

**LEGALISING OF SQUATTERS AS A FACTOR IN SOCIAL
DEVELOPMENT**

by

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I declare that “LEGALISING OF SQUATTERS AS A FACTOR IN SOCIAL DEVELOPMENT” is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

SIGNATURE
(Ms)

DATE

SUMMARY

The study focused on City of Tshwane Metropolitan Municipality situated in Gauteng Province. The study aims to explore the City of Tshwane Metropolitan Municipality process of legalising squatters in relation to social development. A qualitative approach using semi- structured interviews, focus groups, observations and public documents was used to explore the process of legalising of squatters in relation to social development.

The researcher, based on the evidence from the respondents, public documents and the discussion of findings, concludes that there is a positive relationship between the process of legalising of squatters in the City of Tshwane Metropolitan Municipality and social development as an approach. The City of Tshwane Metropolitan Municipality process of legalising squatters is in line with the South African legislations and social policies.

The finding will add value to the City of Tshwane Metropolitan Municipality, Department of Human Settlements, Non –governmental and Faith Based Organisations and other sector stakeholders working with informal settlement dwellers in the following ways:

- a) Helping the City of Tshwane Metropolitan Municipality in the implementation of informal settlement policies and processes;
- b) Recommendations to policy issues;
- c) Advancement of knowledge.

KEY TERMS

Social development, squatters, legalising, people centred, needs oriented, community participation, economic development, improved quality of lives, housing and basic services

DEDICATION AND ACKNOWLEDGEMENTS

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LIST OF ACRONYMS

NW	North West
WC	Western Cape
BNG	Breaking New Grounds
CDWs	Community Development Workers
DHS	Department of Human Settlement
EPWP:	Expanded Public Works Programme
FS	Free State
GT	Gauteng
KZN	Kwa-Zulu Natal
LIMP	Limpopo
MDG	Millennium Development Goals
MPU	Mpumalanga
MTSF:	Medium Term Strategic Framework
NC	Northern Cape

SMMEs	Small Medium Micro Enterprises
UISP	Upgrading of Informal Settlements
UN:	United Nations

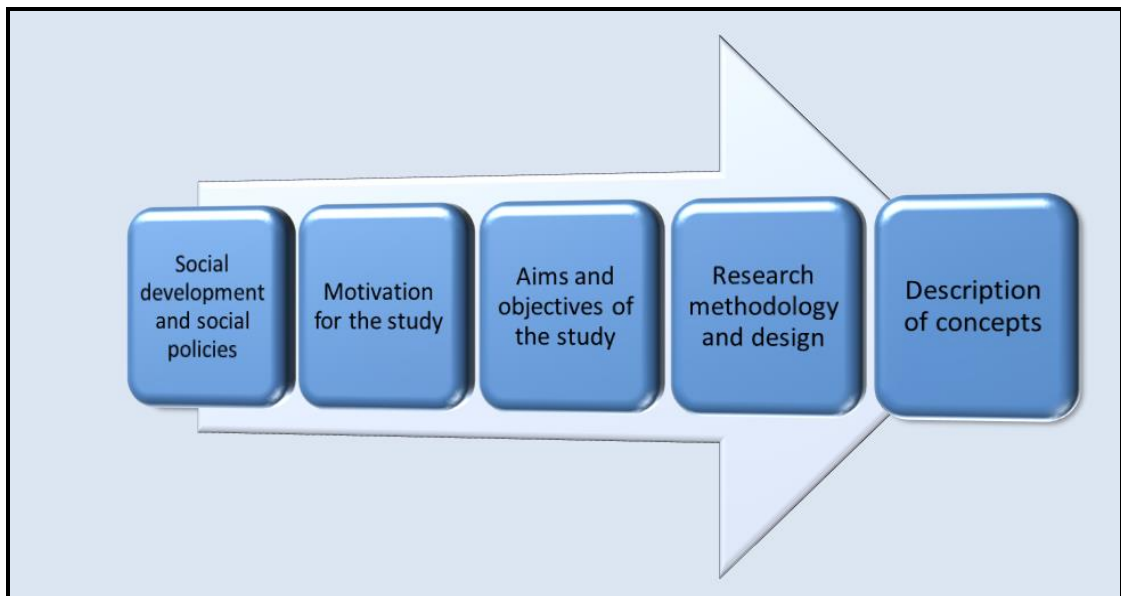
CHAPTER 1: INTRODUCTION

Introduction

The study of legalising of squatters as a factor in social development focused on City of Tshwane Metropolitan Municipality situated in Gauteng Province. Squatting is a reality in South Africa. According to the Department of Human Settlement informal settlements atlas project (2009/2010), in the years 2009/2010, Gauteng Province had 647 informal settlements (in all the municipalities) and it was ranked the second highest province with the number of informal settlements in the country. The City of Tshwane Metropolitan Municipality alone had 117 informal settlements.

This introductory chapter focuses on five broad themes, namely, background on social development and social policies, motivation for the study, aims and objectives of the study, research design and methodology and finally, concepts central to the study. The themes are depicted in figure 1.1 below. A brief indication of what has been captured in other chapters will also be provided

Figure 1.1: Introduction chapter themes



1.1 Background on social development and social policies

The theme on background on social development and social policies focus on the relationship between social development and South African social policies. South Africa has signed and committed to the United Nations Declaration on Social Development and the Millennium Declaration. Therefore the declarations will be briefly explained in relation to the Medium Term Strategic Framework (MTSF).

1.1.1. The South African social policies and social development

Social development is a process of planned social change designed to promote the well-being of the population as a whole in conjunction with the dynamic process of economic development (Midgely, 1995:25).

The Constitution of the Republic of South Africa, 1996 and social development

Social development is an important factor in the Constitution of the Republic of South Africa (1996) which is the supreme law of the country. The Constitution (1996: Section 152(b) and (c)) states that the local government must ensure the provision of services to communities in a sustainable manner and promote social and economic development. It can be argued that as mandated by the Constitution (1996), the local government is obligated to adhere to the principle of social development in the provision of community services, including the process of legalising of squatters.

The White Paper on Local Government (1998) and social development

The White Paper on Local Government (1998) is in line with the Constitution because they both promote social development as an approach. The White Paper on Local Government (1998) regulates the local government to be developmental. Developmental local government is described in the White Paper on Local Government (1998:Section B) as

a local government that is committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve their quality of lives. In terms of White Paper on Local Government (1998:Section B (1)) there are four interrelated characteristics for the developmental local government, namely, maximising social development and economic growth, integrating and coordinating, democratising development and leading and learning.

The White Paper for Social Welfare (1997) and social development

The White Paper for Social Welfare (1997) supports and agrees with Midgely (1995) in that the ultimate goal of social development is to bring sustained improvement in the wellbeing of the individual, family, community and society at large. In terms of chapter 1 of the White Paper for Social Welfare (1997) issues that are central to social development are, economic growth and income distribution, employment and access to social welfare. Furthermore, the White Paper for Social Welfare (1997: Section 8) emphasises that social and economic developments are interdependent and mutually reinforcing processes. The White Paper (1997) further clarifies that equitable social development is the foundation of economic prosperity and economic growth which is necessary for social development

There is a relationship between social development as an approach in the Constitution of the Republic of South Africa (1996), the White Paper on Local Government (1998) and the White Paper on Social Welfare (1997), as depicted in figure 1.2 below. Social development as an approach is explicit in the mentioned social policies. Based on the mentioned social policies, it is evident that social development is a fundamental factor in the government plans and programmes. Consequently, it can be argued that

social development is an important factor in the process legalising of squatters in South Africa.

Figure 1.2: Relationship between social development and social policies and programmes



1.1.2. United Nations perspective of social development

South Africa is an international partner and has adopted the United Nations Declaration on Social Development and signed the Millennium Declarations as briefly explained below in section A and B. The government of South Africa is committed to implement social development as an approach as reflected in the Medium Term Strategic Framework (2009) in section C below.

A. United Nations Declarations on Social Development

South Africa, as an international partner, adopted the United Nations Declarations on Social Development during the United Nations World Summit for Social Development held on 6–12 March 1995 in Copenhagen. Consequently, South Africa has an obligation to implement and report on

the commitments of the United Nations Declarations on Social Development

The most relevant commitments to the study of legalising of squatters as a factor in social development sourced from United Nations World Summit for Social Development report (1995) are:

- a) Commitment 1: To create an economic, political, social, cultural and legal environment that will enable people to achieve social development;
- b) Commitment 4: To promote social integration based on the enhancement and protection of all human rights, as well as non – discrimination, tolerance, respect for diversity, equality of opportunity, solidarity, security and participation of all people , including disadvantaged and vulnerable;
- c) Commitment 8: To ensure that structural adjustment programmes include social development goals, in particular eradicating poverty, promoting full and productive employment and enhancing social integration;
- d) Commitment 9: To increase resources allocated to social development;
- e) Commitment 10: To strengthen cooperation and partnerships for social development through the United Nations

B. Millennium Development Goals

According to online Wikipedia encyclopedia, South Africa signed the Millennium Declaration from which eight Millennium Development Goals (MDG) were derived. These goals must be achieved by 2015. The relevant Millennium Development Goal to the study is Goal number seven (7) which aims to ensure sustainable environment. Target number seven (7) D for the Millennium Development Goal number seven (7) aims to achieve significant improvement in the lives of at least 100 million slum dwellers in the world by 2020.

