily at all times describe the reasons why stakeholders hold certain viewpoints. Also as suggested, the approaches to housing delivery can by no means be seen as exhaustive.

1.6   Significance of the study

When a basic need such as shelter is discussed and there are large shortages of houses at hand, it is clear that it is a sensitive topic and one that needs much debate. Who the 'discourse-makers' are and how their opinion is valued and contrasted can influence the topic under discussion greatly. This study aims to contribute to understanding why there are divergent viewpoints on housing delivery and how this informs the approaches that are suggested for current and future housing delivery. Trying to understand why there is disparity in perception, opinions and viewpoints by those who can claim to hold a stake in the housing delivery process could assist in a large manner to add understanding, patience, improved communication and a more participatory decision-making basis towards housing delivery in Cape Town. The study however does not focus only on divergent viewpoints in housing delivery, but also introduces the reader to some critical definitions in the field such as informal housing, informal settlements and slums. These topics are subsequently discussed. This is followed by a discussion on South Africa in the mid 20$^{\text{th}}$ century and what consequences the laws, legislature and subsequent urbanization process of the time had with regards to housing.

A review of these issues will provide the reader with a clear understanding of what the current housing conditions are and what some of the preceding events were that led to housing shortages in South Africa. Housing shortages are inevitable something that needs a solution and to find an appropriate approach to housing delivery is a difficult task. General housing literature and housing experts have many divergent ideas and opinions on how to approach the housing backlog in South Africa. In numerous studies, suggested methods for housing delivery rarely try to explain different viewpoints of stakeholders regarding delivery. This study tries to address this neglected area and focuses mainly on why stakeholders have different viewpoints on housing delivery.

1.7   Methodology

1.7.1   Data collection

The literature overview consisted of texts from the university library in Stellenbosch, journal articles, newspapers such as 'Die Burger,' 'Business Day' and 'The Argus' and online articles. Search engines namely Google scholar, Ebschohost and Sabinet were used. Books such as 'Informal settlements: a perpetual challenge' and other articles by Professor Marie Huchzermeyer were a large source of information. Other authors of books or articles that played a large part in this thesis were Abbott (2003), Pillay et al (2006) and Wood (1997).

In the fieldwork section of this thesis, formal permission was asked of all participants before they were interviewed. The nature of the study was explained to the prospective participants. Respondents were asked to participate either electronically, by phone or by direct face-to-face interviews. Government officials, researchers and contractors were all interviewed individually. The potential participants were assured that the data would be completely anonymous. Some of the identified participants felt that it might invade their privacy and refused to be interviewed.

Two focus groups were conducted separately in two different informal settlements which were located in the townships Khayelitsha and Nyanga. The selected informal settlements were chosen due to their proximity to the researcher's work office and because they form part of the formalizing process. To locate possible participants for my study, an internet search was conducted and various clinics and community programmes were identified and called in search of contact persons who would be able to organize individuals for focus group participation The scope and purpose of the study was then explained telephonically. If the contacted person agreed to participate in the study, she or he would be asked to organize 4 – 8 people to attend a focus at a certain time and date at the given clinic or community hall. The researcher would then meet them there. The first focus group took place in the Khayelitsha Township. The second focus group was held in the township of Nyanga. Both areas were selected due to hosting large informal areas and settlements as well as being part of government's process of formalization (the N2 Gateway project). Before the interviews, the residents were asked to grant consent to being interviewed. Data collection was completed during the period of August to November 2007. Interviews and focus groups lasted between 30 minutes and an hour

1.7.2   Sample

The City of Cape Town which includes the municipalities of Cape Metropolitan Council, Blaauwberg, Cape Town CBD, Helderberg, Oostenberg, South Peninsula and Tygerberg were where the interviews and focus groups took place. From the government officials, researchers and contractor groups, four individuals were interviewed in each group. Each individual was interviewed on questions of definition of an informal settlement, what they thought government was doing about housing delivery, how housing delivery had fared in Cape Town and what they believed should be done about informal settlements. Two focus groups were held in different informal settlements and four to eight people would attend a focus group. The focus group participants were questioned on the same questions as the other stakeholders. Snowball sampling was used as a method to sample all respondents.

1.7.3   Instrument

An interview schedule was used with four generic open-ended questions. (Interview schedule attached in appendix 1). The four questions were used to elicit a response, after which a discussion would ensue that would enrich the topic at hand. Participants would not be allowed to drift too far off the topic. The interview schedule is attached in Appendix 1.

1.7.4   Data analysis

All interviews and focus groups were recorded and transcribed. The focus group discussion was mostly conducted in the resident's mother tongue isiXhosa. A translator assisted the researcher in both focus groups by translating the questions to the residents and helping with general communication. The translator transcribed the interviews into English afterwards. Responses were written down word by word and different as well as similar conceptions were summarized and compared which was written down as answered by the respondents.

1.8   Limitations and delimitations

The thesis is delimited to a geographical area consisting of the City of Cape Town, so the data of this study can not be generalized to areas outside of Cape Town or to Cape Town as a whole. The selection of stakeholders in this study can not be seen as representative of all stakeholder viewpoints with regard to informal settlements and should not be generalized as viewpoints held by all stakeholders. Selection of stakeholders should also not be seen as

exhaustive with regard to those groups of individuals who play a part in the housing delivery process.

1.9   Structure of the thesis

The focus in chapter two is to try and explain to the reader what is meant by some of the core issues that will be used in this thesis such as informal dwellings, informal settlements, backyard shacks and the issue of illegality. Some of the relevant literature in the field is unpacked and discussed. This is followed by a section on the issues of industrialization and urbanization that is used to explain why and how informal settlements originated in urban areas. Chapter two concludes with a discussion on the theoretical framework and approaches used to describe why stakeholders have divergent viewpoints on housing delivery and the approaches that they suggest.

Chapter three supplies the reader with a short introduction to the history of housing in South Africa from 1910 onwards. This shows the reader how not only housing policy, but other issues have influenced the scope, integration and composition of the urban South African population. The focus is then narrowed to the City of Cape Town where some of the migration trends in the last two decades of the century are examined. This is followed by the complex composition of politics and policies in Cape Town and the chapter concludes with figures and statistics that describe the current housing situation in Cape Town.

The fourth chapter is a chapter made up totally of what the participants of my study had to say about housing delivery in Cape Town. This chapter is divided into four sections where each section describes individually what the various stakeholders had to comment about the four issues as explained in the methodology. Chapter four leads into my concluding chapter where a discussion on the stakeholder viewpoints takes place. I try to make sense of the stakeholder viewpoints by applying a 'normative theory of stakeholder identification' that aims to describe why stakeholders have divergent viewpoints and why they suggest different methods of housing delivery.

CHAPTER 2:
INFORMAL HOUSING AND INFORMAL SETTLEMENTS

In this chapter issues concerning definitions of informal settlements and surrounding matters in the city are raised. It commences with a discussion of Abraham Maslow's hierarchy of needs and how shelter is one of the basic needs. This is followed by an introduction to some of the basic terms that are used within the field of housing. Terms such as rural, urban and tenure are defined and concepts such as the cadastral system, freehold and leasehold are discussed. Slums, informal settlements, informal dwellings and related concepts are then unpacked. By discussing the aspect of illegality, an attempt is made to produce a clearer understanding of what could be considered as formal or informal dwellings.

The next section deals with the origins of informal settlements, discussing concepts such as industrialization and urbanization. This is followed by an overview and discussion of the situation regarding informal settlements world-wide. The final section describes a 'normative theory of stakeholder identification' where attributes such as power, institutional affiliations and urgent interests are suggested as reasons why stakeholders view housing delivery differently. The different approaches to housing delivery, namely a market-led and state-led approach are then discusses and the chapter concludes with a discussion of why certain stakeholder attributes might influence the stakeholder in choosing specific housing delivery methods.

2.1   Introduction: Housing in the city

In 1943, Abraham Maslow described a 'hierarchy of needs.' These needs include (in ascending order) physiological needs, safety, love and belonging, esteem and self-actualization (Simons, Donald & Drinnien, 1987). In the most important and most basic of needs (the physiological need) shelter is identified as an indispensable need for human survival and progression. Housing or shelter is also strongly related with safety, a feeling of belonging, and improved esteem, all of which could lead to Maslow's concept of self-actualization where the individual has achieved a personal level of fulfillment and success. Through using Maslow's hierarchy of needs, it can be seen that shelter is a crucial element in a person's life.

Even so, some shelters are not considered as adequate for building a life. Houses throughout the world vary in shape, size, material, expense and location, but certain criteria and characteristics distinguish an informal house from a formal house. My focus in this chapter will be specifically on urban informal housing. Housing, and more specifically informal housing (which varies from one historical and geographical context to the other), has become a major problem in the city especially over the last couple of decades with increased urbanization. As informal dwellings have grown so has the terminology that has been associated with informal dwellings. Terms such shantytowns, squatter camps, communities and slums are all used regularly globally when referring to informal settlements (Abbott, 2003: 2). But how exactly is an informal settlement defined? Are all informal dwellings situated in an informal settlement? And how does one distinguish between an informal house and a formal one? The next section aims to answer these questions.

2.2   Informal housing, informal settlements and illegality

In the context of world-wide urbanization, this section will introduce the ideas of urban tenure and illegal urban residence from the state's point of view. The state plays an integral role in the recognition of what could be considered an informal dwelling. Although a complete description of the state encompasses much more than a couple of sentences, as a definition the state can be defined as 'a central authority of government which could or could not be permanent, an administrative hierarchy, a monopoly on the legitimate use of force and territorial sovereignty (DunLeavy & O'Leary, 1987: 1). So the government controls the country and the government decides what is legal or illegal. Subsequently this section will review definitions of illegal occupation by defining terms such as slums, informal settlements and informal dwellings.

In many countries, as you drive around the countryside you will see houses and settlements that differ from each other. There are some distinct characteristics of informal houses that set them apart form other houses. A consensus has been reached about the definition, but there are still several variations of what is considered attributes and characteristics of an informal house. The reader might also ask what the difference is between an informal settlement and an informal dwelling. Before I move on to this distinction, a clarification on some of the other terms and definitions that will be used, needs to be made.

Over the last couple of centuries, a distinct move from rural to urban living has taken place. Rural as opposed to urban refers to 'the countryside or remote/isolated areas' (Oxford Advanced Learners Dictionary, 1996: 1032). Urban relates to 'living in a city or town, 'whilst urbanization refers to 'making a rural area more like a town or city by building many new houses or factories etc' (Tomlinson, 1990: 3). But in modern countries, can land just be invaded and houses be built anywhere? If we move back a couple of centuries, 'the concept of "seisin" underpinned common law tradition that property rights in land are based on physical possession rather than on abstract title. Thus Seisin consisted essentially of actual or de facto possession of land – quite irrespective of right' (Gray & Francis, 2003: 105).

As states globally began to evolve and become more organized, they would seize and claim ownership and possession of land. A couple of centuries later the cadastral system would be employed in some countries. The cadastral system comprises the 'map, real estate register (the Cadastre), and land register' (Van den Berg, 2003: 3). 'The map shows the boundaries of real estates and location of these, whilst real estates and changes in these are entered to the cadastre. The land register based on the cadastre contains a list for real estate' (Van den Berg, 2003: 2). The Cadastral system in South Africa is meant to define and document ownership rights. In the South African example, 'colonial and apartheid rule continued to strengthen the links between national sovereignty and control over land' (Wisborg, 2006: 136). The example of South African land possession will be discussed later, but state control of land within its boundaries is the status quo in many countries around the world. Investors or developers can then for example buy land from the state and build houses on the land which they can then sell to willing buyers. The purchaser of the house would then have 'title' or 'tenure' of the land. Tenure can be defined as 'the legal right to occupy property or land or the continued right to continue renting property' (Republic of South Africa, 1996b: Section 4.1.15). The main forms of tenure will either be 'freehold or leasehold.'

'The owner of freehold has the right to occupy and use the land, to transfer the title in whole or in part or by will and to create lesser interests out of it such as periodic tenancies, other leaseholds and life interests' (Mackmin, 1994: 5). If a freeholder were to die before having made out a will or not have any living relatives who could inherit under the rules of intestacy, then the title would revert to the state (Mackmin, 1994: 5). Leasehold is 'a contract by which the owner of land allows another person to use it for a specific time, in return for rent' (Mackmin, 1994: 6). 'A lease for ten years is considered to be a "long lease" and must be

registered with the registrar of deeds' (Van den Berg, 2003: 3). The registrar of deeds is an agency that is responsible for land registration and cadastral surveying. These terms all relate to housing and what could be considered as a legal urban dwelling. So what is considered an illegal urban dwelling or settlement?

The definition used for the term '**slum**' is generally not the definition used for an '**informal settlement**' in South Africa and other parts of the world, although there is substantial overlap between the two terms. Probably the most inclusive and comprehensive definition of a slum or an informal settlement is that of the Target 11 grouped under the Millennium Development goal (MGD7). The United Nations Development declaration in 2000 which hoped to achieve a 'significant improvement in the lives of at least a 100 million slum dwellers as proposed in the "cities without slums" initiative, assembled a special task group to define the term 'slum' (Huchzermeyer & Karam, 2006: 2). The UN-HABITAT (Augustinus, 2000), states that a slum meets the following criteria: lack of basic services (restricted access to running water and sanitation facilities), inadequate building structures, overcrowding, unhealthy and hazardous conditions, insecure tenure and poverty and exclusion.

Similarly, in Mike Davis's 'Planet of Slums' (2006: 13), a slum is defined as a settlement with characteristics of overcrowding, poor or informal housing, inadequate access to safe water and sanitation and insecurity of tenure. In one of South Africa's recent National Housing Programmes (Republic of South Africa, 2004b), 'an informal settlement is defined as typically manifesting the following characteristics: illegal and informal dwellings, poor or dangerous location of settlement, restriction of public and private investment due to its illegality, poverty and vulnerability and due to demarcated roads, poor lighting, underdeveloped public open space.' An informal settlement will also be characterized by crime and social stress. Mokoena & Marais (2007: 320) suggest that another issue that characterizes an informal settlement is the lack of well-located land on which they have to reside. 'Access to well-located land closer to the city remains a fundamental challenge with regard to the issue of informal settlements' (Mokoena & Marais, 2007: 320).

John Abbott (2003: 2), a respected urban engineer defines informal settlements as characterized by 'residents who live on a portion of land and do not have legal tenure to the land that they occupy, the settlements that the people live in lie outside the formal planning process and as a result they usually lack or have very low level of basic services such as water

and sanitation.' Abbot also mentions that informal settlements are built out of very basic materials. Paul Jenkins (as cited in Huchzermeyer & Karam, 2006: 85) states that the key defining feature of informality 'refers to activities that are not authorized by government, whether through laws or other forms of regulation.'

Another interesting perspective is 'Turner's theory on housing development' (Mehlomakulu & Marais, 1999: 93). Here it is suggested by Turner that the value of a house lies in what it does for people rather than how it looks from the outside. The function of the house can thus not be equated with the material standard of the structure, in other words, the structure is less important. 'In fact Turner believed that the physical appearance should be the last aspect to consider in defining a house and rather argued for access to employment, services and social amenities as more important considerations (Mehlomakulu & Marais, 1999: 93).

So although there is some disparity in the definitions, there are reasonably consistent characteristics that define slums and informal settlements and both terms can be used synonymously. Responding to the literature, it could be considered fair to regard the main underlying characteristic of informal settlements as the illegality of tenure. The other characteristics that receive regular mention are stipulated by Moreno (2003: 7):

- Poor or no access to water
- Poor or no access to sanitation facilities
- Overcrowding
- Poor quality of the structure and durability of the structure

A different interpretation is that of 'adequate housing,' which is defined by UN-HABITAT as:

> 'permanent structures that comply with codes, standards and by-laws, a maximum of two people per habitable room or a minimum of five square meters of floor area per person, a documented and enforceable tenure arrangement (for example ownership or rental), a household water connection or access to at least 20 litres of water person a day within acceptable collection distance and an acceptable level of sanitation for example public sewer, septic tank or ventilated improved pit

latrine (either private or shared by a maximum of two households) (Smit, 2007:
13)

Martin and Mathema on some African case studies (as cited in Huchzermeyer & Karam,
2006: 139) speak of 'proposals for upgrading' that can also help to distinguish formal
dwellings from the informal. A first motivation would be a political one, where elected
politicians would want to demonstrate 'development' during their stay in parliament. So the
focus here would be on underdeveloped areas. A second motivation would be a 'social
responsibility angle' where wealthier parts of society would like the poor sections of society
to at least be supplied with basic services and facilities. So here the focus would be on
services. Finally a third motivation would be one from a 'control angle' where control would
be needed for public health and to prevent illegal occupation. The final motivation could be
seen as making a point for health issues and legal tenure. Thus it would not be unfair in this
instance to characterize an informal settlement as underdeveloped, in need of basic facilities,
and a settlement that has challenges with regards to health issues and legal tenure.

The issue of illegal tenure is important, because this is not only the cause of some settlements
being regarded as illegal, but also some dwellings when the issue of backyard shacks comes
up. When entering discussions of informal settlements, the issue of backyard shacks or
backyard slums will form part of the discussion. An example as is described in the Housing
Code of South Africa (Republic of South Africa, 2004a: 2), 'persons who do not have place of
their own and who may live in hostels, backyard shacks and various other forms of
accommodation are considered landless people.' In the South African example, if they
comply with several other conditions for the people's housing process in South Africa, these
individuals would be able to apply for a government subsidized house (Republic of South
Africa, 2004a: 2). So it is possible for an informal dwelling not be situated in an informal
settlement. Backyard shacks can be situated in the backyard of a legal owner, but can still be
considered informal dwellings if the backyarder does not formally own the property or if the
house does not comply with one of the other characteristics stated by Moreno (2003).

In Cape Town as an illustration, there are large numbers of households in backyard shacks
(Smit, 2007: 13) and backyarders are also increasingly becoming a bigger challenge. It is not
only backyard shacks that are forming, but as is the case in Cairo and Phnom Penh, 'recent
urban arrivals squat or rent space on rooftops: creating slum cities in the air' (Davis, 2006: 6).

So it should be clear that informal dwellings are not only to be found in informal settlements, but could take on several other forms.

In a majority of cases, the main defining characteristic of informal houses is illegality. A residing occupant that does not have tenure or formal title to the land that he/she is residing on can be considered by the state as living on the property illegally. A recent study published in the Harvard law Review, claimed that 85 percent of urban residents from the developing world occupy property illegally (Davis, 2006: 1). 'Primarily as a result of their illegal status, most informal settlements are typified by the absence of formal planning and incremental, unplanned growth (Republic of South Africa, 2004b: 10). How exactly can a household come to hold a property illegally?

The characteristics which are generally used to define informality and aspects of illegality that go along with it, relate to aspects referred to previously such as invasion of land against the owners permission, land sold with defective title, settlement not conforming to local authority land use controls and the dwelling not conforming to building regulations (Payne as cited in Augustinus& Lacroux, 2003: 4).

So it should be clear that within this formal-informal divide the formality or informality of a dwelling is intrinsically linked with the legal-illegal status. Formal-informal definitions at times struggle to maintain a demarcation point and the distinction is somewhat blurred. The legal and illegal status of a dwelling helps to clarify the line. Illegality has an inherent repressive connotation. 'Illegality is what we must not do and what does not conform, according to jurists, and that which lies outside of the law.' Thus illegality is something determined by the state. (Durand-Lasserve & Tribillion, 2001: 2).

Illegality can have different meanings for those who live in illegal dwellings. One resulting meaning of illegality would be that of repression. Repression can be dealt in physical or psychological terms. An example is a 'situation marked by the repressive character of the reactions enforced by public authority and consequently by the precariousness of the settlement and occupancy of it (Durand-Lasserve & Tribillion, 2001: 3).' Thus, if so wished by the public authority, it can tear down or demolish the given settlement. A second form of repression, although not so outwardly frightening would be harassment. Physical or psychological harassment has destructive social and economic outcomes at settlement level.

A second meaning described by Durand-Lasserve and Tribillion (2001: 3) 'reflects the abnormality and marginality of settlements. Some illegal settlements are tolerated and not threatened by eviction, but due to its illegal status, the settlement cannot expect to be provided with infrastructure or to be provided with facilities or improvements of these. Informal settlements just do not [receive] benefit of those services that are provided for the formal settlements.' It is as if informal settlements are being punished for not being 'normal.'

Fernandes and Varley (as cited in Augustinus & Lacroux, 2003: 5) when analyzing Brazil, Mexico and Kenya, show that squatter and slum settlements have been marginalized and excluded from the city as a whole, largely because they have not been seen to be adding value and are not seen as conforming to the norm. There would thus be a probable move from the state to try to mobilize individuals to obtain formal housing. Although most states perceive informal settlements as an illegal entity that does not help in maintaining itself financially, there are some groups or individuals that hold alternative points of view.

A notable point (at least from a state's point of view) is that informal settlements are in some cases not seen as a market failure. Informal settlements are in some cases as economically useful because they provide low-cost housing options to the poor and sometimes 'saves' the state from providing houses for everyone. In many instances those living in informal settlements, also provides a source of cheap labor, because the informal dwellers need to earn money to attend to their basic needs. So for many countries it is economically viably to maintain informal settlements (The Economist, 2007: 6).

This might be the reason why several states around the world are procrastinating with the housing provision process. The state is aware of informal settlements, but due to hidden logic shows a 'blind eye' to these processes. In many countries the state would claim that an informal settlement does not exist, and so the government provides nothing. This is the case in Kiberia in Kenya. The government provides no basic services, no schools, no hospitals, no clinics, no lavatories, and no running water. Government does however own almost all the land, so if you want to put up a shack, you must go to a civil servant in government and get his permission (The Economist, 2007: 6). These are the problems informal dwellers have to deal with.

2.3   Industrialization, urbanization and the rise of informal settlements world-wide

'The first published definition of 'slum' allegedly occurs in Vaux's 1812 *Vocabulary of the flash language,* where it is synonymous with 'racket' or 'criminal trade. By the cholera years of the 1830s and 1840s, the poor (referring mostly to Britain) were living in slums rather in than practicing them (Davis, 2006: 4). It was however not until some decades later that slums or informal settlements became a challenge to states. But why? Why have informal settlements or slums only been recognized in the last century or so and not for the centuries before?

The short answer to the question above would be 'urbanization.' The question can then be asked why did the earth's population begin to urbanize so rapidly at a certain stage? The short answer to this question would be the 'industrial revolution.' The end of the 18th century is probably more popularly characterized for the French revolution with its images of freedom, equality and brotherhood. In England though, there already was another revolution that had gained ground (after its inception a couple of decades earlier) namely the industrial revolution (Belchem, 1991:16). The foundation of the industrial revolution in England was no coincidence. The country had a massive stock of some of the most important materials in industrial development, namely coal and iron ore. The minerals that were cultivated along with creation of the steam engines and the formation of railway lines (for much faster and more accessible transportation), were integral for the development of the industrial era (Belchem, 1991: 18).

After the initial phase, factories were emerging everywhere due to knowledge that the new machinery could only be used economically in bulk and put into work in either big or multiple factories. Within a couple of decade's home industries had almost completely disappeared and thousands of artisans who had been left jobless were forced to work in the factories in cities. The new social position that had emerged in the factory cities was known as the working class, or proletariat (Belchem, 1991: 19). Population growth in the rural areas consequently resulted in fewer work opportunities, which was the catalyst for the massive migration over the years from rural to urban areas. So, in search of jobs and money, people streamed to the city. To take Britain (probably the earliest example of urbanization) as an example, industrialization led to a large number of cities developing and thus more people moving from

rural to urban (Belchem, 1991: 20). The developed countries urbanized much more rapidly than developing countries. Some developing countries only commenced urbanization many decades later. For example, in South Africa the discovery of diamonds next to the Orange River in 1867 and gold in the Witwatersrand in 1886, was the pillars of South African industry that led to rapid urbanization.

Even cities like Cape Town could barely be described as a city in 1870 (Buttner, 1979: 861). It was only in the 1870s and the 1880s that urbanization came into effect in South Africa (almost a century after it came into effect in Britain). Small mining towns sprouted up in the Northern Cape land and Transvaal (Gauteng). Large number of immigrants streamed through the South African borders and rural farmers moved to the cities in search of a better income (Buttner, 1979: 862).

 'Despite standing out as centers of civilization and economic activity for many millennia, cities never attracted more than 10 percent of the global population until the last half of the 19th century. In 1970, 37 percent of all people lived in urban areas and in the year 2000, 47 percent lived in cities [see *table 1 below for some recent and predicted slum statistics*]. This trend will continue and grow out of all recognition with 95 percent of the population increase will be absorbed by cities during 2000 -2030 (Moreno, 2003: 15).' It is estimated that in the next year (if not already) the world's urban population will outnumber the rural (Davis, 2006: 14).

> 'In 1950 there were 86 cities in the world with a population over one million, today there are 400 and by 2015 there will 550. The present urban population (3.2 billion) is larger than the total population of the world in the 1960. This is all while the rural countryside has reached its peak number and will actually start to decline after 2020. Cities growth is expected to peak in 2050 (Davis, 2006: 16).

The table below illustrates slum/informal settlement populations world-wide that can be compared to some of the statistics in the next chapter on South Africa and Cape Town.

Table 2.1: The urbanization of poverty: The growth of slum populations (1990–2020)

	Total slum populations (millions)					Slum populations as a percentage of urban populations	
	1990	**2001**	**2005**	**2010**	**2020**	**1990**	**2001**
World	715	913	998	1245	1392	31.3	31.2
Developed regions	42	45	47	48	52	6	6
Transitional countries*	19	19	19	19	18	10.3	10.3
Developing regions	654	849	933	1051	1331	46.5	42.7
Northern Africa	22	21	21	21	21	37.7	28.2
Sub-Saharan Africa	101	166	199	250	393	72.3	71.9
Latin America and the Caribbean	111	128	134	143	163	35.4	31.9
East Asia	151	194	212	238	299	41.1	36.4
Southern Asia	199	253	276	308	385	63.7	59
Southeast Asia	49	57	60	64	73	36.8	28
West Asia	22	30	33	38	50	26.4	25.7
Oceania	0	0	1	1	1	24.5	24.1

Source: UN-HABITAT (2007b: 1)

'Thirty-six percent of Asia's 3.5 billion people lived in urban areas in 2001and more than 42 percent of the continent's 1.3 billion urban residents lived in slums. Currently it is estimated that one out of every two slum dwellers in the world are in Asia (Moreno, 2003:30). 'In comparison however, no continent is urbanizing faster than Africa. One reason for this would be partly statistical, because Africa has been the slowest to get started (The Economist, 2007: 6). Another reason would be that parts of Africa such as the Sahel have been affected recently by severe climate change, making marginal land unfarmable (The Economist, 2007: 6). Also internal fighting in countries such as Angola and Congo has driven people to the cities. Nairobi also contains what is considered Africa's largest, densest and poorest slum, situated in Kiberia. Nearly 100 percent of those residing in Kiberia are considered to live in a slum (The Economist, 2007: 6).

Almost the same situation exists in Mumbai where you have approximately 18 million people and nearly half of them in slums. Governments however are slow in reacting to the vast number of slums because slums provide services that the state does not provide and also houses cheap labor (The Economist, 2007: 7). This might be a contributing factor to slow slum eradication.

So why are settlements growing at such a fast pace in urban areas? Except for the migration from rural to urban as discussed earlier, the problem also encompasses financing and

availability of land. 'Land is a commodity available to the rich and the middle class but not to the poor. On the one hand you have private land owners who want to get the highest return for their land and generally speaking, poor people can not match up to the prices set' (Abbott, 2003: 5). Also, some of the cities just do not have the structures in place to accommodate the huge number of immigrants.

The situation mentioned above leads to poverty. Poverty, which has been long associated with the rural areas, is becoming all the more urbanized. It is estimated that by 2020 the current level of 30 percent urban poverty in the world could reach 45 to 50 per cent of the total population living in cities. That is about 400 million households as compared to 128 million households in 2000 (Moreno, 2003: 9). Poverty in cities could be characterized by the following:

- Large and growing backlogs in delivery of basic services
- A decrease in legal tenure, homelessness, overcrowding, environmental health problems etc
- Increased vulnerability to environmental shocks and natural disasters
- Increasing inequality and violence impacting disproportionately on women and the poor
- Lack of participation by communities (Moreno, 2003:9)

An aspect that is adding to the problems and challenges of the informal dweller is that of globalization. Although globalization has some positives aspects, such as international networking between slum-dwellers, primarily through Slum Dwellers International, globalization processes sometimes undermine the same advantages (Huchzermeyer, 2006). 'In the globalization market, the market is not seeking to expand the consumer base or widening the range of consumers, but narrowing down its consumer base to one more sharp and elite that can compete for properties at the highest prices (Huchzermeyer, 2006).' In relation to informal settlements, marginalization must be understood as some households being seen as marginal in comparison with what is in the interest of the global market. The global market could thus be seen as marginalizing and increasingly disadvantaging the poor even more, and this percentage of poor is growing (Huchzermeyer, 2006).

2.4 Theories on stakeholder viewpoints and approaches to housing delivery

The next section deals with theoretical perspectives on stakeholder viewpoints and the possible approaches to housing delivery in Cape Town. Attributes such as power, legitimacy via institutional affiliation (direct or indirect) and urgency/interest are identified as reasons why stakeholders could hold different or similar viewpoints on housing delivery. Then two approaches, namely a market-led and state-led approach are identified. These approaches claim to describe how urban housing could be delivered and propose policies associated with it. The stakeholder attributes and approaches to housing delivery can be linked.. This will be discussed in the conclusion of this chapter and will be applied to my interviews and focus group transcriptions and discussions in chapter 4 and 5.

2.4.1 A 'normative theory of stakeholder identification'

As mention in earlier, a stakeholder can be defined as 'an individual or group influenced by – and with an ability to significantly impact (either directly or indirectly) – the topical area of interest.' Freedman and Read (as cited in Wood, 1997: 853) also define a stakeholder as 'an individual or group who can affect the achievement of an institution's objective or who is affected by the achievement of the institution's objective.' It is clear that the four chosen stakeholders of my study can then be regarded as stakeholders in the housing delivery process although they differ in many instances. But why do they differ? Do they have similarities? Do the social attributes of a stakeholder play a part in viewpoints on housing delivery? If not, why do stakeholders perceive informal settlements differently, or perhaps their perceptions are similar? Wood (1997: 864), when thinking of using the term stakeholders, raises the question of who or what are stakeholders in a certain process? 'This question calls for a 'normative theory of stakeholder identification' where it is explained logically why certain classes of entities should be seen as stakeholders (Wood, 1997: 853). The analysis is started by looking at Freeman's (as cited in Wood, 1997: 854) definition of a stakeholder where 'any group or individual who can affect or is affected by the outcome of a certain process' can be regarded as a stakeholder. It is proposed that classes of stakeholders can be identified in one, two or all three of the following attributes: *power*, *legitimacy / institutional affiliation* and/or *urgency / interests*.