C. Medium Term Strategic Framework

The Medium Term Strategic Framework (2009) confirms that South Africa has embraced the eight Millennium Development Goals into a national set of ten priorities. The Medium Term Strategic Framework (MTSF) guides Government Programme in the electoral mandate period 2009 – 2014. It is a statement of intent identifying the development challenges facing South Africa. Therefore the Millennium Development Goals are integral to the South African government's development priorities

It can be argued that South Africa has an obligation and commitment to improve the lives of people living in informal settlements. This can be deduced from the signing of the Millennium Development Declaration through the social development approach as mandated by the social policies and adoption of the United Nations Declarations on Social Development. Therefore the study of legalising of squatters as a factor in social development will add value in the advancement of knowledge.

1.2 Motivation for the study

The researcher agrees with the statement by authors de Vos; Strydom; Fouche and Delport (2005:91) that professional practitioners often discover research topics during their daily practice. Most research problems arise from a concrete problem observed in reality (de Vos et al. 2005: 92). The study on legalising of squatters as a factor in social development was prompted by the community development project (conducted as part of the Masters in Social Science) and observations of reality by the researcher as explained below.

The community development project was undertaken at the former boarding school known as Central State School situated in Soshanguve Township, approximately 30km north of Pretoria, in the jurisdiction of City of Tshwane metropolitan municipality area in Gauteng Province. The

boarding school was declared a day school in 1990 due to a lack of funds to maintain boarding facilities. Later, the school was closed; consequently the hostel facilities were invaded by squatters.

The squatter community's empowerment and self-reliance enabled them to achieve other needs which were within their abilities, competencies and self-sufficiency. In addition, the squatter community also had a common need and goal of legal ownership of the dwellings because they knew that they could be evicted as squatters.

The researcher, together with the community, had knowledge gaps on the legal framework, processes, roles and responsibilities of legalising of squatters. Consequently, the experiences encountered with the squatter problems remained as an unsolved issue. The researcher's interest in the issue of squatter legality was reactivated much later by a similar observation of reality to that encountered way back in 1999.

Babbie and Mouton (2006:103) state that for a researcher to embark on the study of a particular topic there must be a motivation or rationale. Reasons to do a particular study may be to address an urgent problem in society. South Africa has an urgent problem of basic services as demonstration incidents by informal dwellers in the informal settlements indicate. These demonstrations confirm that South Africa has an urgent problem regarding informal settlements.

One of the examples of observation of reality is reflected in the article by Venter (2012: 01) titled *"Squatters to live among rich", "The police burnt down the squatters' dwellings of a group of informal dwellers living in a squatter settlement informally known as Plastic View in Moreleta Park (richest area of the city) in 2006. Adults, children and old people were left without shelter. The concerned community turned to court for help. Collin*

and Denise Dredge, who run the non-profit organisation Tswelopele which assists the poor, have been with this group since 2006, when they first went to court to try and find shelter for them.

Lawyers for Human Rights have over the years assisted these residents to get a solution to their housing problems. The Appeal Court ordered the council to ensure the concerned community had basic shelter. It was agreed that they move to a camp with access control, water and basic sanitation, where they have been since 2008. A group of informal dwellers won the right to stay and build houses in June 2012. Acting Judge Piet van der Byl made it clear in the agreement that only those dwellers, who qualify for social housing assistance, will be allocated land. Qualified person in terms of the agreement meant any occupier of the demarcated area as at 4 June 2012, who is a South African citizen or has a valid residence permit, allowing them to permanently reside in the country. This will include lawful refugees who qualified for the allocation of housing in terms of the council's housing development policy. The community of 856 households is now living on the land earmarked for housing, set adjacent to the NG Church Moreleta Park.

Negotiations between the Meadow Glen, Meadow Ridge, Moreleta Park Extension 44, Mooikloof, and Woodhill home owners' associations and the council, reached a consensus that the council would establish a township in the demarcated area (Plastic View) with serviced residential erven by no later than November 2013. Homeowners could approach the court to force the council to evict the remaining residents, whether they qualify for housing or not, should the council fail to establish the township by November 2013. Common ground was found in June 2012, when by agreement it was decided that formal low cost housing for those who qualified, was the solution.

Jacob van Garderen of Lawyers for Human Rights perceived the judgement as a huge victory for the poor. He said that it is a welcome break from the status quo where the city insisted on moving them to far off areas, causing them to lose their jobs as a result. Lawyers for Human Rights lawyer Louise du Plessis said it is the first time that the government integrated suburb policy is being implemented in Pretoria. She further said it will be a long process and it is not yet clear who will be evicted or what the housing development will entail. Louise du Plessis said they will keep a close eye on the eviction process to be followed by the council. Collin and Denise Dredge, from Tswelopele organisation, also run Plastic View/Woodlane Village - as it is officially called. They said the residents are positive about the developments. Denise said that poverty and homelessness will not go away and a development like this enhances safety for the residents in the area.

The above encounter and observation have prompted the researcher to embark on the study of legalising of squatters as a factor in social development.

1.3 Aim and objectives of the research

1.3.1 Aim of research

According to de Vos et al. (2005:104), aim implies the broader, more abstract conception of the end toward which effort or ambition is directed. The term aim, goal and purpose are often used interchangeably.

The aim of the research is: To explore the City of Tshwane Metropolitan Municipality process of legalising squatters in relation to social development.

1.3.2 Objectives of the study

Objectives denote the more concrete, measurable and more speedily attainable conception of such an end toward which effort or ambition is directed. Objectives are the steps to be taken, one by one, realistically at grassroots level, within a certain time span, in order to attain the aim (de Vos et al, 2005:104).

The objectives of the research are:

- a) To explore the process of legalising of squatters in the City of Tshwane Metropolitan Municipality;
- b) To explore the relationship between the process of legalising of squatters in the City of Tshwane Metropolitan Municipality and social development;
- c) To explore the participation of local communities in the process of legalising of squatters;
- d) To explore the integration of economic development in the process of legalising of squatters;
- e) To explore the integration of health, social and welfare components in the process of legalising of squatters;
- f) To explore the integration of basic services like water, sanitation and electricity in the process of legalising of squatters.

1.3.3 Research question

According to de Vos et al. (2005:321) vague thoughts must be formulated as specific questions about the subject and should be related to the goals, and objectives of the investigation.

The research question for the study:

What is the relationship between the City of Tshwane Metropolitan Municipality's process of legalising of squatters and social development?

1.3.4 Value of findings

The finding will add value to the City of Tshwane Metropolitan Municipality, Department of Human Settlements, Non –governmental and Faith based organisations and other sector stakeholders working with informal settlement dwellers in the following ways:

- d) Helping the City of Tshwane Metropolitan Municipality in the implementation of informal settlement policies and processes;
- e) Recommendations to policy issues;
- f) Advancement of knowledge.

1.3.5 Scope and limitation

Scope

According to Wikipedia, the free encyclopedia, South Africa is made up of 262 municipalities within nine provinces with a few cross border municipalities. Gauteng municipalities are divided into three metropolitan municipalities, two district municipalities and seven local municipalities as reflected in Table 1.1 below

Table 1.1: Gauteng municipalities

Gauteng Municipalities			
Metropolitan Municipalities			
1	City of Tshwane Metropolitan Municipality		
2	City of Johannesburg Metropolitan Municipality		
3	Ekurhuleni Metropolitan Municipality		
District Municipalities		Local Municipalities	
1	Sedibeng District Municipality	1	Emfuleni Local Municipality
		2	Midvaal Local Municipality
		3	Lesedi Local Municipality
2	West Rand District Municipality	1	Randfontein Local Municipality
		2	Westonaria Local Municipality

Gauteng Municipalities			
		3	Merafong City Local Municipality
		4	Mogale City Local Municipality

1.3.6 Limitations

The researcher is conscious that the limitations are part of any study and measures must be put in place to eliminate or minimise them. According to de Vos et al. (2005:118-119), the potential limitations mentioned below are often numerous even in the most carefully planned research study.

- a) The reliability and validity of data collection instruments;
- b) Access to data;
- c) Ethical problems;
- d) The ability to control extraneous factors in the environment and in respondents;
- e) The generalisability of the sample to the population from which it was drawn.