In order to clarify the term 'stake,' a distinction must be made between groups that have a legal, moral or presumed claim in the process, and Wood (1997: 859) argues that two attributes are necessary to identify a stakeholder: 1) a claim, and 2) the ability to influence a process. Whether the proposed stakeholder has an actual or potential relationship in the process and what the nature of the process is must be examined. One needs to know whether the potential stakeholder will play a direct or indirect role in the process and how the stakeholder will influence the process or how the stakeholder will be influenced by the process. It is also necessary to be aware of processes in place that regulate the stakeholder in power. Otherwise the process will be disrupted. It is also necessary to recognize the legitimacy of some claims over others.

'Central agency, resource dependence and transaction cost theories are particularly helpful in explaining why power plays such an important role for stakeholders' (Wood, 1997: 863). If the stakeholder has resources available and an ample amount of capital, it puts the stakeholder in a very powerful position. This combined with central agency where the stakeholders in power can either punish or reward those working under it, makes this stakeholder almost impervious to the other stakeholders in the issue. The state, although in a position of power due to its access to resources, central agency and access to capital, is regulated by civil society (at least in a democracy) and by those who are legitimately affiliated with state processes.

The notion of legitimacy, 'loosely referring to socially accepted and expected structures of behaviours, often is coupled implicitly with that of power when people attempt to evaluate the nature of relationships in a certain issue' (Wood, 1997: 866). Weber's (as cited in Wood, 1997: 688) proposal that legitimacy and power are distinct attributes that can combine to create authority, but also can stand independently, is important to note. 'An entity may have legitimate standing in a certain issue, but unless it has either power or legitimate institutional affiliation to enforce its means, it can not go ahead.

The final attribute of a stakeholder is that of urgency and interest that a stakeholder holds in a certain issue. First of all it should be clear that many parties can have an interest in a certain issue, but when a situation is urgent for a party, they definitely should be included as a stakeholder in the process. Urgency is defined as 'calling for immediate attention or a pressing issue and it is believed that urgency applies when: 1) a relationship or claim is of a time-sensitive nature and 2) when that claim or relationship is important or critical to the

stakeholder' (Wood, 1997: 867). Although time-sensitivity is necessary, it is not sufficient to identify a stakeholder's claim as urgent. In addition, the stakeholder must view its relationship with the issue at hand as critical or very important (Wood, 1997: 867).

Power, legitimacy by institutional affiliation and urgency or interest thus could play an integral role in how the housing delivery process and informal settlements are perceived, but it should also be recognized that these attributes overlap in some cases and no stakeholder can clearly be characterized as representing only one of the given attributes. With these attributes, approaches on how the housing delivery process should be managed or what methods are to be used with regards to informal settlements could be divergent. Before I go on to show how the attributes relate to the approaches, the approaches must first be explained. These are just some of the approaches on how to attend to housing delivery and can by no means be seen as exhaustive. Some stakeholders might have alternative approaches to housing delivery.

2.4.2   A market-led approach

A market-led approach is probably the most basic and simple approach to housing provision. It is based on a 'willing-seller, willing buyer' principle (Borras, 2003). Here the private sector (investors and developers that buy land from the state), can freely build houses on the land that they have purchased and sell the property at what should be considered market value (Mackmin, 1994: 6). It is up to the individual investor or developer whether he/she would like to build houses that accommodate high, middle or low-income groups. Since most investors or developers would like to make the biggest profit (in a capitalist country), the majority supply housing for the high and middle-income groups. They can then sell the houses at a high price and make a large profit. Building houses for the low-income groups or those that are considered poor, would not deliver a large profit especially since subsidy grants from government are seen by many contractors as inadequate (as is the South African example) and thus most investors and developers do not accommodate the low-income groups. An open market is characterized by 'the best price at which the sale of an interest in the property might reasonably be expected to have been completed unconditionally for cash at the date of valuation assuming factors such as a willing seller, proper marketing of the interest, state of the market on an earlier date of exchange of the contract, considered the same as the date of valuation,' etc (Mackmin, 1994: 5). Using this method can then be described as a 'market-led approach' to housing.

To take South Africa as an example, based on the White Paper on Housing (Republic of South Africa, 1997) policy framework and the Housing Act of 1997, over the past decade housing provision in South Africa has been market-based, private sector led and mainly geared towards one form of tenure, namely one-house and one-plot individual ownership (COSATU, 2005: 1).' In South Africa there is a large demand for low-cost housing, and this could mean an overwhelming number of low-income houses for the market to supply.

So the market-led approach speaks to two propositions that can be divided into a formal approach and an informal approach:

1. The first is the formal market-based economy, where houses can be sold and bought on a willing buyer – willing seller basis

2. The second refers to the proposal that the development of informal dwellings should be considered part of the market, although it is not part of the formal processes. An example of this can be seen in a study of shack housing delivery in Metropolitan Durban. Boaden (1987) claims that people living in informal or shack areas make use of an informal economy that runs independently from the formal economy. Within this informal economy there are informal builders and material suppliers (such as supplier/demolishers or informal building material merchants) that are drafted for building shacks (Boaden, 1987: 42). The builders normally (although usually unskilled and unqualified) obtain building resources from informal, second-hand dealers or local depots. In Boaden's study approximately half the dwellings were built by the owners themselves and the other half were built by informal builders employed by the owner (Boaden, 1987: 51). The builders receive remuneration for their work and form part of the informal market economy.

Another method of adding to the informal market would be by means such as those described by economist Herman de Soto. De Soto claims that a solution to global poverty would be to 'give poor people individual titles to land so that they can access credit, loans and investment' (Cousins & Hornby, 2007). De Soto's approach is intended to capitalize the poor 'as in the west where every piece of land is documented as part of a vast legal process that endows owners with the potential to use it as collateral or capital' (Cousins & Hornby, 2007). Although De Soto's suggestion is a way to involve the poor in the market, the idea of granting

the poor title to land that they actually do not own, is a manner of placing some control and potential money in the hands of the poor. This can be deduced because of the possibility of the state refusing the poor title to the land, then evicting them from the land, claiming the land and selling the land to a rich developer which would be financially more beneficial to the state. De Soto's theory should thus assist impoverished individuals in accessing the market and providing some sort of means for themselves.

For many countries it is economically viable to maintain informal settlements (UN-HABITAT, 2007). The resulting formation of informal settlements when not all individuals can afford houses within the market, can be seen as a form of human inventiveness that supplies low-cost housing. This should also benefit the state since houses are built which the state does not have to supply. It is also cost-effective for the state since informal houses are built at a much lower cost than the state would ever be able to supply it. So this would suggest that informal dwellings should not be formalized, but left as an integral part of a country's economy (Abbott, 2003: 4)

2.4.3   A State-led approach

As described earlier, the state can be defined as 'a central authority of government, an administrative hierarchy, a monopoly on the legitimate use of force and territorial sovereignty' (DunLeavy & O'Leary, 1987: 1). 'The state provides the legislation relating to the use and even ownership of the land and controls the legislation' (Dixon-Gough & Bloch, 2006: 1). The state thus has power to maintain or deplete (of course within the jurisdictions of law or constitution) elements within its country's boundaries. One of the roles of the state is the protection of individual property rights and ownership (Dixon-Gough & Bloch, 2006: 3), but also to assist those that can not gain access to legal property. Thus in contradiction with an open free market where houses are built, sold or allocated independent of state control, within a state-led approach, the state would order, control, build, allocate and sell houses by virtue of their own means and methods. When there is a shortage of housing, it is also the task of the state to supply houses (as it is stated in the South Africa constitution) whereas a capitalist market has no obligation to supply houses. The state-led approach to housing can however be done with varying degrees of 'pro-poor' policies that are intended to assist the urban poor. To illustrate some different approaches that can be used as a 'state-led approach', I have taken some examples. The first is the current South African policy which, contains elements of a state-led approach:

In South Africa it is a human right to obtain and maintain a house. The 'governments primary housing objective is to undertake housing development. Section 1 of the Housing Act, No. 107 of 1997 states that it is a resident's human right to have access to permanent residential structures with secure tenure, ensuring internal and external privacy and providing adequate protection against the elements …' (Republic of South Africa, 2004b:1).

Thus if residents within the boundaries of South Africa do not have access to adequate housing, they are eligible to apply for a housing subsidy (Republic of South Africa, 2004b:1). So where residents are in need of houses, the state must supply (through laws, legal processes and policies). South Africa's example is not entirely state-led, however, since a project such as the 'Cape Gate: Breaking New Ground' (BNG) initiative, is a partnership between the state and the private sector to relocate informal dwellers along the N2 national highway to other identified areas. In South Africa there is a large backlog of houses to be supplied to informal dwellers. This may be due to reasons of poor management of resources from the government's side, poor management of budgetary financial issues, budget constraints, corruption within the government system or network itself, or due to poor implementation of certain policies such as the affirmative action policy (Dixon-Gough & Bloch, 2006). Thus there are some critics of the South African approach (and maybe of some state-led approaches in general) and some other alternatives could be suggested in how to manage the backlog of houses more adequately.

One such approach would be a more effective use of government tax as a form of capital to support those considered poor. This does not necessarily mean that the middle class, upper class and elites should be taxed more (however this is an option), but rather just a suggestion to make a larger portion of the received tax available for the needs of the poor such as housing, job creation or improvement of facilities.

Another possible approach would be to use something such as a PPP (Private-Public-Partnership) more effectively. The state and the private sector could work in a closer more cohesive style to provide housing for urban poor and attempt to involve communities more effectively. The sharing of ideas and a more equal spread of housing delivery (such as assisting in informal market processes) could benefit the poor. An example of this could be something such as the Sotho expression of 'Batho Pele' that has been set in motion by the

South African government. 'Batho Pele, meaning 'putting people first,' is an initiative that was developed by the South African government to improve and maintain an acceptable standard of service delivery aligned with constitutional ideas such as promoting high standards of professional ethics, providing service impartially etc' (Bato Pele, 2007). One of the eight principals of Batho Pele is that of consultation. In this principle users of service delivery are consulted through methods such as customer surveys, individuals interviews, group interviews and holding meetings with consumer representative bodies, NGOs and CBOs (Bato Pele, 2007). 'Consultation is a powerful tool that enriches and shapes government policies such as the Integrated Development Plans (IDPs) and its implementation in Local Government sphere' (Bato Pele, 2007). Although the success of this specific initiative can be questioned, an approach where the working class and the poor could be more profoundly involved in decision making (such as asking to assist informal builders in delivering houses) could lead to a more efficient housing delivery system.

2.5   Conclusion

In this chapter, key words such as informal settlements, informal dwellings, industrialization, urbanization and other related terminology were defined. Although there are variations of the definition, informal settlements are generally recognized by the lack of legal tenure, inadequate facilities as well as not conforming to building regulations. The concept of illegality thus plays a crucial role in a dwelling being considered informal. This was followed by a discussion on the world's rapid urbanization rate, this being considered the main contributory factor to the formation of informal settlements. Shortly, for the first time in the earth's history there will be, percentage-wise, more urban than rural residents. Some of the statistics can be seen in table 1.1

The chapter draws to a close with a discussion of possible attributes that could be responsible for disparity in stakeholder views on housing delivery. This is done by virtue of a 'normative theory of stakeholder identification,' where attributes such as power, legitimacy by virtue of institutional affiliation and interest/urgency describe why different stakeholders might view housing delivery differently. This is followed by approaches that claim to describe the urban housing delivery process and the proposed policies associated with it. A market-led approach claims that a country with a market-based economy should be able to supply houses to all through a 'willing buyer, willing seller concept,' but that there is also an underground

informal market that exists, which in turn could also make a case for the acceptance and permissibility of informal settlements. The state-led approach claims that when the market fails to supply houses to all that the state should intervene. The intervention could however be done on various levels.

The attributes of stakeholders and approaches to housing delivery could relate and be linked to each other. A stakeholder (such as for example the state) who has a reasonable amount of power in a process and understands what it entails and envisages what it might cost to go through with a process such as housing delivery might want to shift the responsibility of the task. Those with legitimate access via institutional affiliation might want the stakeholder with the most access to resources and capital to mange the situation, whilst those with interest that are urgent would want the stakeholder who has the most power and authority (as well as resources and capital) to make legitimate and valid decisions/actions to handle the situation, and would thus suggest a state-led approach. I will use these attributes of stakeholders and approaches to housing delivery in chapter 4 (where stakeholder views are expressed) to explain why there are different viewpoints and how this could relate to the potential approaches they suggest for housing delivery.

CHAPTER 3:
URBAN POLICY AND PRACTICE CONCERNING HOUSING DELIVERY IN CAPE TOWN

3.1 Introduction

The chapter firstly deals with some of the relevant history of South Africa and Cape Town to give context to the current housing situation in Cape Town. The first section describes some of the racially based laws that segregated the population and kept certain ethnic groups out of the city. In Cape Town, coloured people did receive some opportunities, but virtually none were afforded to blacks. As a result large coloured informal settlements formed during the 1960s and 1970s in Cape Town (which would have implications for the structure of Cape Town in later years) and black informal settlements only developed a couple of decades later. The second section deals with the housing situation in Cape Town after 1994 and speaks of the new government and migration streams into cities which multiplied. Not only new housing policies had to be formed but urban policies as well. The urban policies aim to address the spatial arrangements and integration, and suggest services as important together with housing delivery. There have been questions about the success of implementation.

The South African government formulated a capital-subsidy policy where identified individuals could register to obtain formal ownership of a formal low-cost house that was supplied by the government. This can be best described as a 'once-off subsidized capital grant, meaning that the beneficiary only receives this grant once and can not apply for it a second time. It is subsidized capital that goes to the contractors who builds the house for the beneficiary and it is a grant and thus does not have to be paid back. During the first decade after the official end of apartheid in 1994 a complex mix of politics, policies, job allocation from the different spheres of government and human intervention has made for a difficult situation to manage in Cape Town. The third section discusses specifically the state of matters in Cape Town and how the complex web of national, provincial and local government manages housing delivery. The chapter comes to a conclusion with some statistics on informal dwellings in Cape Town.

3.2 Context and Policy before 1994

South Africa has a rather unique historical background, and to unpack the situation of housing in the country and Cape Town today, a closer look needs to be taken at some of the relevant history and laws in the twentieth century that had an impact on Cape Town's housing situation and how South Africans have come to live in the complex multi-racial society that they live in today. In Cape Town alone there are at the moment approximately 222 informal settlements (Small, 2006: 22) with similar numbers in the rest of the country. Part of South Africa's and especially Cape Town's sudden increase of informal settlements since the 1990's can be attributed to some of the earlier legislation in the 20th century.

When the Union of South Africa was formed in 1910, the creation of many racially-based laws intensified. This not only separated the population of South Africa, but also separated access to basic facilities according to race (Cameron & Spies, 1986: 231). One of the first racially oppressive laws introduced, was the 1913 Land Act no 27. This was followed in 1936 by the Trust and Land Act no 18 (Augustinus, 2000: 1). 'These two land acts also [have] other implications for black South Africans as most of the areas they could legally occupy were in rural parts. This would later have enormous implications for cities. Blacks were only allowed as 'temporary residents' in towns and cities which [were] designated for white, coloured and Indian ownership (Augustinus, 2000: 1). These measures would later become more stringent with the introduction of the Black (Urban areas) Act (1923) and the Group Areas Act (GAA) (1950) (Durand-Lasserve & Royston, 2002: 1).