The study focuses on the City of Tshwane Metropolitan Municipality in Gauteng, Department of Human Settlement (DHS), Plastic View/Woodlane village informal settlement in Moreleta Park, Emmanuel and Grace Presbyterian Church and Moreleta Dutch Reformed Church.

1.4. Research design and methodology

According to Babbie and Mouton (2006:74-75), research design is a plan or blueprint of how research is intended to be conducted. The differences between research design and research methodology are reflected below in table 1.2.

Table 1.2: Differences between research design and research methodology (Babbie & Mouton, 2006:74-75)

Research Design	Research Methodology
Focuses on the end product: what kind of study is being planned and what kinds of results are aimed at?	Focuses on the research process and the kind of tools and procedures to be used.
Point of departure: Research problem or question?	Point of departure: Specific tasks (data collection or sampling) at hand.
Focuses on the logic of research: What kind of evidence is required to address the research question adequately?	Focus on the individual (not linear) steps in the research process and the most objective (unbiased) procedures to be employed.

The researcher used qualitative approach to study the legalisation of squatters as a factor in social development. Qualitative method aims to understand and interpret the meaning that subjects give to their everyday lives. One purpose of qualitative methods is to discover important questions, processes and relationships and not to test them (de Vos et al. 2005:116).

According to Babbie and Mouton (2006:53), the term qualitative research paradigm is a generic research approach in social research according to which research takes its departure point as the insider perspective on social action. Qualitative researchers always attempt to study human action from insider's perspective. The goal of research is defined as describing and understanding rather than explanation and prediction of human behaviour. The emphasis is on methods of observation and analysis. This would include observational methods such as unstructured interviewing, participant observation and the use of personal documents.

In the analysis of qualitative data, the emphasis is on grounded theory and more inductive analytical strategies.

1.4.1 The population

Babbie and Mouton (2006:100) define the population for the study as the group (usually people) about whom a conclusion must be drawn. A study population is that aggregation of elements from which the sample is actually selected. A population (de Vos et al. 2005:194) is the totality of persons, events, organisation units, case records or other sampling units with which the research problem is concerned.

The population for the study of legalising of squatters as a factor in social development comprise officials from the City of Tshwane Metropolitan Municipality in Gauteng, Department of Human Settlement (DHS), Plastic View/Woodlane village informal settlement in Moreleta Park, Emmanuel and Grace Presbyterian Church, Moreleta Dutch Reformed Church and public/official documents on legalising of squatter/informal settlements.

1.4.2 The sampling

Babbie and Mouton (2006:164) define sampling as a process of selecting observations. Sampling is described as taking a portion of a population and considering it a representative of that population (de Vos et al. 2005: 203).

The study used the non-probability sampling method with the purposive or judgemental sampling strategy to obtain information on the legalising of squatters as a factor in social development. Non- probability sampling methods are utilised in qualitative studies. The odds of selecting a particular individual in non-probability sampling method are not known (de Vos et al. 2005: 201). It is also pointed out in de Vos et al. (2005:198) that non-probability sampling is done without randomization. Babbie and

Mouton (2006:166) point out that in purposive or judgemental sampling, sometimes it is appropriate to select a sample on the basis of own knowledge of the population, its elements and the nature of the research aims i.e. based on judgement and purpose.

Non-probability sampling was derived from populations below:

- a) Department of Human Settlement officials in monitoring and evaluation directorates;
- b) City of Tshwane Metropolitan Municipality officials in the following department: Housing and Human Settlements, Health and Social Development and Economic Development;
- c) Plastic View/Woodlane village informal settlement community members
- d) Faith Based Organisation: Emmanuel and Grace Presbyterian Church and Moreleta Dutch Reformed Church.;
- e) Non-Governmental Organisations: Tswelopele Step by Step organisation.

1.4.3 Data collection procedure

The researcher used four methods of data collection, namely, semi structured interviews, focus groups, observations and public documents.

Semi-structured interviews were used to collect the data for the study. Semi-structured interviews are defined as interviews organised around areas of a particular interest, while still allowing considerable flexibility in scope and depth (de Vos et al. 2005:292). The method is ideal in order to gain a detailed picture of participant's perceptions of a particular topic and suitable where one is particularly interested in complexity and process (de Vos et al. 2005:296).

The researcher also used focus groups in the study to complement the semi-structured interview method with individuals. According to Morgan (1997:6) as cited in de Vos et al. (2005:300), focus group is a research technique that collects data through group interaction on a topic determined by the researcher. The purpose of focus groups is to promote self-disclosure among participants. Focus groups are useful when multiple viewpoints or responses are needed on a specific topic.

Observations as an additional and complementary method were also used by the researcher to collect data. DeWalt and DeWalt (2002:92) believe that the goal for design of research using participant observation as a method is to develop a holistic understanding of the phenomena under study that is as objective and accurate as possible.

Other methods of data collection used were official records/public documents. The public documents were sourced to gather information on policies, implementation guidelines, processes and procedures. According to Taylor and Bogdan (1998:129), there are an unlimited number of official and public documents, government reports, records and materials available as sources of data.

1.4.4 Data presentation and analysis

It is pointed out in de Vos et al. (2005:338) that classification is a popular form of analysis. Classification is defined as taking the qualitative information apart and looking for categories, themes or dimensions of information. Classification involves identifying five or six general themes with sub-themes. Therefore, category formation represents the heart of qualitative data analysis.

The presentation and discussions of findings will be based on the following five classified themes:

- a) The extent of informal settlements in South Africa
- b) The rights of informal settlement dwellers, social policies
- c) Social policies
- d) City of Tshwane Metropolitan Municipality process of legalising of squatters
- e) Social development approach.

1.4.5 Ethical considerations

Ethics are defined by de Vos et al. (2005:69) as a set of widely accepted moral principles that offer rules for, and behavioural expectations of, the most correct conduct towards experimental subjects and respondents, employers, sponsors, other researchers, assistants and students. Important issues explored are that:

- a) No harm should come to respondents;
- b) Prospective respondents should give their informed consent;
- c) Respondents should not be deceived in any way;
- d) Researchers should be competent and responsible.

The researcher adhered to all the ethical considerations when conducting the study of legalising of squatters as a factor in social development.

1.5 Description of concepts central to the study

1.5.1 Legalising

The term legalise is defined on the online free dictionary's legal-dictionary as to make legal or lawful, bring into conformity with law. To legalise is synonymous with to formalise or to approve. Something legal is defined as permitted by law or in conformity with law, recognised or enforced by law or allowed by law. Therefore in the study, the concepts legalise and formalise are used interchangeably because most South African literature uses the concept formalise.

1.5.2 Squatters/informal settlement

The terms squatter camp, informal settlement, shanty towns and slums are synonyms. However, the term informal settlement is more acceptable in South Africa as opposed to squatter camps, shanty towns or slums. Most literature in South Africa refers to informal settlements. It is pointed out in the online free dictionary that the term informal settlement (sociology) is a South African euphemism for squatter camp or slum.

The concept squatter is defined in the context of law as a person who occupies property or land to which he or she has no legal title (Collins English Dictionary, 2004:1581 s.v."squatter"). The online Wikipedia encyclopedia further elaborates that squatting consist of occupying an abandoned or unoccupied space or building, usually residential that the squatter does not own, rent or otherwise have permission to use.

An informal settlement is also described in the White Paper on Local Government (1998) as a settlement that is unplanned and largely unserviced with populations of over 5000 people. It is explained that some informal settlements are located close to urban areas and others in rural areas.

According to the online Myfundu encyclopedia, informal settlements develop when government planning fails to address housing needs. These settlements are densely settled, unplanned and unstructured, in which communities are housed in self-constructed shelters or shacks made of miscellaneous materials including corrugated iron, cardboard, wooden planks and plastic bags.

1.5.3 Factor

Factor is defined in Collin Cobuild Advanced Learners Dictionary (2004: 509: s.v."factor")) as something that affects an event, decision or situation. Collins English Dictionary (2004: 557:s.v."factor") describes the term factor as an element or cause that contributes or has an influence on the result of something. According to the online free dictionary, factor is defined as one that actively contributes to an accomplishment, result or process, an element or cause that contributes to a result, anything that contributes causally to a result

1.5.4 Social development

Social development is defined by Midgely (1995:25) as a process of planned social change designed to promote the well-being of the population as a whole in conjunction with a dynamic process of economic development. It is pointed out in Midgely (1995:27) that the goal of social development is to promote social welfare. Social welfare in the context of social development connotes a condition of social wellbeing which occurs when social problems are satisfactorily managed, social needs are met and social opportunities are created. Social development approach refers to policies and programmes that meet needs, promote rights, manage social problems and facilitate the maximisation of opportunities to achieve social wellbeing and the promotion of human empowerment and human inclusion (Patel, 2005:203).