In 1948 the National Party won the elections and 'began passing legislation codifying and enforcing an even stricter policy of white domination and racial separation known as Apartheid (Separateness) (Cameron & Spies, 1986, 238). 'Urban planners drew up schemes comprising the 'ideal apartheid city,' and taking their geographical circumstances into account, local authorities had to make every effort to follow this model' (Newton & Leuven, 2008) 'One of the central characteristics of urban Apartheid in South Africa was the forced evictions of black South Africans from their homes where freehold settlements such as Sophiatown, Lady Selbourne, Marabastad, District Six and Cato Manor were destroyed and black residents were forced to move to formal townships' (Durand-Lasserve & Royston, 2002: 1). This was legally sanctioned by statutes such as the Black Urban Areas Act and the Group Areas Act. 'Shack areas were torn down and the residents were moved into segregated

townships (Durand-Lasserve & Royston, 2002: 1). Almost all black residents were evicted from the urban areas and were removed to the 'homelands,' small areas of mainly rural land set aside for black people's occupation. These acts effectively meant that 87 percent of the country was reserved for whites, Indians and Coloureds, but mostly whites (Augustinus, 2000: 1).' Black South Africans, who accounted for approximately three quarters of the population, were limited to 13 percent of the country's land. Some of the most important Apartheid legislation (1949 -1961) was:

- Law no 55 of 1949: Prohibition of Mixed Marriages Act
- Law no 30 of 1950: Population Registration Act
- Law no 41 of 1950: Group Areas Act
- Law no 46 of 1951: Independent Representation of voters Act
- Law no 52 of 1951: Prohibition on Unlawful Squatting
- Law no 67 of 1952: The Pass Law Act
- Law no 49 of 1953: Separate Facilities Act
- Law no 3 of 1961: Communal Coloured reserves Act (Cameron & Spies, 1986: 278).

As can be seen from the above, there was a very clear move to separate whites from other ethnic groups and keep these groups out of the cities (especially since the number of black South Africans was growing) and in segregated rural residential areas. For the purposes of my study, it is also significant that squatting was illegal and that is why South Africa's metropoles were relatively shack free until nearly the end of the 20th century (Pillay et al, 2006: 14).

From 1948 onwards, coloureds were the majority population in Cape Town (Western, 2002: 711). With Apartheid's 'forced removal' laws of all 'non-white' race groups, the majority of removals in Cape Town were coloureds (Western, 2002: 713). During these years, Cape Town's population differed vastly from other large South Africa urban areas. Although black Africans made out almost three quarters of the South African population, in Cape Town they only comprised approximately 15 percent, whites 30 percent and coloureds 55 percent (Western, 2002: 713).

Also under Apartheid policy, coloureds were granted title to rural land in the Cape, and towns in these regions reflected the 'consequences of Apartheid's spatial policies' (Bekker &

Cramer, 2003: 113). This was all part of the Coloured Labor Preference policy where jobs were first offered to whites and if no whites were available, then jobs were offered to coloureds. Only then if no one was able to fill the position, a black person would be drafted for the work and this would be after a rigorously documented process (Western, 2002: 713). It was especially at an urban level that residential areas were segregated by racial categories of the state. 'The repressive nature of the policy, which aggravated black housing shortages as well as restricting occupational mobility and the raising of squatter camps in the Cape metropolitan area, saw coloureds rather identify with the victims rather than the authorities (Lemon, 1987: 260).' There were also large coloured informal settlements developing in Cape Town during this period.

Former demarcated areas for coloured people such as Mitchells plain and Bluedowns which were large municipal-led housing projects to meet the big housing shortages at the time (1960 – 1980), still have largely coloured populations today and contain very few black individuals or families (Bekker & Cramer, 2003: 119). These towns have almost reached their peak in population, and with coloureds feeling unwelcome in 'black' townships such as Khayelitsha, coloured people have began to migrate and house themselves outside of the City of Cape Town in other areas of the Western Cape (Bekker & Cramer, 2003). Coloureds made up the majority of the population in the city as well as throughout the Cape region in the 20th century (Bekker & Cramer, 2003: 106) and the population has urbanized steadily during this period. The proportion of coloureds living in the Western Cape, are about 85 percent (Bekker & Cramer, 2003). Towards the end of the century, black townships in the city began to grow. In the 1970s an informal settlement named Crossroads developed near the Cape Town airport. Crossroads was instrumental since it fed Khayelitsha, which is now the second biggest township in South Africa today.

'Crossroads began to form when workers were told to leave a nearby white farm and move to 'the crossroads' (Cape Town History and Heritage, 2008: 1). The moved individuals felt that there was more scope and space for creating individual homes than in the nearby township, Guguletu. Crossroads survived many eviction orders through support groups and protest and a campaign by the Black Sash in 1978 which forced Crossroads to be declared as an emergency camp (Cape Town History and Heritage, 2008: 1). Meaning, 'new home', Khayelitsha was meant to house all 'legal' residents of the Cape peninsula and was to be controlled by government. Khayelitsha began as a tented town with rows of tents to which Crossroads

residents fled after violence erupted in their township in the beginning and mid 1980s (Cape Town History and Heritage, 2008: 2). By 1986 about 20 000 people were living in Khayelitsha (Cape Town History and Heritage, 2008: 2).

'A significant shift in state policy took place in 1986 when the South African government announced the end of urban-influx controls which removed the system of pass laws, which had previously controlled the movement and settlement of black people, especially in relation to white urban areas' (Durand-Lasserve & Royston, 2002: 2). This opened the door for large numbers of black South African to migrate into cities. However all political power still remained in white hands and black people were still disenfranchised and certain legislation such as illegal squatting still kept most blacks in the homelands (Durand-Lasserve & Royston, 2002: 2). Some, however, were starting to make their way to the city.

In 1991, the Group Areas Act, Land Act and the Population Registration Act - the last of the so-called 'pillars of Apartheid' were abolished (Tomlinson, 1990: 56). 'The Abolition of Racially Based Land Measures Act (ARBLMA) which became law on 30 June 1991, provided for the repeal of most legislation in South Africa that restricted access to land and hence access to the city on the basis of racial classification' (Durand-Lasserve & Royston, 2002: 3). Thus there were no more barriers and blacks could live in areas that were historically and legislatively restricted for whites only.

The Abolition of Racially Based Land Measures Act did however not provide enforcement procedures and landlords could abstain from renting to blacks. Areas that black South Africans were able to rent were overcrowded and subsequently, due to frustration of not finding homes or not being able to pay for a homestead in the city, individuals would squat, and informal dwellings and settlements began to appear (Van Jaarsveld, 1985: 34).

Various pieces of legislation such as the Prevention of Illegal Squatting Act of 1951, however, remained however on the statute books and were vigorously enforced. It was the Supreme Court's decision regarding the eviction of squatters that helped to lessen the effect of the Prevention of Illegal Squatting Act and it was 'unusual to hear of a court that ordered the removal of squatters unless alternative land or accommodation was made available for them' (Durand-Lasserve & Royston, 2002:4). The problems with procrastination of the establishment of townships for low-income housing due to administrative complexities, was

addressed by a new Act namely the Less Formal Township Establishment Act that was passed.

So leading into the next section, the Less Formal Township Establishment Act (LFTEA) of 1991 allotted faster township establishment procedures, regardless of the situation (Durand-Lasserve & Royston, 2002: 4). LFTEA made delivery of serviced, registerable sites possible at reduced costs, but it did not attend to issues such as availability of well-located land and LFTEA also did not place any compulsion on the white authorities that had for so long not attended to the situation in black townships to develop land for low-income housing in particular (Durand-Lasserve & Royston, 2002: 4). Cities still were not easily accessible for the poor.

3.3　National policy post-1994 and consequences for Cape Town

Before 1994, there were three broad types of settlements in South Africa: 'rural areas with traditional authorities in former homelands, white-owned farms in former common areas and cities' (Bekker, 1999: 5). This geographical design of South Africa was slowly changed. In the early 1990s the Independent Development Trust (IDT), the Apartheid government's development agency had been servicing sites through the use of a capital subsidy to the value of R7 500 per site. When the IDT announces the end of its capital subsidy in 1992, there was urgent need to continue with this delivery (Charlton & Kihato as cited in Pillay et al, 2006: 252). In 1992 'the National Housing Forum, a multi-party non-governmental negotiating body comprising 19 members from Business, the community, government and political parties outside of the Government at the time, was formed to negotiate a new housing policy' (Knight, 2004: 2). A decision was made that a process of sustainable housing was needed where individuals would have ownership of the land they lived on and would be surrounded with a healthy and safe environment (Knight, 2004: 2).

So with a long series of discussions ensuing, in 1993 a new preliminary Constitution was unveiled. When the ANC came into power in 1994, there was only 'one formal brick house for every 43 blacks compared to one for every 3.5 whites, the urban backlog was estimated as at least 1.3 million units in 1994 and between 7.5 million and 10 million people lived in informal housing such as shacks in squatter camps and back yards of black township houses'

(Knight, 2004: 2). The new government developed a range of new land policies and legislation to redress the social injustices of the past. Some of the aims of these policies were:

- Redistribution of land
- Restitution of land to those who were removed
- Large scale formal housing development for low income groups
- Re-structuring of cities and towns
- Giving land rights to labor tenants and
- Securing customary rights holders
- Upgrading and giving title to informal settlements
- Gender equality (Augustinus, 2000: 2)

Except for the issues mentioned above, the main improvements called for were basic needs such as shelter, health and education. Housing provision was seen as instrumental in the fight against poverty as The housing white paper, for example, reflects that housing intervention by government can be seen as part of an integrated approach by 'government to resolve the problem of poverty and that the resolution of this problem is something that a sustainable housing programme can significantly contribute to, but can not remotely seek to resolve on its own' (Charlton & Kihato as cited in Pillay et al, 2006: 262). The housing department was also in charge of the formulation of an urban development strategy (Huchzermeyer, 2003: 2).

Since 1994 there has however been a disregard for constructing policies to address urbanization and spatial awareness. It seems as if the South African government thought that the ending of influx controls would result in the predictable settlement of rural individuals and families in cities and that no new urban policies would be needed except for catering for urban housing needs in the short term (Atkinson & Marais, as cited in Pillay et al, 2006: 23). Some programmes such as the RDP programme have attended to a wider spectrum of urban needs. These needs were later incorporated into the 1997 Urban Development Framework (Todes, as cited in Pillay et al, 2006: 50). The urban development framework stated that future urban settlements should be "...spatially and socio-economically integrated, free of racial and gender discrimination and segregation and enabling people to make residential and employment choices to pursue their ideals" (Republic of South Africa, 2004b). This clearly highlighted their good intentions, which were for urban planning to enable spatial and social

integration. The success of spatial and social integration up to date has been very limited though (Newton & Leuven, 2008: 5).

'In the lead up to the 1994 election the African National Congress adopted the Reconstruction and Development programme (RDP), an integrated socio-economic policy framework' (Ewert, 2004: 1). The RDP had four areas of principle concern, namely meeting basic needs, developing human resources, building the economy and democratizing the state and society. To tackle transformation on these elements, the RDP had to be people-centered, people driven, innovative in the ways in which it combined growth and development and committed to continuously achieving overall coherence and unity of purpose (Ewert, 2004:1). 'The RDP set a goal of 300 000 houses to be built a year with a minimum of one million low-cost houses to be constructed within five years' (Knight, 2004: 3). The low-cost dwellings would be of importance since after the 1994 elections the homelands were incorporated into South Africa. This would bring forth a large migration from the now former homelands and rural areas into the cities, especially the SA metropolitan areas (Bekker, 1999: 6).

'Many households in Africa are also increasingly turning to cross-border migration as a household strategy' (Crush & Williams, 2004: 5). With Johannesburg now the economic hub of Africa, and other cities such as Cape Town and Durban offering employment opportunities, migration into South African cities has accelerated. Opportunities, especially employment opportunities, would thus be one of the important reasons for migration to the cities. Migrants from the former homelands, rural areas and neighboring countries come to South Africa cities in search of employment. In most cases they do not have funds for housing and are left to squat. This trend is also consistent with other parts of the world where squatting in the city has emerged because of the large number of job-seeking migrants from the rural areas and neighboring countries (as was discussed in chapter 2). Migration has been become the norm for disadvantaged communities and this is also the case in the Eastern and Western Cape (Bekker, 1999: 10). If the black population of the Eastern Cape is taken to be 5, 5million in 1997, this finding implies that more than three million residents have been on the move. In the Western Cape, virtually all black households are migrants (Bekker, 1999: 10). This would be because of Cape Town employing the Coloured Labor Preference policy (CLPA) during the apartheid years, which kept black households out of the Cape.

Migration towards Cape Town by Xhosa-speaking Eastern Cape households reached 6, 5 percent per annum in the 1990's and was increasing, but not all migrate into the Cape Town metropole as some migrate to other areas of the Western Cape. 'Coloured in-migration into the established coloured township hit the highest point in the 1960s and 1970s, but decreased in the 1990s as the townships filled to capacity' (Bekker, 1999: 11) Migration routes into Cape Town from the Eastern Cape are strong and sustained and is probably only second to the urban migration stream in Gauteng (Bekker, 1999: 12). 'In the 1970s, homelessness amongst Africans on the Witwatersrand (now part of Gauteng) took the form of illegal shacks built in backyards of formal houses within existing African townships' (Crankshaw, 1993: 1). This began to change in the 1980s as free standing squatter settlements developed throughout the Witwatersrand (Crankshaw, 1993: 1).

The Witwatersrand region saw an immense migration especially from Bophuthatswana, where residents came from the Winterveld settlement in search of work that underpins the migration from rural to urban areas (Crankshaw, 1993: 2). The old Pretoria-Witwatersrand-Vereniging (PWV) region, today known as Gauteng, attracted the greatest number of immigrants of all. This region, because of its business opportunities amongst others, gained immigrants from the former two homelands situated in the north, namely Bophuthatswana and Venda as well as receiving migrants from neighboring African countries (Crankshaw, 1993: 2). Thus since 1994, when all Apartheid laws were repealed, there has been a mass migration from former homelands, rural areas and neighboring countries into South African urban areas and, predictably, a massive shortage of formal housing.

The RDP foresaw this and realized the importance of urban development strategies and postulated that the urban development strategy must be aimed at 'promoting long-term development and the sustainability of urban areas whilst alleviating poverty and encouraging economic expansion' (Reconstruction & Development Programme, 1994: Section 4.3.17). 'The Urban Programme must create a functionally integrated, efficient and equitable urban economy, as well as effective and democratic structures of urban governance and management, enhance the position of women in cities and initiate a social environment which contributes to a better quality of life' (Reconstruction and Development Programme, 1994: Section 4.3.18).

However many other programmes or departments discouraged migration (especially labor migration) and urbanization. The department of social development was an exception and produced a white paper in 1998 that explained that South Africa would urbanize rapidly in the first decade of the twenty-first century and that urban areas would need to provide services and infrastructure for a growing and young African population. It was the DLA's (Department of Land Affairs) Green Paper on development and Planning during 1999 however that received attention when it suggested that each province should develop its own spatial plan (Atkinson & Marais, cited in Pillay et al, 2006: 26).

These spatial plans would consist of identifying settlements that needed special attention or those which showed growth potential. The strongest focus was at local level where municipalities would put increasing focus on integrated planning and create an integrated development plan (IDP's) for their specific district. This was partly to create a better convergence between sectors and spheres of government. (Atkinson & Marais, cited in Pillay et all, 2006: 26). With regards to housing delivery at the local level, municipalities had to appoint an officer or assign one of its officials to act as a manger or counselor for specific informal settlements within the scope of the municipality. The manager or counselor is then tasked with controlling the settlement and looking after the communities needs and communicating with them (City of Tshwane Metropolitan Municipality, 2005: 1).

Housing forms an integral part of an Integrated Development Plan. The process formally began with the 1996 Constitution that states 'everyone has the right to have access to adequate housing' and that the state 'must take responsible legislative and other measures, within its available resources, to achieve the progressive realization of this right' (Republic of South Africa, 1996a, 23). Provincial and Local governments share this responsibility with the national government. The constitution also states that 'no one may be evicted from their home, or have their home demolished without an order of court made after considering all the relevant circumstances. No Legislation may permit arbitrary evictions (Republic of South Africa, 1996a: 24).