1.6 Organisation of the Study

The study is organised in terms of the following chapters:

Chapter 1: Introduction

The chapter on introduction briefly summarises a positive relationship between the concept social development and South African social policies namely the Constitution of the Republic of South Africa (1996), White Paper on Local Government (1998) and White Paper for Social Welfare

(1997). The study was motivated by the community development project undertaken and South African reality of informal settlements. Consequently the aim of the study is to explore the City of Tshwane Metropolitan Municipality process of legalising squatters in relation to social development using Woodlane Village/Plastic View as a point of reference.

Chapter 2: Literature review

The chapter on literature review will confirm the relationship between the implementation plan on legalising of squatters and social development. The literature review will be based on the following themes, namely, social development, Constitutional and legislative framework, situational analysis of squatters in South Africa and the Department of Human Settlement process on legalising of informal settlement implementation plan.

The concept social development is central to the study and will be described as an approach and as a process. The legislations relevant to the study will be explained, namely, Constitution of the Republic of South Africa (Act No 108 of 1996), Prevention of Illegal Evictions from and Unlawful Occupation of Land (No 19 of 1998), Draft Prevention of Illegal Evictions from and Unlawful Occupation of Land Amendment Bill of 2003, Less Formal Townships Establishment Act (No 113 of 1991), Less Formal Townships Establishment Act (No 113 of 1991), Housing Act (No 107 of 1997), White Paper on Local Government (1998) and White Paper on Social Welfare (1997). The legislations are pro-social development.

According to Statistics South Africa, there are over 2 700 informal settlements in the country, comprising approximately 1.2 million households. The Department of Human Settlement 2009/2010 Informal Settlements Atlas points out that there are 2,628 informal settlement polygons in the country across the 70 municipalities. The number of

informal settlements per province is depicted in graph 2.1. The Gauteng province municipalities are all included in the 70 municipalities incorporated in the informal settlement atlas. Gauteng has 647 informal settlements and is the second highest in terms of the informal settlements in the country. The City of Tshwane Metropolitan Municipality, which is the focus of the study, has 117 informal settlements. No household estimates are provided.

The Department of Human Settlement points out that the Upgrading of Informal Settlement Programme (UISP) is one of the most important programmes of Government which seeks to improve the living conditions of millions of poor people living in informal settlements. The National Housing Programme: Upgrading of Informal Settlement Programme is instituted in terms of section 3(4) (g) of the Housing Act, 1997. The programme provides grants to a municipality to carry out the upgrading of informal settlements within its jurisdiction in a structured manner. The grant funding will assist the municipality in fast tracking the provision of security of tenure, basic municipal services, social and economic amenities and the empowerment of residents in informal settlements to take control of housing development.

Chapter 3: Research design and methodology

This chapter will explain the research design and methodology. Research methodology is based on qualitative approach. Four methods of data collection, namely, semi-structured interviews, focus groups, observations and public documents will be used to explore the process of legalising of squatters in the City of Tshwane Metropolitan Municipality in relation to social development approach. Qualitative data will be analysed from the frame of reference of grounded theory and more inductive analytical strategies.

The population for the study of legalising of squatters as a factor in social development comprises officials from the City of Tshwane Metropolitan Municipality, Department of Human Settlement, Tswelopele Step by Step Organisation, Emmanuel and Grace Presbyterian Church, Moreleta Dutch Reformed Church, Plastic View/Woodlane village informal settlement in Moreleta Park and public/official documents on legalising of informal settlements. The study will use the non-probability sampling method with the purposive or judgemental sampling strategy to obtain information on the legalising of squatters as a factor in social development.

Chapter 4: Presentation and discussion of findings

The chapter on presentation and discussion of findings will be based on the evidence from the respondents and the discussion of findings, concludes that there is a positive relationship between the process of legalising of squatters in the City of Tshwane Metropolitan Municipality and social development as an approach. The City of Tshwane Metropolitan Municipality process of legalising squatters is in line with the South African legislations and social policies which integrate the social development strategic plan (vision, goals, values and principles).

Chapter 5: Conclusions and recommendations

The chapter on conclusions and recommendations concludes that all the objectives of the study have been achieved. The process of legalising of informal settlements in the City of Tshwane Metropolitan Municipality is planned and implemented using the social development approach and improves the quality of lives.

The researcher, based on the findings, concludes that there is congruence between the process of legalising of squatters, social policies and the social development approach. The three spheres of government, private sector and non-governmental organisations must collaborate to maximise

resources because informal settlements are a reality in South Africa. Based on the above, the answer to the research question is that there is a positive relationship between the City of Tshwane Metropolitan Municipality process of legalising of squatters and the social development approach as depicted in figure 5.5.

1.7 Conclusion

It can be concluded that the South African social policies follow the approach of social development. Therefore the social policies are pro-social development. It is evident that the South African government has created social policies that promote social development as an obligation to an implementation and reporting of the commitments adopted in the United Nations Declaration on Social Development and Millennium Declaration.

The Constitution of the Republic of South Africa (1996), the White Paper on Social Welfare (1997) and the White Paper on Local Government (1998) regulate and promote social development as an approach. One can conclude that the principles central to social development as an approach are explicit in the social policies as:

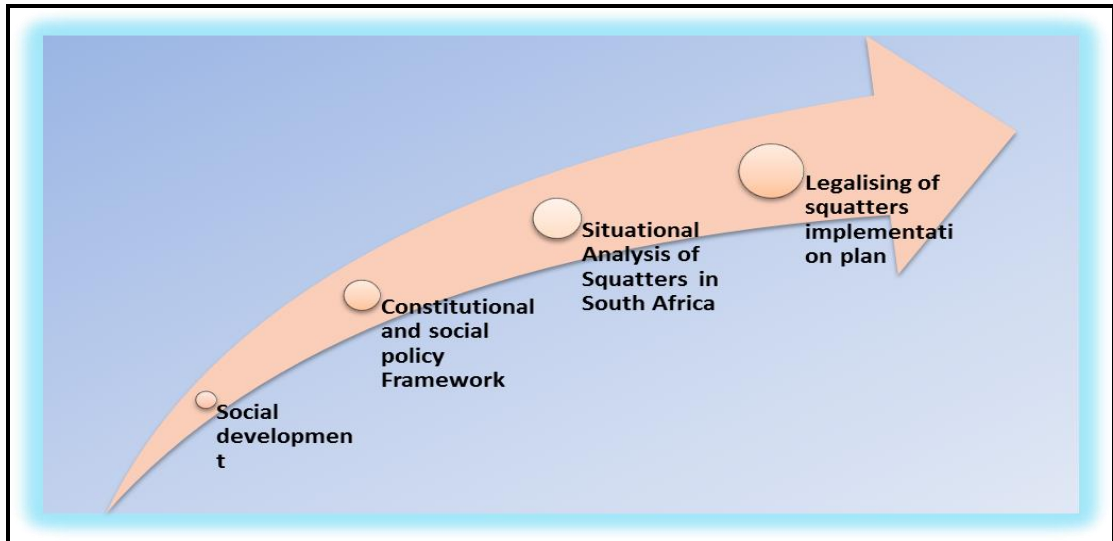
- a) People centred developmental processes;
- b) Community needs oriented approach;
- c) Community participation;
- d) Economic development and job creation;
- e) Improvement in the wellbeing of the society;
- f) Improved quality of lives;
- g) Development of the population as whole.

CHAPTER 2: LITERATURE REVIEW

Introduction

The literature review for the study of legalising of squatters as a factor in social development is organised in terms of four broad themes as depicted in figure 2.1, namely, social development, Constitutional and legislative framework, situational analysis of squatters in South Africa and the Department of Human Settlement process on legalising of squatters implementation plan.

Figure 2.1: Literature review themes



2.1 The concept social development and its characteristics

The concept social development is fundamental in the study of legalising of squatters as a factor in social development. Therefore, social development will be described as a process and an approach and its characteristics highlighted.

2.1.1 Historical overview of the concept social development

The United Nations (UN) introduced social development as an approach to address human development needs in the world's poorest nations,

following independence from colonial rule in the 1960s. The social development approach re-emerged in the late 20th century as a response to unequal and distorted development. The United Nations World Summit endorsed social development as an approach in 1995 (Patel, 2005:23).

The objective of the United Nations World Summit in 1995 was to obtain recognition from the international community that development is a comprehensive process. Development is a social process that is intimately linked to peace, human rights, democratic governance, environment and cultures and lifestyles of people (Schenck, Nel & Louw, 2010:32).

2.1.2 Description of the concept social development

Midgely (1995: 25) defines social development as a process of planned social change designed to promote the well-being of the population as a whole in conjunction with a dynamic process of economic development.

The goal of social development

The goal of social development is pointed out in Mohammed (1991:8) as the maximum improvement of the material, cultural, social and political aspects of the community. Social development is the development of the entire community with the focus on developing the community's potential. Social development:

- a) Embraces activities which enhance the capacities of members of society to fulfill existing and changing social roles and expectations and to accomplish various goals.
- b) Entails the democratisation of the development process and the orientation of the development effort to the needs and interest of masses.
- c) Ensures equitable sharing in the benefits and burdens of development, the recovery of self-confidence and delineation.