To implement its constitutional mandate for housing development parliament adopted the Housing Act of 1997 which specified that all three levels of government need to give priority to the needs of the poor (Knight, 2004: 3). As required by this Act, in 2002 the Minister of Housing issued the National Housing Code outlining National policy. Shelter being one of the

needs of the poor, makes housing thus one of the key aspects to address in an IDP which is supposed to budget and provide for a wide range of housing and tenure options (Knight, 2004: 3). Something that was lacking until recently was provision for services that are required along with housing delivery. Facilities such as running water, lavatory facilities, proximity of education facilities and transport were perhaps not seriously attended to. An educated guess would say that a homeowner would not be able to support a house and a household when these basic facilities are absent. Further to this, Mokoena & Marais, (2007: 313) notes that evidence suggests that 'residents of shack settlements on urban peripheries have remained marginalized and impoverished.' Poor location has meant that many poor households have to choose between ownership in a peripheral settlement, far from work, or a rental or squatting option in a better located area. Housing literature had to be more closely examined to try and resolve some of these challenges.

In Cape Town there is an extra challenge to manage due to being governed locally by a different party, the Democratic Alliance (DA), than the national ruling party as well as the provincial ruling party, the ANC. This has especially added to the problems in one of the new housing projects launched in Cape Town, the Breaking New Ground project. The Breaking New Ground Project (a national initiative, albeit run by local government) is an initiative to provide formal housing to informal settlements targeted on the N2 freeway. In September 2004, the N2 Gateway pilot project was signed by Parliament and various finishing dates have been extended due to large problems with the process (Cross as cited in Huchzermeyer & Karam, 206: 266).

Part of the problem with the N2 Gateway was the change of the ruling local government party in 2006. A new mayor in Cape Town, Helen Zille took over from former mayor, Nomaindia Mfeketo which caused instability in the top structure and left a new political party and mayor to inherit problems from previous government and housing programmes (Edmunds, 2006: 1).

3.4   Current housing policy and conditions in Cape Town

This section provides the reader background on how the three spheres of government work together and how power and money is divided towards housing provision. There is a systematic process by which land is demarcated and owned, and an individual or organization that aims to own land must first go through a rigorously documented administrative process.

Some of the housing policy and which individuals are eligible to apply for housing subsidies is discussed. This sets the scene for following discussion of how the policies have been applied in the Cape Town context and what the housing figures are in this city.

Since the new government has come into power in 1994, there have been many 'policy amendments' to try to achieve the most appropriate housing policy for South Africa's unique situation. The new government wanted to address the inequalities created by Apartheid through service provision and subsidized housing for the very poor. In 1994, more than two-thirds of the state housing subsidy was allocated to households earning less than R1500 per month (Crankshaw & Parnell, 1996: 1). Housing and service expenditure also targeted the rural poor and migrants. At that stage housing and serviced expenditure was weighted in favour of the rural population by a factor of 1.25, which means that for every R1.00 that a province received for urban poor, it receives R1.25 for rural poor (Crankshaw & Parnell: 1996, 1).

One of the policy amendments was to concentrate more on the urban poor due to the large influx into the cities and informal dwellings growing at such a rapid rate (although in some cases it is still thought that urban housing does not receive enough attention) (Bond & Tait, 2008: 1). After Apartheid, South Africa's four provinces and ten black homelands, four of which were considered independent by the South African government, were abolished by the interim and the 1996 Constitution and nine new provinces were declared. 'A key step in defining the relationship between national and provincial government, came in 1997 when provincial governments were given more than half of central government funding and permitted to develop and manage their own budgets (Bureau of African Affairs, 2007: 5). However, the national government maintains a measure of control over provinces by appointing provincial premiers.

The relationship between national, provincial and local government is complex, however. The largest portion of government's income is derived from taxes whilst provincial governments levy minimal taxes and fees. Provincial governments receive nearly all their budget from national government in the form of transfers, whilst local government raises nearly 92 percent of the revenue themselves (Hickey & Van Zyl, 2002). All revenue that is raised by national government is paid into the National revenue fund and these funds are then divided between the spheres of government (Hickey & Van Zyl, 2002). Local government's share is then

divided horizontally between municipalities. In the case of housing, the specific municipalities can put in a tender for the budget they need for housing delivery. Funds will then be allocated to the municipalities according to their need for finances to produce housing.

The national and provincial governments control land by virtue of the South African cadastral system. The offices of the surveyors-general have 'established a spatially based cadastral information system providing information on the location and extent of all land parcels, third party rights, servitudes and leases' (Republic of South Africa, 1996b: 17). Ongoing tasks of the surveyors-general include 'capturing all existing information into the system, noting all new subdivisions and maintaining the database, devising ways of transmitting this changing information constantly to the users and linking the information with the Deeds Offices records with particulars of ownership and transfer details' (Republic of South Africa, 1996b: 17). Aerial photographs are valuable ways to look at South African land and see where settlements are located and where new settlements have formed. The Department of Land Affairs maintains centralized modern deeds registries that are computerized and form part of a wide area network (Republic of South Africa, 1996b: 17).

In the database of the Deeds Offices, South Africa follows a system of land registration 'where every piece of land, or other immovable property is reflected in a diagram and ownership of the immovable property is recorded in one of the regionally located Deeds Registries' (NAFI, 2005: 1). In South Africa, registry for immovable land has been recorded as far back as 1666 and has been recorded on computers in South Africa since 1970 (NAFI, 2005:1). It is through these registration methods that occupation of land can be considered as legal or illegal in South Africa.

It is through the above-mentioned means that land and occupation of the land are governed, but it is The Housing Act of 1997 (Act No 107 of 1997) that is the supreme housing law in the land. 'Replacing all previous housing legislation, it clarifies the roles and responsibilities of the three spheres of government in respect of housing and ensures that all housing activity in South Africa happens within the Constitution of the Republic of South Africa, 1996' (Act No 108 of 1996). The eight broad principles that are drawn from the Housing Act, 1997 are:

- People-centered development and partnerships where all housing role players such as the private sector, NGOs and local communities are asked to play a part

- Skills transfer and Economic empowerment where housing is seen as a process that contributes to growth and prosperity and enhances the creation of stable communities
- Fairness and equity ensuring equality in terms of race, gender, religion and creed
- Choice where an individual has the choice to satisfy his or her own housing needs
- Quality and affordability where houses must be built to certain quality standards and must be affordable
- Innovation where an innovative approach is needed to our housing crises and backlog
- Transparency, Accountability and Monitoring. It is considered that a fair system is transparent and that responsible authorities are accountable and monitored
- Sustainability and fiscal affordability where housing delivery needs to be sustainable and where housing delivery needs to be balanced between the state and private sector

The Housing Act is required to publish a National Housing Code and the Code states South Africa's vision for housing. This vision includes the values of 'sustainability, viability, integration, equality, reconstruction, holistic development and good governance' (Republic of South Africa, 2002a, 1). It is also states that all citizens and permanent residents of the republic will on a progressive basis have access to

a. Permanent residential structures with secure tenure, ensuring internal and external privacy and providing adequate protection against the elements, and
b. Potable water, adequate sanitary facilities and domestic energy supply (Republic of South Africa, 2002a, 1).

South Africa's National Housing Code states that there are possibilities available for Housing subsidies to be granted to eligible individuals. This is in aim to support those individuals who cannot access housing for various reasons. 'Individual housing subsidies are available to low-income households who wish to buy a residential property for the first time and it can also be used to buy an existing house, including the property on which it stands' (Republic of South Africa, 2007:1) The successful applicants will receive this subsidy only once and must realize it is not a cash payout to themselves, but the money will be paid directly to a financial institution or conveyance attorney from whom the individual is receiving a housing bond (Republic of South Africa, 2007:1). The Home Loan and Mortgage Disclosure Act, 2000 (Act 63 of 2000) aims to eradicate discrimination and unfair practices by encouraging banks and

financial institutions to grant home loans to all its clients (South African Yearbook,2007: 379).

Individuals or households can apply for a housing subsidy if ALL of the following statements are true (as explained in the Cape Gateway document on subsidies):

- The individual can not apply for a housing subsidy if he/she already received a grant from the department of Land Affairs, or received a subsidy or housing assistance from the government before
- The individual can apply if he or she is married or co-habiting with a long-term partner

  or
- The individual can apply if he or she is divorced with financial dependants
- The individual can apply if he or she is a South African citizen or if a South

  or
- Has an South African Permanent Resident's Permit
- The individual is over 21 years of age or under 21 years of age and married or divorced with financial dependents
- The individual is sound of mind
- Gross monthly household income is less than R3500
- The individual has never received a subsidy from the government and neither has my partner
- The individual has never owned property and neither has his/her partner
- The individual's Family and the individual him/herself will live on the property brought with the subsidy (Republic of South Africa, 2007: 2)

Individual subsidies may vary depending on how much your gross (before deductions) monthly household income is for instance if your household income is less than R1500 per month you are eligible for a subsidy of R36 528. If your household earns more than R1500 and less than R3000 you receive a subsidy of R34 049 and as long as you can prove that you are disabled or health stricken and your household earns less than R3500 per month you may receive a subsidy of R36 528. Subsidies do not have to be repaid and are not a loan (Republic of South Africa, 2007: 2). In Cape Town applying for a subsidy is done at the Department of

Local Government and Housing situated in the Cape Town metropole or usually local municipalities can also provide the relevant documentation.

Gaps in policy and practice have emerged in Cape Town (as in most cities in the world) and some criticisms have been leveled at Cape Town's housing delivery. Charlton and Kihato (as cited in Pillay et al, 2006: 255) suggest that although housing performance is far superior to most of the other sectors such as education, health and employment, housing has been criticized inside of the country because of 'the lack of settlement integration and the poor connectivity between housing delivery and opportunities in urban areas.' Analysis made in the sector suggests that reasons such as poor location, cost of home ownership in the form of rates and services charged and unemployment have ensured that greater access to low-income housing for the poor has not had a great impact on poverty alleviation. Other critics say that it has failed to play a key role in the restructuring and integration of the 'apartheid city' due to inadequately integrating communities, placing new communities in areas far from transport or employment opportunities etc (Charlton & Kihato, as cited in Pillay et al, 2006: 255). Open space and the 'rush for land' have also been an issue between private developers and government authorities in Cape Town. 'The development of Century City on the N1 outside of Cape Town perhaps best illustrates the unintended consequences of land use decisions without regard to the metropolitan context' (Haferburg, 2001: 37). The land at Century City was originally zoned for housing and was ideally located for affordable housing opportunities for lower-income citizens. However a private developer obtained this land for high-income buildings and the opportunity was lost for a large scale low-income development.

The new housing plan in Cape Town, especially with regards to the N2 Gateway project, makes it clear that housing provision should address 'poverty alleviation, economic growth, improving the quality of life of the poor, creating an asset and ultimately developing sustainable human settlements' (Charlton & Kihato, as cited in Pillay et al, 2006: 257). The Breaking New Ground document proposes that whole communities who live on the N2 highway between Cape Town International airport and the Athlone Power Station (where an estimated 200 000 people occupy this area in poor, overcrowded conditions), have to be relocated to other identified areas with upgraded sites and houses (Cross, as cited in Huchzermeyer & Karam, 2006: 146) This project pursues new inter-government relations and

puts the Western Cape and the City of Cape Town at the forefront of housing delivery in South Africa.[1]

In the 2004 National Housing Programme (which is to run for at least five years), there is provision made in the policy for the temporary relocation and resettlement of those who are desperately in need. In November 2005, government approved a policy for fast-tracking the housing solution for people living in areas of stress by using the Emergency Housing Circumstance programme. This is now also policy together with the 2004 National Housing Programme (South African Yearbook, 2007: 381). The main objective of the 2004 programme is to facilitate the upgrading of informal settlements, which is known as 'In-situ' upgrading (Republic of South Africa, 2004b: 4). As can be derived from the term, the main focus of the programme is not to resettle individuals, but to make use of the existing land that the individuals are situated on and to upgrade and install facilities in the area. This however does not exclude the resettlement of communities. Where de-densification of sites is needed, the provisions of this programme are 'equally applicable to both upgrading settlements and relocation' (Republic of South Africa, 2004b: 4). The in situ upgrading programme is a phased process and there are four phases:

- An application phase where municipalities are invited to apply for funding for upgrading
- Project initiation where municipalities receive funding for acquisition of land, interim service etc
- Project implementation where all housing delivery elements start to be put in work

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[1] *The new housing vision includes the following specific objectives: 1) accelerating the delivery of housing as a key strategy for poverty alleviation, 2) Utilising provision of housing as a major job creation strategy, 3) Ensuring that property can be accessed by all as an asset for wealth creation, 4) leveraging growth in the economy, 5) combating crime, 6) supporting the functioning of the entire single residential property market and 7) utilizing housing as an instrument for the development of sustainable human settlements (Republic of South Africa, 2004: 7). Other issues that will receive special attention are enhancing the role of the private sector, promoting densification and integration, enhancing spatial planning and enhancing the location of new housing projects.*

- Housing consolidation where township establishment finalization, ownership registration and house construction will take place (Republic of South Africa, 2004b: 42)

Within the in situ upgrading programme there is also provision made for providing facilities such as a community hall, a medical care facility, a crèche, a community park, sports fields, taxi ranks and informal trading facilities (Republic of South Africa, 2004b: 43). The approach by the Department of Housing is an incremental one where the identified individuals are gradually supported in a phased process. A much larger emphasis is also given to basic service such as water and sanitation services. This is done in an incremental approach, so the services could be very basic at the start and could break down when not maintained.

Except for some problems that exist with the in situ programme, some serious challenges are faced when informal settlements have to be relocated. Famous cases are those such as the Joe Slovo informal settlement where individuals who had been earmarked to be relocated to another location, refused to move and who campaigned against government (Legassick, 2008).

This case reached fever pitch in February of 2008 when individuals were forcefully removed from houses built by Thubelisha Homes (Building consortium of the N2 Gateway project) in the Delft suburb of Cape Town. The built houses were allocated for the Joe Slovo informal residents who did not want the houses on the margins of the city (Legassick, 2008). With the evicted persons of the Delft houses being coloureds and the Joe Slovo informal settlement being blacks, some suggestions have been made about racially controlled housing allocation. The fact remains however that the housing backlog in the Western Cape is approximately 300 000 and in Cape Town alone it was 265 000 in 2004 (Figure 3.1).

The backlog in the Western Cape increases by 18 000 every year whilst only 10 000 houses are being built (Legassick, 2008). In statistics supplied by the 2006 General Household Survey Analysis for Cape Town (Small, 2006), Cape Town still has very divergent household numbers by ethnic group. The average household size for Cape Town is 3.55 people. You can thus multiply the housing backlog (265 000 in 2004) by 3.55 to come to an estimation of how many individuals are living in an informal dwelling. A total of 74.4 percent of households are deemed as formal dwellings in Cape Town and 22. 4 percent of households are seen as living

in informal dwellings (settlements and backyards). As can be seen in figure 3.1, 38 percent of black African households live in informal settlements (Small, 2006: 22).
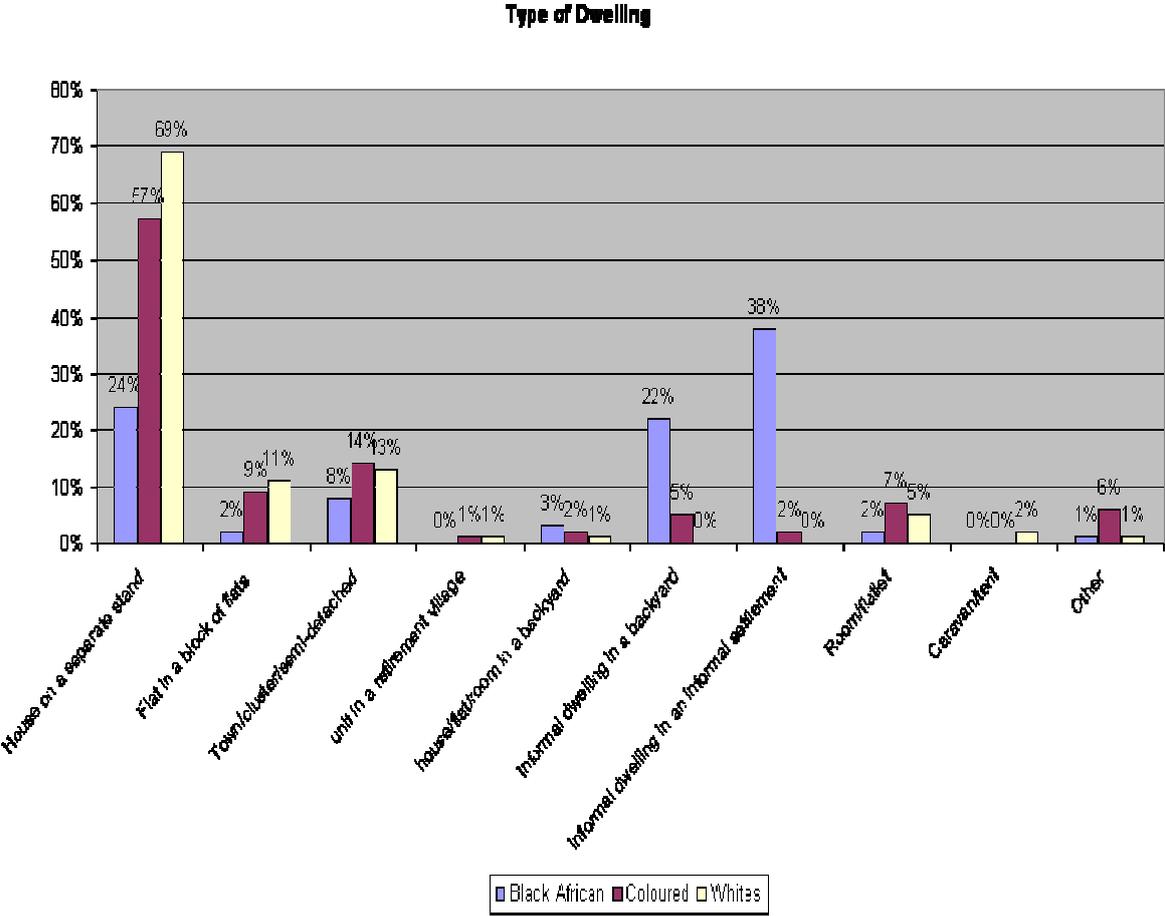

Figure 3.1: Type of dwelling

Source: 2006 General Household Survey Analysis for Cape Town (Small, 2006)

In 2007 there was calculated to be 222 informal settlements in Cape Town and in 2006 approximately 22% of all housing in Cape Town was classified as informal housing. Backyarders are included in this figure (Small, 2006: 22). Although this is a higher percentage than the average of the rest of the country, it correlates well with the South African population, because in 2007 TNS Research Surveys claimed that 11% of the South Africa population was living in squatter shacks whilst 3% was estimated to be living in a shack in an urban area and another minimal percentage was estimated to live in a backyard building or some kind of other informal dwelling.

3.5　Conclusion

The development of informal housing and informal settlements in South Africa has a rather distinctive context to it compared to other countries, and this is partly due to the country's unique historical background. Under an ethnically white-dominated government, South Africa was a racially oppressive society and installed laws that prohibited all South Africans that were not classified as 'white' from adequate housing and did not allow housing possibilities in urban areas designated for whites.

When these laws were repealed, a large influx of impoverished black migrants into Cape Town in search of employment (amongst other things) ensued. The formation of informal houses and informal settlements on the city's peripheries, and even in the cities themselves, accelerated. The 1996 Constitution of South Africa states that every South African citizen has the right to adequate housing, and when the Housing Act of 1997 became policy, it paved the way for many housing policies to be developed in subsequent years. Issues of urban policy and basic services have, however, not received enough attention.

The City of Cape Town has been one of the more difficult cities to govern, with a mixed racial composition, changing local government and challenges with informal settlements. Housing, being regarded along with education and health as one of the basic human needs, has received plenty of attention in the last decade. Fighting a large backlog and growing number of immigrants, Cape Town is struggling under housing delivery pressure. At this stage the backlog of housing is growing faster than the government is supplying subsidized houses (Legassick, 2008). Under a coalition government, there is much debate of what the best programmes and policies are to address urban housing delivery.

CHAPTER 4:
STAKEHOLDER PERCEPTIONS ON INFORMAL HOUSING AND WHAT THEY BELIEVE SHOULD BE DONE ABOUT IT - THE FINDINGS

4.1   Introduction

As mentioned earlier in the study, four groups of stakeholders were identified as playing a crucial role in housing delivery in South Africa. The selected stakeholders were government officials at the local department of housing, researchers who have knowledge on the topic of housing, contractors who deal with the building of formal houses and residents of informal settlements. Four questions were raised and responded to by stakeholders (see section 1.6.2).

When asked to define informal settlements, John Abbott (2003) described it as characterized by a lack of secure tenure, not conforming to the building regulations of the given area **OR** a lack of basic services. Thus if a settlement or dwelling conforms to any one of these three characteristics, it could be considered as an informal settlement. As is mentioned in my second chapter there is also a distinction made between freestanding dwellings and backyard shacks.

My literature search confirms that most other specialists in the field agree with these characteristics, although some might differ or add other features. For the purposes of this study, I will focus on the differences in conceptions based on the four questions that I raised in my interviews and focus groups. I will systematically and separately present findings within each of the four stakeholder groups. They will be presented in the same order through each question. I will use Abbott's three basic characteristics as a starting point to define and categorize the responses of the participants. Responses will however not be limited to these characteristics. This will be followed by a conclusion where some of the main arguments are summarized.

4.2   Definitions of informal settlements

4.2.1   Government officials

Amongst the stakeholders (as was the case in the literature) there was divergence about what could be considered an informal settlement. Government officials agreed amongst themselves that issues of insecure tenure, lack of basic services and overcrowding were issues that

defined an informal settlement. '*What is formal is when there is a foundation dug, services are connected and formal ownership is given*' ([2]Johan, Government official, translated). The issue of overcrowding was a contentious issue since overcrowded settlements leave the government with a lot of work to make space between dwellings and this is also expensive. Although all government officials made points of authorized and recognized tenure, building regulations, de-densifying (providing more space between houses for roads and other services) and services as necessary for formal settlements, another issue that most government officials made a point of, was the issue of dignity. For them, formalizing settlements would bring dignity to the house owners. '*Informal settlements have different advantages like strong social ties and good social connections, but dignity is not something that can be granted*' *(Sophie, government official).*

4.2.2　Researchers

Some of the researchers made the point that there must be a distinction between an informal settlement and a squatter camp. They felt that an informal settlement could be informal, but still be recognized as an authorized settlement (as authorized by government). A squatter camp would then be informal and illegal. '*So I won't necessarily say that it is the shack that makes the difference to me … it is the planning procedures from the government departments that determine if it is formal or not formal … so if government says that a certain piece of land is serviced and you can go put your"pondokkie" on the land, then that is formal … at least for me*' *(Andre, researcher).* '*Formality is determined by the local government. There is a basic infrastructure, roads, pipes etc. This is whilst a squatter camp is totally unplanned for*' *(Ronald, researcher, translated).*

When defining informal settlements researchers drew a distinction between settlements in the city and settlements in communal rural areas. '*In cities actual boundaries have to be pinned down with survey and the deeds registry. Now when rural people move into shacks they bring the rural system with them, but this is an informalized rural system … at the rural system in Kwazulu-Natal, you can build a house without being permitted land, so your house is portable … So if you build it and move it, it is still your house and the land could in theory belong to a community*' (Kate, researcher).

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[2] All names that are given to the stakeholders are fictitious. A name and date-place list of interviews and focus groups can be seen in Appendix 2

4.2.3   Contractors/developers

The contractors mostly avoided questions around issues of defining informal settlements and one contractor even mentioned that it was not his job to define what an informal settlement is. He just conducts the work asked of him and builds, which is negotiated for sufficient payment. '*No, no we just speak of an informal settlement, the structure is actually irrelevant for us, we just build what is asked of us*' (Jan, contractor, translated). Some of the other contractors did have a more elaborate description, however, mentioning they would define a settlement by the type of work that they would have to do, for instance an '[3]in-situ upgrading' would almost always be done for informal settlements and only rarely a formal settlement would need this type of upgrading.

4.2.4   Residents of informal settlements

The residents of informal settlements sketched an interesting picture and a theme that would continue right through their interviews. They described informal settlements as being called '[4]*ukulahla ithemba' because the people struggled to find places to live in. They were all put together in the same area. It was discovered that people that are like that, as living in those conditions, are called 'ukulahla ithemba' because they do not have a future and they do not know where they will live and how they will live wherever they will be*' (Focus group 2, translated).

The main issue for the residents of informal settlements that made their settlement different to that of a formal settlement was the issue of services and the maintenance of these services. '*The essential things that we want are electricity, water and toilets*' (Focus group 2, translated). '*We do not have enough water and we have access to three taps for about 2000 people which are all the people living around the community clinic. We do not have our own toilets, but use public toilets at the train station that are only open during different times of the day. You can even go from here to see the situation … the drains are blocked, children are infected with TB, because of not having proper toilets and the area is filthy*' (Focus group 1, translated).

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[3] In-situ upgrade meaning a settlement being upgraded on the piece of land that the community lives. The community does not have to be moved to another piece of land.
[4] Hopelessness

4.3   What government is doing about informal settlements according to the stakeholders

4.3.1   Government officials

Government officials made it clear that formalizing informal settlements were essential to alleviating poverty. '*The assumptions that we make are that people will take that site and will improve it and will hold onto the house … although it does not always work out that way*' (Bob, government official). The government officials did mention however that erecting a structure was only part of the process and that making services available was important too. The services that they were speaking about were directed more towards creating roads and the issue of secure tenure for the individual, although services such as water and electricity were also mentioned as important.

Government officials said that they feel that in the last couple of years they have made some good progress with housing delivery by new initiatives such as the emergency housing programme, where they no longer just look at the long term purposes of housing, but also assist those who are urgent need of immediate housing (mention was made of the Grootboom case in 2000[5]). Government officials were also very proud of the "Upgrading of Informal settlements Programme (UISP) introduced in 2004. This programme was introduced for various reasons, the main purpose being to deal with the shortage of land problem and to keep the social networks that form within an informal settlement together and not split them up.

4.3.2   Researchers

Some of the researchers felt that a house should not just be given to an individual, because this leaves the option open for easily selling the property after a certain time. The researcher felt that subsidized housing should rather be delivered by leasehold so that the government can claim back if it is judged that house was not managed in a proper manner. '*We can not produce a little 2-bedroom' pondock' for every person in the city and have a little garden and a street space, it is not possible, there is not enough land … You are giving people property. Why? Why do you not just give them a leasehold and for a couple of years and then review.*

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[5] In October 2000, the Constitutional Court made an important ruling in Government of RSA and others v Grootboom and others on the government's constitutional obligation to provide adequate housing for all and shelter for children. The Court ruled that although they were not entitled to immediate shelter, the program of the Cape Metropolitan Council was constitutionally deficient because it failed to provide for any form of temporary relief to those in desperate need, with no roof over their heads, or living in crisis conditions (Knight, 2004: 3).

Once the state has given away land, they can not take it back. Make people work for what they have and they will value it' (Jen, researcher).

Another researcher hoped that the government is not busy with formalization just to improve the aesthetic component of the landscape. '*Or it can be interpreted in another more ominous way where government considers informal settlements to be an eyesore or backwards and in the long run they have got to make sure that there are no shacks but at the moment I have not seen them do anything' (Andre, researcher).* Some of the researchers felt that the policies and methods that were being used were not adequate and that different ideas should be presented with regards to informal settlements. '*…and to some extent the N2 gateway that was a delivery showcase, meant that some people are going to benefit and some others are not and if you do that to the poorer people, you are asking yourself to get into a lot of hot water, because whoever you choose by whatever criteria unless you are very clear and very open so that you can get everybody to agree to every part of the process and make the agreements stick, somebody is going to say … what about me? Particularly when politics are as racialized as they are in Cape Town' (Andre, researcher).*

'*The moment you give something to working class coloured people, somebody in Khayelitsha is going to say why are you leaving the Africans out and vice versa. So I thought it was unwise and I also thought that government's implementation of this was not very consistent and particular people got the impression that hey could toi-toi themselves into the programme'* (Andre, researcher).

4.3.3   Contractor

Researchers and contractors also mentioned the issue of too much red tape. One of the contractors mentioned that this is especially the case in Cape Town, because of different ruling parties on Provincial and Local level in the Western Cape. The respondent said, '*because of political agendas and power struggles that the different parties have, they try to make life difficult for each other and so tremendously slow down housing delivery. It does not matter if the people sit in shacks, the political parties are just busy with their power games. This is unlike in Gauteng where National, Provincial and Local ruling parties are aligned and everyone knows what everyone else wants and houses are delivered much faster'* (George, contractor).

4.3.4   Residents:

Contrary to government officials, residents made it clear that the services that they want are electricity, water and toilets, although they also make mention of the need of better roads in the informal settlements. They mentioned that their settlement manager (who acts as a mediator between the residents and government) would not come regularly and that they do not deliver on their promises. '*We really need help, because our [6]settlement manager has not been available. The last time I saw him was after our first meeting we had with him when he was introduced which was more than a year ago… even when we call him he does not reply. He used to say that if we want to get a hold of him, all we need is to call him and he will call back, but he never does. Even as the councilor committee (which I am part of), there is nothing that we are doing and we do not even hold meeting*' (Focus group 1). Something else interesting that the resident mentioned was, '*before elections they come around door to door to the houses but afterwards we never see them again*' (Focus group 1).

The residents also mention that to them it seems as if backyarders receive more beneficial treatment than those living in informal settlements. '*What we have noticed as a community is that the manager/councilors budget is focused on "backyarders" … these people who have added an informal structure to a brick house. So what we have told ourselves is that priority is given to backyarders, because we live in a smaller settlement compared to the backyarders … We are not sure if the backyarders are more in number than us, but that is the conclusion that we came up with why they get support and we don't*' (Resident, focus group 1). Another issue was that the residents do not have the correct facts when it comes to who is able to receive a subsidized house, '*As the situation in South Africa is, the youth are unemployed therefore they cannot afford to buy subsidized houses. To qualify for a subsidized house you must be employed permanently. The other land the government has set out is for building flats which are also for employed people, while we have a problem with unemployment. Flats are rented and not bought but the requirements still remain.*' It is clear that the resident was uninformed, because a person does not need to be employed to be able to apply for a subsidized house. There is thus a communication gap somewhere between government policy and the people on the ground level.

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[6] The municipality must appoint an officer or assign one of its officials as manager or councilor of a specific informal settlement. This counselor or manager must manage and control the informal settlement according to laws governing him.

The residents asked the question if the government keeps to their promises, if their (the residents) participation is valued and if there is enough attention given to services and the maintenance of these services.