Issues central to social development

Chapter 1 of the White Paper for Social Welfare (1997) provides issues central to social development as economic growth and income distribution, employment, access to social welfare, social and economic development. Furthermore, the White Paper for Social Welfare (1997: section 8) emphasises that social and economic developments are interdependent and mutually reinforcing processes. Equitable social development is the foundation of economic prosperity and economic growth is necessary for social development

2.1.3 Characteristics of social development

There are eight characteristics of social development (Midgely, 1995:25-27).

1. The process of social development is linked to economic development.
2. Social development has an interdisciplinary focus which draws on the insights of the various social sciences like political economy. It offers an interdisciplinary basis for analysing and dealing with current social problems and for promoting social welfare. Values, beliefs and ideologies are dealt with explicitly.
3. Social development promotes logic of process. The notion of change and growth are clear. Three aspects of social development are:
 - A pre-existing social condition that social development seeks to change;
 - The process of change itself;
 - The end state in which social development goals are accomplished.
4. Social development is progressive in nature.
5. The process of social development is interventionist. Organized efforts are needed to bring about improvements in social welfare. The process of social development is directed by human beings who

implement specific plans and strategies to foster social development goals.

6. Social development goals are fostered through various strategies. The strategies seek either directly or indirectly to link social interventions with economic development efforts.

7. Social development is concerned with population as a whole. Therefore it is inclusive or universalistic in scope.

8. The goal of social development is the promotion of social welfare.

2.1.4 Social development as an approach and as a process

Both Patel (2005) and Midgely (1995) perceive social development as an approach and a process. The two concepts are explained and compared in Table 2.1 below.

Table 2.1: Social development as an approach and a process

	<i>Social development as an approach and as a process</i>
<u>Aim:</u>	<u>Approach:</u> Social development as an approach promotes people's welfare. It enhances the quality of life for all citizens and responds to the problems of distorted development (Midgely, 1995:7-8).
	<u>Process:</u> Social development is a process that promotes the well-being of the population as a whole (Midgely, 1995:25).
	<u>Comparisons:</u> Social development as an approach and a process aims to improve the quality of life of the population as a whole.
<u>Focus</u>	<u>Approach:</u> Social development as an approach focuses on the community/society, on wider social processes and structures. It caters for both needy individuals and strives to enhance the wellbeing of the whole population (Midgely,

	<i>Social development as an approach and as a process</i>
	1995:23).
	<u>Process</u> : Social development as a process focuses on social problems (Midgely, 1995:25).
	<u>Comparisons</u> : Social development as an approach and as a process focuses on the community or society and social problems
<u>Process</u>	<p><u>Approach</u>: Patel (2005:30) perceives social development as a people-centered approach to development and promotes citizens' participation and strengthens the voice of poor people in decision-making and in building democratic and accountable institutions.</p> <p><u>Process</u>: Social development as a process implements social policies and programmes that enhance welfare within the context of a developmental process. It promotes the development process (Midgely, 1995:25).</p> <p><u>Comparison</u> Both social development as a process and an approach promote people-centred developmental processes.</p>
<u>Integration</u>	<u>Approach</u> : Patel (2005:30) states that the proponents of social development approach argue that the connection between economic and social development can be achieved through macroeconomic policies that promote employment. The policies should foster social inclusion of people in the development process through employment and self-employment and raise the standards of living of the poor and unemployed. Investments in building the capacities of poor people to participate productively in the economy through human capital development (such as education and skill development), social capital

	<i>Social development as an approach and as a process</i>
	<p>development (such as social networks), micro enterprises and credit are also proposed.</p> <p>Social development as an approach integrates economic and social objectives. It harmonises social intervention with economic development efforts. It views social and economic development as essential facets of dynamic process of development. Social development cannot take place without economic development and economic development is meaningless unless it is accompanied by improvements in social welfare for the population as a whole. The attempt to integrate social and economic policies and programmes in order to promote people's welfare distinguishes social development from other approaches (Midgely, 1995: 23).</p> <p><u>Process</u>: Social development promotes the well-being of the population as a whole in conjunction with a dynamic process of economic development (Midgely, 1999:25).</p> <p><u>Comparison</u>: Economic development is central in both social development as a process and as an approach. Economic development and social development are complementary.</p>

2.1.5 Critiques of the social development approach

It is quite critical to note and be conscious of the critics of the social development as an approach. Social development as an approach has been criticised at three levels (Patel, 2005:31).

- a) It is considered to be a new and evolving approach and needs to be strengthened at a theoretical level and its application in different contexts.

b) The applicability of the approach in different societal contexts and different levels of social and economic development is being questioned. Cross national studies of different models of social development are needed to assess how the approach is being applied in different social, cultural, economic and political contexts.

c) Social development is being criticised for not paying sufficient attention to the development of models of action and for promoting a form of action to be incorporated into social work.

It can be concluded, based on the critiques of social development as an approach, that it has shortcomings as a new and evolving approach and has limitations with regard to applications in different contexts. Therefore the researcher will take into considerations the limitations of social development as an approach in the study.

2.2 Constitutional and legislative framework in South Africa

The Reconstruction and Development Programme (1994:24) states that squatter settlements will simply not disappear because they are being ignored or wished away. Legislation must be rapidly developed to address issues such as squatters` rights, evictions, and so forth. Administrative procedures must be simple, cheap, quick and transparent, must support community participation and prevent corruption, with no form of discrimination of any kind whatsoever.

The theme Constitutional and legislative framework in South Africa will focus on the description of the concepts legalise and squatters, the historical legislative dimension of squatting and its consequences to the shortage of houses. The assessment of the relationship between social development and legislations relevant to the legalising of squatters will be undertaken. Some of the legislations relevant to the study of legalising of squatters as a factor in social development are reflected below in Table 2.2.

Table 2.2: List of legislations relevant to the study

Legislations	
1	Constitution of the Republic of South Africa (Act No 108 of 1996)
2	Prevention of Illegal Evictions from and Unlawful Occupation of Land (No 19 of 1998)
3	Draft Prevention of Illegal Evictions from and Unlawful Occupation of Land Amendment Bill of 2003
4	Less Formal Townships Establishment Act (No 113 of 1991)
5	Housing Act (No 107 of 1997)
6	White Paper on Local Government (1998)
7	White Paper on Social Welfare (1997)

2.2.1 Description of the term legalising

According to the online freedictionary, legalise is defined as to make legal or lawful or bring into conformity with the law. Legal is also defined in the online freedictionary as in conformity with the law or permitted by law, recognised or enforced by law or allowed by law.

The South African literature uses various terminologies for legalisation of squatters i.e. formalise and upgrade. Therefore the concepts legalise, upgrade and formalise will be used interchangeably in the study of legalising of squatters as a factor in social development.

2.2.2 Historical legislative perspective of squatting in South Africa

Squatting in South Africa has a dimension of historical legislative perspective. Emmet (1992:21) argues that the Native Lands Act of 1913, Development land and Trust Act 1936, Group Areas Act (41 of 1950) and Influx Control Legislations influenced squatting by creating shortage of formal housing for blacks in urban areas. The Group Areas Act (41 of 1950) and Influx Control legislations created a general shortage of

housing for certain sectors of the population and low priority was given to permanent African housing in urban areas since the late 1960s. The Native Lands Act and subsequent legislation, the Development Land and Trust Act 1936, restricted blacks who, at that time made up over 75 per cent of the population, to ownership of only about 14 %of the land.

Olufemi (1998) supports Emmet (1992) by pointing out that strict laws were passed to control the surplus of black people in the cities. The legislations included the Group Areas Act (41 of 1950), the Prohibition of Illegal Squatters Act (52 of 1951) and the 1952 Amendments to the Native Urban Areas Act (54 of 1923). The laws made it compulsory for all black people to carry their identity documents where ever they went so that it could easily be established who was allowed in the city and who was not. All of these oppressive laws were abolished after the 1994 elections.

It can be argued that the South African historical legislations on squatting were incongruent to social development because they were not inclusive, did not promote social justice and were focusing on the needs of the minority. Based on the evidence in Emmet (1992:21) and Olufemi (1998), it is evident that there was a conscious political ideology that aimed at excluding African people from permanent settlement in the white areas. The implementation of the legislation curbed the economic development and social welfare of blacks. The unintended outcomes of the historical legislations were contributions towards shortages of houses in urban areas for blacks.

2.2.3 Constitutional Mandate

The Constitution of the Republic of South Africa (Act No 108 of 1996) is the supreme law of the Republic and the obligations imposed by it must be fulfilled. The Constitution binds the legislature, the judiciary and all organs of the state. Therefore the Constitution mandates the state to respect,

promote and fulfill the rights of all people. The Constitution (1996: section 26) provides (1) that everyone has the right to have access to adequate housing, (2) that the state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right and (3) 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.