4.4 What has been done about informal settlements in Cape Town in the last five years?

4.4.1 Government officials

Government officials feel that the City of Cape Town has led the way for housing in many respects. They mention that the City was busy with upgrading of informal settlements before it was employed on a national level and although the housing backlog in Cape Town is large at between 300 000 to 400 000 households in 2007, they are busy dealing with the problem. '*So City has been very proactive and has been implementing these programmes for a number of years and has been trying to manage it as best as they can. There is no way to get away from the fact that politics plays a part … So between ourselves and the Cape Town managers, we know what the best approach is and how to manage it, but there is also political issues to consider*' (Bob, government official).

Johan (Government official) mentioned that the 2007 local housing budget (for Cape Town) was about R1, 2 billion. '*If you take the money from the budget that has already been spent on the N2 Gateway project, you realize that there is not a heck of a lot money left for other housing projects … and you start to see why 16 000 houses can not be built a year and why there is not being eaten into the housing backlog … but I think in general over the past five years good progress has been made. I am just worried that expectations have been set that can not be met.*'(Johan, translated). According to the government officials there is a waiting list of individuals who are eligible to receive a subsidized house and they will be given a formal house and secure tenure. The officials also mention that granting services to these individuals are also part of their incremental plan, where you build individuals up step by step from the ground. They are first given a house, then services, then roads and so the additions are hoped to accumulate.

Ryan, a government official, mentioned '*and there are also the problem of Zimbabweans coming into the country. And not only them, but many immigrants coming onto the country and sooner or later you will have to deal with this problem… and we also have the situation*

with the Somalians. They are good business people and they are a cut above our business people and this causes jealousy.'

4.4.2 Researchers

Most of the researchers were ambivalent about housing delivery in Cape Town and felt that some progress had been made with delivery by attending to more than '90 percent of informal settlements in Cape Town' (Quote, Kate, researcher). There was an opinion by researchers which was shared by contractors that government is contradicting themselves in terms of trying to de-densify informal settlements by granting individuals an individual piece of land and individuals ownership. They also felt that this is not good policy. '*Make people work for what they have and then people value it and then they would want to move up on life. The state should not be a provider but be a facilitator' (Jen, researcher).* Ronald (a researcher) says that *'the problem relates to hopeless bureaucratic officials who are trying to control the situation. An example is this part of policy which works against their own plan … it is this "one man, one plot" policy. Especially here next to the N2 on the way to the airport where there is a lot of people on not that much land … how can you give a single person ownership of a piece of land. There will never be place for all the people (Ronald, researcher, translated).*

Another researcher (Andre) mentioned '*and of course now they (those living in subsidized housing) are in a funny sort of power position because they are in the houses and they can pay or not pay the rent … I mean they can burn down the houses if they want. I mean they are actually a very big headache for Thubelisha homes (official building company for the N2 Gateway project) right now, I mean Thubelisha homes can say we can evict you and put someone else in … and they will have exactly the same problem there*. Researchers and residents of informal settlements also agree that immigrants from other countries could present difficulties to South African residents in informal settlements and in some instances get to live in formal houses in the settlements and make life more difficult for those living in informal structures. '*Migrants in informal settlements make for possible conflicting situations … As we have seen in the media, Somalians were being robbed and thrown out of settlements'* (Ronald, researcher).

4.4.3 Contractors

A few of the contractors mentioned that multi-storied buildings need to be built to solve the issues of a lack of land. For this to happen, the original house needs to be built properly in order to build on top of it, and the onus of this lies with the contractors. '*What should happen is that the densities need to be addressed so that the social aspect can be scrutinized and it is also a way to save land. Instead of building a lot of single houses, you can build three or four story buildings. In this way you keep the social cohesion and networks of a community. In India they are building many multi-story buildings to address the informal settlement problem' (George, contractor, translated).*

There were also some comments on the issue of migrants by contractors and government officials. '*You see immigrants do not form part of the subsidized housing programme … Nigerians and Zimbabweans do not get land. You see the thing is, these people just temporarily live in a formal house or maybe go and stay with their girlfriends in a formal house, but they do not actually own the hous*e' (Hannes, Contractor, translated).

4.4.4 Residents

The residents of informal settlements mention that in the last few years advances have been made with electricity and water, but they have a serious need of toilets and the maintenance of these. There is a large problem with overflowing toilets that cause a health risk. '*This really is not a good thing because when you live in informal settlements, because there is no water and waste disposal services and the place is dirty… what you breathe in is not good. It becomes easier in winter because in summer with the smells from the defecation buckets (bucket system) it becomes even difficult to go in to use them. You cannot even sit outside to eat because the smell gets bad. Speaker 2 … The buckets were I live get cleaned after every 2 days … Speaker 3… where I live they get cleaned only once a week which is usually on Mondays' (Focus groups 2, translated).*

Some of the residents of informal settlements in part blame the upcoming 2010 Soccer World Cup for their situation and say money is being spent on expensive stadiums rather than helping the people. They mentioned that the World Cup is useless to them, because they will not be able to attend due to a lack of funds and they rather want the money put to stadiums be used for them for services. '*another thing we have noticed around Khayelitsha, because we are heading to the 2010 World Cup the areas that people have been moved away from is to*

clear the space for building stadiums. You are moved away when you are on the property that they want to develop on. What we have been asking the government for some time is, we understand that the properties in the main centers that are developed for the World Cup that belong to businessmen here in townships, for example: malls that are built for the people that will be arriving (i.e. tourists). What we do not understand is why is it difficult for the government to buy back those properties for the community because the people suffer to get homes. The only answer we get from the government is: there is no land. (Focus group 2, Translated).

Another resident of an informal settlement mentioned that '*the World Cup is a problem for us because we do not qualify to get tickets to watch it because we are unemployed. Secondly, we are not part of the process of preparing for the cup so that we can expose our pain that is caused by the settlement managers that are distant from us. They are the ones riding the 'gravy train' for the world cup. Also because we are living in this situation we have backed away from the world cup because there is no one that is getting us involved in it. If our settlement manager was close to us we would want to be involved.*' (Focus group 2, Translated).

The residents also seemed concerned that tourists of the upcoming soccer World Cup will not be shown to their area … '*what we have noticed is that the tourists are being put into places that have already been developed, as in subsidized houses and where projects are running here in Khayelitsha. These are areas that have already been built. But the tourists are not being informed that there are areas where people live under the circumstances we live in. The youth is not part of the tourism industry*' (Focus group 2, translated).

A resident of an informal settlement said '*after some time there was a person sent by the government. He said that the government can help us but it can only help specific people (maybe foreigners?), even though we are dealing with the same problem, it will take 150 people and find them a place were they can be waiting from because they are living in these wet conditions. We were told that the wet conditions were not the same for everyone* (different degrees of damage).

4.5 What is to be done about informal settlements?

4.5.1 Government officials

Government officials and contractors agree that building houses and installing services are expensive and that the budget afforded to housing is not sufficient. '*We are all on the same page and City has made great progress with the limited resources that we have, but the current programme that the city has is really going to tap the resources, because it is really expensive' (Bob, government official).* Another government official says, '*We receive x-million from central government that goes to Province. The City of Cape Town basically gets 70% of this. So the City of Cape Town will decide who gets the money (the municipalities)… but you know a problem is resources and by resources I mean in terms of monetary terms and human resources. The local sphere gets the money to build the houses, but they do not get the budget for their personnel' (*Ryan, government official)

Sophie (government official) says, '*The tide is changing, but it does not mean that there is enough money. All our money will only help a 1000 people, so prioritization becomes difficult decision. A government official responded when asked whether he thought informal settlements were a negative or positive feature, responded 'I think it is neither positive nor negative, but it is a reality and we have to deal with it … but it is difficult. Something that researcher, contractors and residents of informal settlements agree on, although not all on the same level, is that as long as there is a split government in the Western Cape, there will be problems with housing delivery.*

4.5.2 Researchers

Although not a common opinion, researchers felt that informal settlements should be embraced and South Africans should realize that there will always be informal settlements and that it would naïve to think that every person in South Africa would be able to receive a house with demarcated land. '*The moment you start talking about a house, what is a house … is not a house to someone else. At what point does a shack not become a house?*

Who is making that judgment call and we are never going to get away from shacks, so why do we need to say that they are not a house. Maybe they are an adequate house? Maybe they are more adequate than lots of other forms of shelter like living under a bridge, so a shack may very well be a home but again what makes if formal? If it is made out of cardboard, is it less

formal than something that is made out of corrugated iron? Is that less formal than something made out of wood? And when you get onto brick, what makes that more formal? Is that permanent? Do they think it is a structure? I would say yes, it is a structure, it has value. A person sells a shack for a good couple of R1000. If something can be sold for that price, it is not useless (Jen, researcher).

Another researcher (Kate), although thinking that informal settlements are still a negative feature, she felt that they are a reality and are needed. '*They have to happen. The informal settlement is the low end of the housing market, it has to be there. Do they have positive features? Yes, they protect people in shack areas from the government moving them out with rich people. As long as they are there, they are safe, they are in the city. But the point that I was making yesterday, is that although informality protects people in shack settlements from either the market or the rich or government intervention, it also cuts them off government provision and they are going to need that . I think that informal settlements are negative, because it does not lead them to escape from poverty but if they were not there, the poor would not be able to live at all. I think they are very much needed*' (Kate, researcher).

Andre (researcher) said that since he feels informal settlements will not disappear, people within an informal settlement need to be empowered and the issue of crime needs to be addressed in informal settlements. '*I think if more money and more jobs can flow into the informal settlement system, it would be a habitable place. The main aspect of informal settlements is personal site and security … people should be as safe in Kayamandi as they are in Claremont. I can see no reason why you cannot have that. So establishing order and a personal solution within informal settlements is important. Ways to do this is to employ residents within informal settlements as neighbour hood watchmen or give them some sort of training as a police official.*'

As mentioned earlier in the chapter, researchers also see multi story buildings as a way to cope with the lack of land and housing. Building vertically into the air will open up some space horizontally and will create more open land for other opportunities. "*One Plot, one house does not work, we need to build multi story buildings*' (Ronald, researcher).

4.5.3   Contractors

The contractors stated that the end of the day what they can build is ultimately regulated in terms of the amount of money they receive to do the job. '*It has disadvantaged us in the last 5 years because building costs in the Western Cape is about 30% more expensive than in Gauteng (which might explain why they go so wild in Gauteng). So the subsidy is precisely the same as in Gauteng, but here your building costs are much more expensive. Ten years ago you could go to an artisan and say what is your rate for block work … and he would say so much. So the industry rate would have been R2 a block and he might have charged you R1, 20 a block, because it is informal housing etc. Now your artisan would say I would want to be paid R2, 80 a block and the industry rate is maybe R3, 20 so the gap has narrowed between the industry rate that pay for informal housing*'' (Marcus, contractor).

Gregory (contractor) said '*there is not a shortage of money in South Africa, the new tax law in the past couple of years has made provision for the money. So there is more than enough money for housing, the processes just need to be put in place. The subsidy amounts need to be corrected, because at the moment it is incorrect. The subsidies do not address the needs of the developer. In essence the increase of the petrol price, the shortage of materials and other things have meant that the building sector has increased with 20 percent in price worth in the last while. Where for instance we get R50 000 to build a house and install the services, it will cost on towards R60 000 and no contractor is going to build at a loss.*'

The same contractor mentioned that there is a problem with all the migrants coming to Cape Town. '*Influx of immigrants into Cape Town is large and uncontrolled. The people come here to get jobs … then they don't and do not have money for housing. They thus have to squat*' (Gregory, contractor). George (a contractor) says, '*When government officials are in power for whom political issues and power is more important than the livelihoods of the people, we will never have a solution for informal settlements. A final comment from a resident of an informal settlement was 'That is the reason why as a community we say that for things to happen it will depend on how active the settlement manager is, because the areas that have seen change, has a different manager than us. They manager say we must vote and that our place will be sorted out but up until today nothing has been done.*'

4.5.4 Residents

Although residents of informal settlements make it clear that they wish to own a house, what they really want are services. The houses are not that much of a problem for them. They can build them themselves or build it through the informal market, but difficult technical services as the installation of water pipes, electricity and flush toilets is what they really desire. What is also important is the maintenance of these services. The houses and ownership of these houses are also not that important to many of the residents, because they do not see them as their permanent. Many come here to work and when they lose their job or transport is to far off to get to work, they will move to another place.

Some also mentioned the fact that they do not know people around them and the lack of social connection would force them to move. Comments the residents made in this regard were, '*there are people who say that if they have houses built for them they will sell them because they want to return to the place where they have been living. The reason given for this is that lack of access to public transport and that that they do not know the new people that are living next to them. it is true, there are people who do that. An example is that a person can arrive at a certain place and suddenly realize that the area is too far from public transportation or another will get a house but be without a job and suddenly realize that the people who support him/her are too far.* So social connections are very important for an informal dweller. They support each other emotionally and also physically by means of borrowing certain necessities (Abbott, 2003: 2)

Other people that live around in this area have been living here for a long time, since around 1986, and there have been a lot of fires since then. What sometimes happens is that when a certain number has been announced for people to be relocated, they sometimes get people from Langa and Gugulethu who never had problems in the first place but we would see them getting these new houses. The people from here who have been around and who deserve the houses are told that they will be sent to eMfuleni or Delft or Philippi, that is the reason that people do not stay in the houses given to them' (Focus group 1, residents, translated).

On the issue of service the residents said, '*The old manager told us we cannot have electricity installed because we are in a reserve line and we are in an area with lots of water but some of the places that are temporary around Khayelitsha that are also in areas with lots of water but have electricity. Having electricity means of stopping our houses from burning down but*

some of us use candles and open flames. The problem of houses burning does not stop as some people fall asleep while they are drunk but use candles. This causes us to sleep with worry every night. The settlement manager tells us that there has to be an agreement between Eskom and the government to install electricity for informal settlements for a period of five years but the problem that Eskom has is that if the people are relocated they will not be able to remove the electricity before the five years are over. So the agreement will not be feasible because people cannot be removed before the end of the five years.'

Another resident's comments made it clear that housing is not that important, but what they want are a site and services, '*It would even be better to just have your own site and a toilet built on it but build your own house. The people in Site C had houses built for them and were moved to eKuyasa but they said they do not want to move there but to live in Site C. So they sold the houses that were built for them. Their reasons for not wanting to live there is that there is no train station in the area so when they have to go to the station they first have to take a taxi but at Site C they could just go straight to the station.*

Another resident working at a local cafeteria also commented on the lack of services especially toilets, '*what they are saying is true. You can see the place that where I work with food. Even you can look behind this structure to see for yourself that I had a garden but because there are no toilets people just use a plastic bag to defecate in and tell their child to use it and then tied it up and throw it here at the hospital, just over the fence. When you confront them about this the people say you live in a better area than they do. People here are really struggling because the public toilets that they use are closed. We really struggle with flies even in this place that I use to make food. The situation becomes better in winter because we do not get the flies. I have to constantly use disinfectant (jays fluid). We really can not see government doing anything.'*

From this chapter, it is clear that there are many suggestions on how to go ahead with housing delivery. The state felt that they are doing a reasonable job under the circumstances and have over the years come to implement many exciting new policies and programme such as the BNG policy and programmes for example as the In-situ upgrading and the emergency housing programme. It is clear however from the three other stakeholders, that they disagree on many aspects about how government is managing housing delivery. A rather sobering fact from this dissertation was that residents of informal settlements would obviously like a good formal

house, but what they really desired where services and maintenance of the services. This once again highlights the process of sustainable human settlements as very important where a formal house is just one aspect of urban housing delivery. Issues of services and provision of social and economic facilities such as play parks, town halls, shopping centers are crucial in this process.