The Constitution (1996: section 27 (1) (a) (b) and (c)) endorses that each citizen has the right to access proper services and infrastructure such as health care services, water and social security. Furthermore, the Constitution (1996: section 24 (a) and (b)) confirm the right to live in a suitable environment free of harm to health or wellbeing. These environmental conditions must be protected for the benefit of the current generation and the future generation via the apt application of rules to avert pollution and environmental degradation, promote conservation, and maintain environmental sustainable development and the better use of natural resources. Chapter 7 of the Constitution (1996: section 152(b) and (c)) stipulates that the role of local government is to ensure the provision of services to communities in a sustainable manner and to promote social and economic development.

It can be concluded that the Constitution of South Africa is congruent to social development in the sense that it brings about social justice and reduces poverty by protecting the right to access housing, basic services and health.

2.2.4 Prevention of Illegal Evictions from and Unlawful Occupation of Land

The Prevention of Illegal Evictions from and Unlawful Occupation of Land (Act No 19 of 1998) sets out the procedures to be followed in case of evictions. The Act provides the occupants with the right to be fairly evicted from any public or private land. The Act protects squatters from unfair evictions. If the occupants have stayed on a piece of land for more than six months, they should be provided with an alternative shelter. It repeals the Prevention of Illegal Squatting Act, 1951 and other obsolete laws.

The Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (1998) stipulates that:

- No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.
- 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.
- It is desirable that the law should regulate the eviction of unlawful occupiers from land in a fair manner, while recognising the right of land owners to apply to a court for an eviction order in appropriate circumstances.
- Special consideration should be given to the rights of the elderly, children, disabled persons and particularly households headed by women, and that it should be recognised that the needs of those groups should be considered.

The Act must be adhered to by any landowner, that is, the registered owner of land, including an organ of state, seeking to evict a person who occupies his land and utilises such land to erect any hut, shack, tent or

similar structure or any other form of temporary or permanent dwelling or shelter without the consent of such landowner.

It can be concluded that the Prevention of Illegal Evictions from and Unlawful Occupation of Land (1998) is in line with social development approach in that it promotes social justice and people centred developmental process by setting the procedure to be followed in the case of evictions and providing the occupants with the right to be fairly evicted from any public or private land.

2.2.5 Draft Prevention of Illegal Evictions from and Unlawful Occupation of Land Amendment Bill of 2003

The Draft Prevention of Illegal Eviction from Unlawful Occupation of Land Amendment Bill was introduced in order to amend the Prevention of Illegal Evictions Act 19 of 1998. The draft proposes changes in some definitions and obligations included in the Prevention of Illegal Eviction Act (particularly sections 1, 2, 3, 4, 5, 6 and 9). Amongst the changes proposed are the definition of land to include a “surveyed or unsurveyed section of land” and any form of housing structure on land; to qualify the implementation of this Act; and to make an offence of contravening the provisions of the Act

2.2.6 The Less Formal Townships Establishment Act (Act No 113 of 1991)

The Less Formal Township Establishment Act (1991) aims to provide for shortened procedures for the designation, provision and development of land, the establishment of townships for less formal forms of residential settlement; to regulate the use of land by tribal communities for communal forms of residential settlement and to provide for matters connected therewith.

The Act states that when the Administrator is satisfied that in any area, persons have an urgent need to obtain land on which to settle in a less formal manner, he may, by notice in the official Gazette and on the conditions mentioned in the notice, designate that (a) land made available by him under section 2(1) or (b) land made available by a local authority or any other person under section 2(2) as land for less formal settlement provided that such land falls within the area of jurisdiction of a local authority.

The Less Formal Townships Establishment Act (1991) provides two procedures for the establishment of informal townships, that is, less formal settlements and less formal townships. It can be concluded that the Less Formal Township Establishment Act (1991) is in line with social development approach. It is concerned with the needs of the community and strives to provide shortened procedures for the designation, provision and development of land and the establishment of townships for less formal forms of residential settlement.

2.2.7 The Housing Act (Act No 107 of 1997)

The Housing Act (1997:2(1)) states that:

- (a) The national, provincial and local spheres of government must give priority to the needs of the poor in respect of housing development.
- (b) There should be meaningful consultation with individuals and communities affected by housing development.
- (c) Housing development
 - (i) Should provide a wide choice of housing and tenure options as is reasonably possible.
 - (ii) Is economically, fiscally, socially and financially affordable and sustainable, is based on integrated development planning.
 - (iv) Is administered in a transparent, equitable manner and
 - (v) Upholds the practice of good governance.

(d) Individuals and communities, including but not limited to cooperatives, associations and other bodies which are community-based should be encouraged and supported in their efforts to fulfil their own housing needs by assisting them in accessing land, services and technical in a way that leads to transfer of skills and empowerment of the community.

(e) Effort should be made to promote:

(i) Education and consumer protection in respect of housing development.

(ii) Conditions in which everyone meets their obligations in respect of housing development.

(iii) The establishment, development and maintenance of socially and economically viable communities and of safe and healthy living conditions to ensure the elimination of slums and slum conditions.

(vi) The process of racial, social, economic and physical integration in urban and rural areas.

The Housing Act (1997: section 9(1)) states that every municipality must as part of the municipality's process of integrated development planning take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to:

(a) Ensure that:

(i) The inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis.

(ii) Conditions not conducive to the health and safety of the inhabitants of its area of jurisdiction are prevented or removed.

(iii) Services in respect of water, sanitation, electricity, roads, stormwater drainage and transport are provided in a manner which is economical and efficient.

(b) Set housing delivery goals in respect of its area of jurisdiction.

(c) Identify and designate land for housing development.

(d) Create and maintain a public environment conducive to housing development which is financially and socially viable.

- (e) Promote the resolution of conflicts arising in the housing development process.
- (f) Initiate, plan, co-ordinate, facilitate, promote and enable appropriate housing development in its area of jurisdiction.
- (g) Provide bulk engineering services and revenue generating services in so far as such services are not provided by specialist utility suppliers and
- (h) Plan and manage land use and development.

It can be concluded that the Housing Act (1997) is congruent to social development as an approach. It promotes the development process, community needs oriented, encourages participation of communities, fosters social and economic development, promotes the development of housing and basic services. It also gives priority to the needs of the poor on housing needs.

2.2.8 The White Paper on Local Government

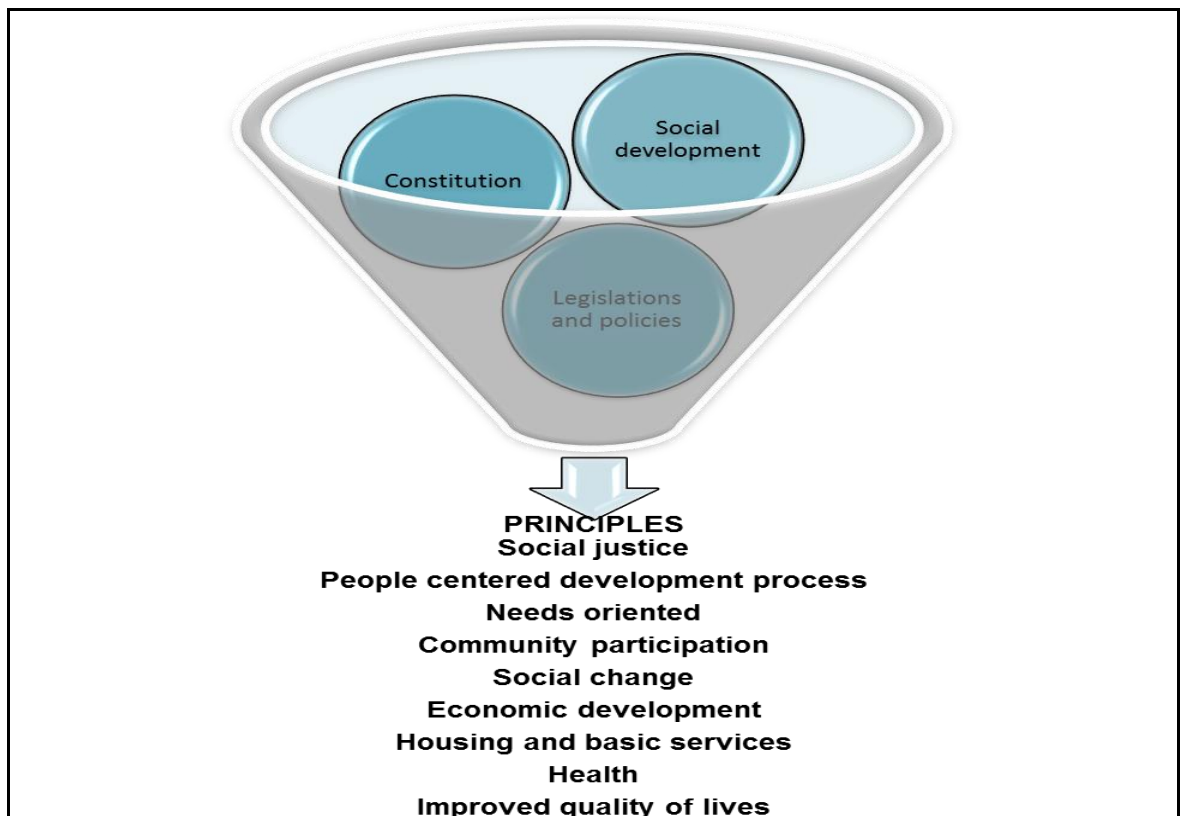
The White Paper on Local Government (1998) is in line with the Constitution in that it regulates the local government to be developmental. Developmental local government is described in the said White Paper, as a local government that is committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve their quality of lives. Developmental local government has four interrelated characteristics, that is, maximizing social development and economic growth, integrating and coordinating, democratising development and leading and learning

It can be concluded that the White Paper on Local Government (1998) is congruent to social development approach. The policy regulates the local government to be developmental and people-centred, promotes community participation, meets the social, economic and material needs of the community and enhances the community's quality of lives.

2.2.9 Relationship between social development and South African legislations

There is congruence between social development and the above-mentioned South African legislations. The Constitution and legislations are specific in terms of the principles which are relevant to the characteristics of social development. Therefore, it can be concluded that social development as an approach is congruent to the South African legislations which are committed to people-centred developmental approach, address the needs of the community, promote community participation, advocate for economic development and enhance the quality of lives of the community. The common denominators between social development and legislations relevant to the process of legalising of squatters are depicted in figure 2.2.

Figure 2.2: Relationship between social development and legislations



2.3. Situational analysis on squatting in South Africa

The Freedom Charter (1995) states that *“All people shall have the right to live where they choose, to be decently housed and to bring up their families in comfort and security. Unused housing space shall be made available to the people. Slums shall be demolished and new suburbs built where all have transport, roads, lighting, playing fields, crèches and social centers”*).

The situational analysis theme focuses on the description of the concept squatting, the reality and extent of squatting in South Africa, the factors leading to squatting and the impact of illegal squatting in South Africa.

2.3.1 Description of the concept squatters

The concept squatter is defined in the context of law as a person who occupies property or land to which he or she has no legal title (Collins English Dictionary, 2004:1581 s.v. “squatter”). According to the online Wikipedia encyclopedia, squatting consists of a person occupying an abandoned or an unoccupied space or building, usually residential, that the squatter does not own, rent or otherwise has permission to use.

An informal settlement is defined in Statistics South Africa Census 2001 as an unplanned settlement on land which has not been surveyed or proclaimed as residential, consisting mainly of informal dwellings (shacks). An informal settlement is also described in the White Paper on Local Government (1998) as a settlement that is unplanned and largely unserviced with populations of over 5000 people. It is explained that some informal settlements are located close to urban areas and others in rural areas.

The concept squatters, informal dwellers and slum dwellers are synonymous. The concept squatter camps, informal settlements, shanty

towns and slums are also synonymous. However it is pointed out in the online free dictionary that the term informal settlement (sociology) is a South African euphemism for squatter camp.

2.3.2 The reality of squatting in South Africa

Squatting is a reality in South Africa. It can be argued that the abolition of the laws (mentioned in section 2.2.2) that restricted blacks in the cities had unintended consequences in terms of the movements of blacks to the cities; they contributed to increased housing shortages and squatting. Richard, O'Leary and Mutsonziwa (2007) confirm that thousands of new residents are attracted to the South African cities every year in search of work and better life. South Africa has housing backlog and many South Africans live in informal housing and shack settlements. It is evident that informal settlements are here to stay for the next decade and beyond.

Poni as quoted in Mabudusha (2010: 39), points out that more than 50% of the people who do not have houses in South Africa are living in informal settlements or are illegally squatting anywhere in the country. The information is derived from the total number of housing backlogs in the country. These people occupy such lands unlawfully and some have intentionally established some kind of housing structures on such lands.

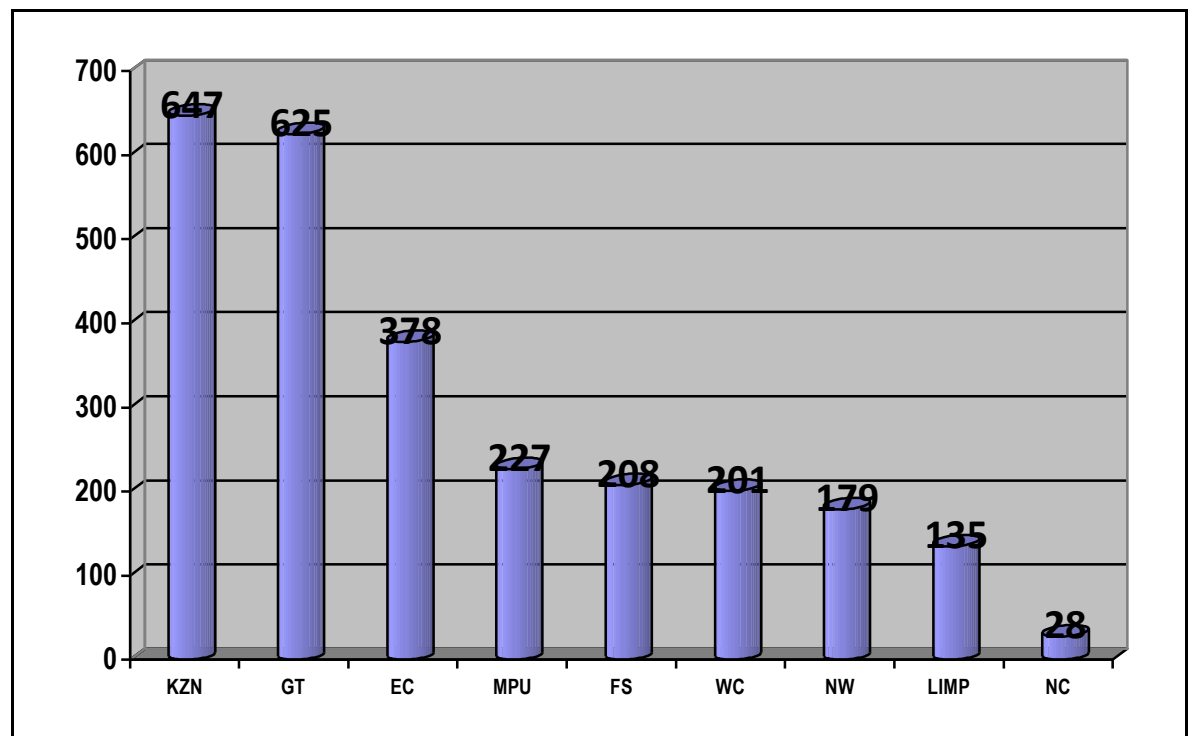
2.3.3 Extent of squatting in South Africa and Gauteng Province

According to Statistics South Africa, there are over 2 700 informal settlements in the country, comprising approximately 1.2 million households. The Department of Human Settlement 2009/2010 Informal Settlements Atlas points out that there are 2,628 informal settlement polygons in the country across the 70 municipalities. The number of informal settlements per province is depicted in graph 2.1. The Gauteng province municipalities are all included in the 70 municipalities incorporated in the informal settlement atlas. Gauteng has 647 informal

settlements and is the second highest in terms of the informal settlements in the country. The City of Tshwane Metropolitan Municipality, which is the focus of the study, has 117 informal settlements. No household estimates are provided.

It can be concluded, based on the figures furnished by both Statistics South Africa and the Department of Human Settlement, that informal settlements are a reality in South Africa. The variance on the figures provided by Statistics South Africa and Department of Human Settlement may be a result of the fact that the Department of Human Settlement focused on 70 municipalities only.

Graph 2.1: Number of informal settlements in 70 municipalities



2.3.4 Factors leading to the problem of squatting

Mabudusha (2010:40 - 44) describes the five main factors leading to the problem of squatting in the greenbelts of South Africa as poverty and

unemployment, the rising influx of undocumented foreign nationals, delays in land redistribution and substantial housing backlog, the eviction of farm tenants, and workers and the abandoning of greenbelts.

Poverty and unemployment:

The level of unemployment amongst the total working age population in South Africa, according to Frye in Mabudusha (2010:41) increased from 34.4% in 2000 to 40.5% in 2005. Out of a population of 46 million South Africans, an estimated 48.5% people were still living in poverty in 2002. The people in poor areas, especially those who were marginalised during the apartheid government, are still held back by a lack of facilities such as quality schools and tertiary education qualifications or skills to improve themselves or to come out of poverty. More people are prevented from overcoming their circumstances because poverty multiplies itself across generations. Owing to this high level of poverty and unemployment, the majority of people in poor areas have responded to their circumstances by migrating to urban areas with the hope of bettering their lives. Olufemi quoted by Mabudusha (2010:41) contends that unemployment problems which result in lack of income to afford accommodation are one of the reasons why so many people are homeless in urban areas.