Contractors and researchers both felt that there were other options available to government than providing free-standing houses to every individual and suggested other means such as multi-story buildings. It was also clear that some of the contractors were concerned about how the state was managing the system financially and made suggestions of bigger subsidy grants. It is also interesting to note how stakeholder groups suggested methods for housing delivery in the future. Why there were divergences can be deduced from a 'normative theory of stakeholder identification.' The state who is in power position due to its access to resources, capital and ability to mobilize its agents, still wanted to shift the part of the process on to the private sector. Contractors and researchers, although both have legitimate claims to be part of the process due to institutional affiliation, suggested different approaches towards housing delivery. This could be due to the direct or indirect role that they play in the process. Residents were adamant that the state should supply houses to them. This will be discussed at more length in the next chapter.

4.6   Conclusion

When stakeholders were interviewed, divergent perceptions and opinions of informal settlements emerged. The main definition of an informal settlement was described as a settlement where housing lacks secure tenure, does not comply with the building regulations of the given area or where there is a lack of basic services. Researchers were clear to make a distinction between an informal settlement and a squatter camp where an informal settlement could be authorized and legal, but still be informal whilst an squatter camp is always informal and illegal.

Residents however were quick to point out that what defined an informal settlement to them was the lack of basic service that are needed. Thus there is lack of running water, flush toilets, electricity and basic sanitation. The residents also described informal settlements as 'ukulahla ithemba which conveys their feeling of hopelessness. They feel disenchanted not having

adequate access to employment opportunities, education and basic free services that those who live in formal settlements enjoy.

The general consensus from stakeholder groups (except for government officials) was that the government does not have adequate policies in place and that do not mange their communication relationships adequately with individuals on the ground. '*We really need help, because our counselor has not been available. The last time I saw him was after our first meeting we had with him when he was introduced which was more than a year ago... even when we call him he does not reply. He used to say that if we want to get a hold of him, all we need is to call him and he will call back, but he never does. Even as the counselor committee (which I am part of), there is nothing that we are doing and we do not even hold meeting*' (Focus group 1, translated).

Researchers and contractors also disagree with government on the issues of eradicating all informal settlements. Although the general consensus is that a state-led approach is the approach needed for housing delivery in Cape Town, researchers make a valuable point, that if the government accepts that not all informal settlements are able to be eradicated, they can support informal settlements and maybe start with De Soto's process where he claims that a solution to global poverty would be to 'give poor people individual titles to land so that they can access credit, loans and investment' (Cousins & Hornby, 2007).

Whether something like this is feasible and can be fairly introduced is another question. Government is clear that they would like the housing delivery process in Cape Town to not be an exclusively state-led process, but want the market to assist. Residents of informal settlements might be more open for assisting in such a process if they were to be educated with some skills training and in some way form a public-private partnership with the government. Residents were clear however that they need basic services and need them to be maintained and they need some individuals to consistently look after this.

CHAPTER 5:
CONCLUSION

In this dissertation, I looked at different stakeholder opinions and viewpoints on the conceptualization of informal settlements and arguments about what to do about it. In my literature search it was argued that informal settlements are a result of industrialization that led to urbanization and it is in this migration from the rural to the urban that cities become overpopulated and unable to supply employment to all. Many of the migrants thus are left with low-income employment or no employment at all and do not have the financial resources to buy a formal house. This is not only a trend in Cape Town, but world-wide.

Cape Town has had an increased number of rural/urban migrants since 1986. The backlog of formal housing has been growing ever since to the point in 2007 where the housing backlog stood at 300 000 to 400 000 households in Cape Town alone. This makes Cape Town the city in South Africa with the largest backlog. Johannesburg and eThekwini follow Cape Town as the cities with the second largest housing backlog at 250 000 each (Dentlinger, 2007:2). Thus housing should receive the most attention in Cape Town, but the backlog keeps growing steadily at 2 percent a year (Dentlinger, 2007:2). So what are stakeholders in the housing delivery process's viewpoints and opinions about informal housing in Cape Town? How are informal settlements defined? What are the perceptions of the South African government and how they are managing the process of housing delivery and what is to be done about it? Why do stakeholders not share similar perceptions of the nature of informal housing and how do they suggest housing delivery should be approached in the future? These are some of the key issues that this thesis aims to address.

5.1 Informal settlements: stakeholder viewpoints

From the comments in the previous chapter, there are some very clear patterns and thoughts demonstrated. The first and foremost point is that the residents of informal settlements value formal houses, but what they really desire is service which will include water, electricity, flush toilets and manageable roads within the informal settlements. What is also very important is the maintenance of these services, because they break down if neglected. Residents of informal settlement's definition of an informal settlement is *called 'ukulahla ithemba'* (which can be translated as 'hopelessness') because as they described their circumstances, *'they do not have a future and they do not know where they will live and how*

they will live wherever they will be.' It is thus clear that informal settlements are definitely viewed as negative by the residents.

Residents mention the strain it takes to walk long distances to fetch water and not to have water readily at their disposal, the hazards that the lack of electricity causes such as candles falling over when people are sleeping and causing fires, which is normally a disaster within informal settlements due to the proximity of other houses. The lack of proper toilets causes a big health risk, with residents defecating in unwanted places where, for example, children could play. The problem with informal settlements being too dense without allowing for proper access roads is also a problem, for example when a fire breaks out, the fire brigade cannot enter the settlement to extinguish the fire.

If a normative theory of stakeholder identification is used, it is clear that many of the residents in informal settlements have urgent needs, not necessarily in terms of a formal house, but definitely in terms of services and maintenance. When all the toilets in the nearby vicinity are broken in a settlement and are spilling over and causing a serious health threat, it is clear that some help is urgently needed. And when help is urgently needed, there would be a call-out for the stakeholder with the greatest access to resources, with access to capital and with the ability to legitimately mobilize these resources for assistance. In this case, there is also time-sensitivity (as explained by the normative theory of stakeholder identification), so the residents would want the stakeholder that has immediate access to these resources to help as quickly as possible. So for the residents of informal settlements, housing and services should definitely be provided by a state-led approach. A lack of housing and services to residents is caused by the market, but should be solved by the state.

Government officials, although realizing the enormity of the shortage (approximately 300 000 to 400 000 households in 2007), were of the opinion that they were doing well under the circumstances. They would speak of their new policies and programmes such as for instance the emergency housing programme that can cater to the needs of individuals who need immediate help. There, however, seems to be a lack of communication between government and individuals living in informal settlements. Almost all of the residents of informal settlements mention that their manager/counselor from government comes around when it is voting time for elections and makes many promises only to be very scarce and almost unreachable after the votes have been cast.

Government and the residents would thus disagree on this point, seeing that government feels that communication between government and the ground level individuals is adequate. Residents disagree, and feel that government only communicates when it is convenient. It would also seem that the criteria needed to be eligible for a housing subsidy are not properly explained to informal settlement residents, since some of them in the interviews thought it was necessary to be employed to be eligible for a housing subsidy. This is not the case.

Applying the normative theory of stakeholder identification, it is once again clear that the state is in a position of power due to its access to resources and capital etc. Seeing that the state is aware of how large this process is (financially and time-consuming amongst others) and wanting to cover itself for not adequately and quickly (enough) supplying houses for all, the state would like to shift some of the responsibility and argue for a combination of a state and market-led approach where the private sector supports the state in the delivery of houses. So here they disagree with the residents in that housing delivery should not only be a state-delivered process, but the private sector should assist. It is also suggested in some corners that the state may be procrastinating with the process of housing delivery because informal dwellers build houses at a much cheaper price than the state would ever be able to. Thus the state allows the informal market to build some of the homes that they then do not have to finance.

Contractors, who mostly defined informal settlements by the type of work that they conduct in the settlement, would argue that a lack of housing and services is a problem caused by the state, such as by the unregulated flow of immigrants into the cities and by providing a subsidy scheme that does not allow for multi story buildings. They argue that because the state wants to give individual ownership and keeps on building horizontally, there is a shortage of land, which puts more pressure on government to allocate a larger budget for housing to be able to buy open land which is feasible to build on.

As described by the normative theory of stakeholder identification, when a stakeholder is legitimately directly institutionally affiliated, as contractors who work for the state are, they do have access to power and inputs that will be considered when housing delivery is discussed. They, however, are subordinate to the state and have to follow orders as they are given. They do, however, have enough of a legitimate stance in the housing delivery process to make suggestions that challenge the state. Their argument for solving the housing shortage

is also by virtue of a state-led approach. They feel that the subsidies that are being supplied to build low-cost housing do not cater to the specific needs of the developer and that no developer will build at a loss. The government officials and contractors in some sense thus agree that the housing budget is not adequate and should be improved to properly cater to the needs of those who deliver housing. Government disagreed on this process being wholly state-led and said that the process of pumping capital into housing should not only be state-led, but come from the private sector as well.

Researchers who make a distinction between an informal settlement and a squatter camp where an informal settlement is legal and a squatter camp is illegal felt that government policies are problematic in solving the housing shortage. Some researchers felt that houses should not just be given to an individual, but should be rented out on leasehold so that if it is deemed that the house was not managed in a proper manner by the beneficiary that the property can be taken back by the state. There were also comments from researchers that those who receive the formal houses should work for what they receive, and houses should not just be handed out. Whether this entailed assisting with building of the formal house is not certain, but it was argued that when an individual works for something he receives, he will cherish it more and take more pride in it. The residents of informal settlements would not necessarily disagree with this, but they do feel that is government's responsibility to cater for those who need houses, but would assist in this process if the proper communication routes were used.

The researcher's suggestions were also more market orientated. Researchers are legitimately institutionally affiliated, but unlike contractors, they are indirectly involved in housing delivery. They are not directly involved with the state, are not living in informal settlements and are not building houses, so they can have a viewpoint that is not necessarily going to affect them directly. Although there were ambivalences in decisions by researchers about what to do about housing delivery they suggested that there is just not enough space to give every person his own piece of land and that informal settlements are a reality and something that has to be improved rather than be devalued.

The researchers suggested market-led approaches to assist those in informal settlements where individuals in an informal settlement can be trained for certain services such as a reservist and so start an informal economy within the informal settlement to look after themselves. Many of

the researchers felt that informal settlements are here to stay and we rather need to look at how to improve and work with them rather than doing away with informal settlements. This of course conflicts with government's goal to formalize South Africa by 2014. The South African government wants to eradicate informal settlements and thus to leave settlements as informal at the moment is an option that conflicts with government's view. To leave settlements as informal at the moment is not an option for them.

5.2 Explaining divergent viewpoints

Thus why the stakeholders disagree can be seen to originate in the attributes of the stakeholder. Some are in a more privileged or advantaged position than others. It has to be mentioned that not all stakeholder groups always agree amongst themselves, but generally similar opinions were shared within a stakeholder group. Residents from informal settlements are disenchanted because they have come to the city in search of employment and when employment opportunities are scarce and they cannot afford needs like housing, they are left to squat. They feel it is the duty of government to urgently supply houses since they are not able to access employment opportunities. Since employment is not available for everyone in the country and thus not all can afford a house, the residents feel that that the state should be supply houses to the people within the country's borders and thus they suggest a state-led approach. It is a case of urgency for the state to support them in this respect and look after their interests and needs.

The government would not wholly disagree with a state-led approach, but feel that the private sector should assist in the building of low-cost housing, since the governments housing budget cannot provide for everyone. This is also due to the speed that informal dwellings are forming in the cities, especially Cape Town. The state housing supply cannot keep up with demand and an ever growing population that can not access formal housing. Thus the state feels that the private sector should assist and make the process of housing delivery a combined effort between the state and private institutions, a combination of a market-led and state-led approach.

Contractors disagree with government officials and feel that there is enough money from government's side to properly invest in housing delivery. As one of the contractor's states, *'there is not a shortage of money in South Africa, the new tax law in the past couple of years*

has made provision for the money. So there is more than enough money for housing, the processes just need to be put in place.'

Contractors feel that government's administration is making it too difficult to tender for government's low-cost housing programme and that politics play too a big part. So although the contractors would call for a state-led approach to housing delivery, they also ask for the government to revise some of the strategies and policies. Because contractors are legitimately affiliated with the state (the stakeholder in power), the state has to take their viewpoint into consideration since contractors are doing work for government. This allows contractors to make opinions and viewpoints that contradict the state. The state has to seriously consider the viewpoints of the contractors since it might affect the work that they are doing, if their viewpoints are not reviewed and responded to. Thus, unlike researchers who are also legitimately affiliated, it is in contractors' interest (also urgent at times) to adjust policies, circumstances and financial arrangements to suit them better, and since they are legitimately affiliated with the state, their viewpoint carries weight.

Researchers also agree with the contractors' viewpoint that certain policies have to be reviewed. Government officials disagree with this and feel that they have adequate policies and programmes in place and ask for patience and assistance from the market. Researchers, although not necessarily condoning illegal squatting, feel that government needs to look at other alternatives to assist with informal housing. The researchers disagree with government on the 'one man, one plot' solution and feel that it is not possible to allocate every person in South Africa their own house.

Alternatives such as multi-story buildings or the acceptance and support of informal settlements are just some of the suggestions that have been raised. Researchers ask the South African government the question, 'Can informal settlements totally be eradicated and a formal house be given to all South African?' The researchers that participated in this study disagreed with the government officials and feel that informal dwellings will never be eradicated. The alternatives have to be seriously considered. The researchers, although legitimately affiliated with a formal institution, do not have direct interest in the needs of the informal dweller. For this reason, they condone informal dwellings and ask for them to be supported and not discontinued. It would seem that they then support a market-led approach where the informal market is recognized.

It is clear whether the stakeholder is in a position of power, legitimized by virtue of institutional affiliation or has urgent interests, it affects their viewpoint on the housing delivery process. Some recommendations for improved delivery are, to possibly avert a one-sided, top-down decision making process; the stakeholder in power has to shift some of the power to those who have urgent interests. Those who are affiliated either to the state or other formal institutions need serious consideration of their suggestions and requests. An improved communication system is essential. Whether this is either from the residents to government communicating that their toilets are not working or whether it is from the local government communicating that they will give attention to the specific informal settlement at a specific time, it is essential to have clear communication. It is also important from government's side not to create expectations that can not be fulfilled. Unrealistic promises create expectations that boil over into frustration and anger when promises are not kept. Communication thus needs to be clear and concise. When the stakeholder who is in a position of power, allows for a participatory process with the other stakeholders who are institutionally affiliated or have urgent needs, and their participation is valued, the housing process will benefit.

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APPENDICES

Appendix 1: Interview schedule

Informal housing in Cape Town

Theme 1: *How do you define informal housing and informal settlements?*

Theme 2: *What is government policy on informal housing and do you agree with it?*

Theme 3: *Over the past 5 years, how well has this policy been implemented in Cape Town?*

Theme 4: *What is your opinion of informal settlements? Are they an all-encompassing negative feature of urban South Africa, or do they have some positive features? What should be done about it?*

Appendix 2: Interviews and focus groups: date - place list

Government officials:

1) Bob, interviewed in August 2008. Local Department of Housing in Cape Town

2) Ryan, interviewed in August 2008. Local Department of Housing in Cape Town

3) Sophie, interviewed in September 2008. Local Department of Housing in Cape Town

4) Johan, interviewed in September 2008. Local department of Housing in Cape Town

Researchers:

1) Kate, interviewed in August 2008 at the University of Stellenbosch

2) Andries, interviewed in September 2008 at the University of Western Cape

3) Ronald, interviewed in September 2008 at the University of Stellenbosch

4) Jen, interviewed in November 2008 at the University of Cape Town

Contractors

1) Jan, interviewed in August 2008 in the Strand, Cape Town

2) George, interviewed September 2008 in Blackheath, Cape Town

3) Marcus, interviewed September 2008 in Blackheath, Cape Town

4) Hannes, interviewed October 2008 in Cape Town

Residents of informal settlements

1) Focus group one held in October 2008 in Khayelitsha

2) Focus group two held in November 2008 in Nyanga