The rising influx of undocumented foreign nationals

Mabudusha (2010:42) quotes Solomon as saying that South Africa as compared to other African countries has a good economic and social status and is still perceived by many people from other parts of the continent as being a land full of job opportunities. Foreign nationals immigrate into this country with the hope of obtaining a better life despite the problems facing the majority of black people in this country. South Africa attracts foreign people living in poverty because of this hope. These increasing numbers of immigrants entering the South African borders add to the problem of illegal squatting. The majority of them enter the country

having no money, being homeless and jobless. They tend to resort to squatting anywhere in the country as their alternative solution until they get better places to stay.

Delays in land redistribution and substantial housing backlogs

The White Paper on Land Policy as cited in (Mabudusha. 2010:43), states that the exclusion of black people from acquiring land in the urban areas during the apartheid era has influenced the rate of the urbanisation movement after democracy, which in turn has created huge pressure on urban land. A problem associated with this massive migration of people to urban areas is that it occurs outside of “clear and coordinated policies and strategies to provide for speedy land delivery, management and development”. People tend to grow impatient with waiting for the legal procedures to allocate land to them. They resort to taking the law into their hands by occupying the open spaces that were not meant for development.

Kok and Collinson quoted by Mabudusha (2010:430) posit that the increasing migration movements contribute to housing backlogs in urban areas and make it difficult for the municipalities even to provide sufficient housing in all the residences under their jurisdiction. As a result of these large housing backlogs, some of the people have resorted to illegal acquisition of land. Other migrants from areas a distance from their workplaces, resort to squatting on the greenbelts because they want to avoid taxi fares or accommodation costs.

Mabudusha (2010:44) points to the finding of Maharaj that the housing policies in South Africa also contribute to the problem of illegal squatting on the side of asylum seekers because they do not clearly state whether such people are entitled to RDP houses or not. The Constitution (1996: sections 21 & 26) provide that everyone in the country with the right to

access adequate housing and residence. This legislation leaves the majority of poor undocumented immigrants with no choice but to squat wherever they find suitable ground.

The eviction of farm tenants and workers

Ngoveni and Minnaar as quoted by Mabudusha (2010:44) state that more pressure on urban lands also resulted from the farm tenants and/or workers who were evicted from the farmlands by those farmers who were threatened with the land claims in 1994. The majority of these people had nowhere to go and as a result, they invaded open spaces in urban areas. These people did not only lose their place to stay but also lost their jobs. They needed a place to stay which would allow them access to employment.

The abandoning of the greenbelts

Mabudusha (2010:44) quotes Hilborn as saying that activities such as drug dealing, vandalism, and illegal squatting on the open spaces emanate from the abundance of the greenbelts and parks by the adjacent community members. In his argument, Hilborn reiterates that when an open space is not taken care of or is not used by the adjacent community, it sends a message that no one cares about this place. As a result, the greenbelt will be used mainly for illegal activities.

It can be emphasised that the government intervention strategy on legalising of squatters must take into consideration the mentioned factors leading to the problem of illegal squatting. The intervention strategies need to be holistic and strive to address the causes of illegal squatting as well.

2.3.5 The impact of illegal squatting

Mabudusha (2010:46-48), summarizes the four threats associated with squatting as researched by Saff and Ballard below namely, threat to property prices, threat to safety, threat to health and threat to urban identity as “modern” western and civilised area.

Threat to property prices

Squatting does lower the prices of the adjacent houses and it makes it even more difficult to sell those houses because people are hesitant to buy houses close to squatters.

Threat to safety

It appears that most of the residents interviewed associated squatting with crime by indicating that since squatters had arrived in their neighbourhood, they had experienced more house break-ins than before. They also claimed that they no longer felt comfortable driving around in their area. Squatters seem not only to pose a threat to the adjacent communities, but also to challenge the role of policing. It becomes difficult for the police to investigate criminal activities if the suspects cannot be named or have no home address to which they can be followed. Adjacent communities also feel more like easy targets for criminals when they live close to the squatters and they also fear for the safety of their children when the children go to the parks or schools.

Threat to health

The squatters' lack of the necessary basic services such as electricity, refuse removal and sanitation affects the quality of life in the adjacent communities. They make fires, wash their clothes and bathe themselves in the rivers flowing through the urban areas. Owing to a lack of refuse removal, the area is likely to be littered with garbage. The squatters also urinate and defecate on the greenbelts close to the houses of the adjacent

residents. Therefore, air pollution resulting from fires as well as the dirty environment disturbs the quality of life of the adjacent communities and the view of the urban area. This is also a violation of the residents' rights as outlined in the Constitution (1996: section 24), which entitles them to the right to a healthy environment. Private activities, such as bathing, urinating and defecation, which are morally supposed to be performed in private places, occur in public places. The open spaces such as the greenbelts are then used as homes by squatters and no longer as recreational areas or countryside.

Threat to urban identity as “modern, westernised and civilised” area

Most people buy houses in urban areas because they want to enjoy the benefits offered by these places, such as recreational activities, horse-riding, jogging and viewing the countryside. If squatters occupy these areas which are not meant for occupation then the adjacent residences feel as though their sense of place has been taken away from them. They can no longer enjoy the above-mentioned privileges that go together with buying an expensive urban residence. Other reasons for people buying houses in urban areas are that they associate the urban environment with a quiet and green environment that will offer them a sense of privacy. Therefore, the smoke caused by fires and noises made by the squatters are seen as a disturbance or violation of their right to a quiet urban environment.

Accordingly, the government, when legalising squatters, must take into consideration the impacts of illegal squatting. The intervention strategies must be holistic; it must take into consideration the best interest of the squatters and of the society as a whole. The social development process is relevant in that it enhances people's welfare and the quality of life for all citizens and responds to the problems of distorted development (Midgely: 1995:7-8).

2.4 The Department of Human Settlement implementation plan on legalising of squatters

The theme on the Department of Human Settlement implementation plan framework on legalising squatters will focus on Comprehensive Plan for Sustainable Human Settlements/Breaking New Grounds plan and Upgrading of Informal Settlement Programme. The critical conditions to be considered when implementing the programme of upgrading informal settlements will be highlighted. The benefits and challenges of upgrading of informal settlements will be summarised. Finally, the relationship between the process of legalising of squatters and social development will be discussed.

2.4.1 Comprehensive Plan for Sustainable Human Settlements/ Breaking New Grounds plan

Comprehensive Plan for Sustainable Human Settlements or better known as Breaking New Grounds (BNG) reinforces the vision of the Department of Human Settlement. This vision is to promote the achievement of non-racial, integrated society through the development of sustainable human settlements and quality housing. Sustainable human settlements are defined as well-managed entities in which economic growth and social development are in balance with the carrying capacity of the natural systems on which they depend for their existence and result in sustainable development, wealth creation, poverty alleviation and equity.

Breaking the New Grounds plan points out that informal settlements must urgently be integrated into the broader urban fabric to overcome spatial, social and economic exclusion. The plan supports the eradication of informal settlements through in-situ upgrading in desired locations, coupled with the relocation of households where development is not possible or desirable. The upgrading process supports a range of tenure

options and housing typologies. The plan specifies that the upgrading projects are to be implemented by municipalities.

Breaking New Grounds plan points out that housing delivery should contribute towards alleviating income poverty by providing direct and indirect jobs within the construction sector. The Expanded Public Works Programme (EPWP) is a nationwide programme that includes government interventions in four sectors, namely: infrastructure, economic, social, environment and culture. The Department of Human Settlement's programmes are part of the scope of the infrastructure sector in line with the EPWP. The new human settlements plan will maximize job creation. It is essential that communities and the beneficiaries of government housing programmes be mobilised to partner with the Department in the implementation of the new human settlements plan.

From the above discussion, it can be concluded that the Department of Human Settlement Breaking New Grounds plan is in line with social development. The plan promotes the principles of people-centred developmental process, is community-needs oriented, encourages community participation, social and economic development, fosters employment creation and aims at improving the quality of lives.

2.4.2 The National Housing Programme: Upgrading of Informal Settlement Programme (UISP)

Comprehensive Plan for Sustainable Human Settlements/Breaking the New Grounds plan resulted in the creation of the National Housing Programme: Upgrading of Informal Settlements (UISP). The Department of Human Settlement points out that the Upgrading of Informal Settlement Programme is one of the most important programmes of Government which seeks to improve the living conditions of millions of poor people living in informal settlements.

The National Housing Programme: Upgrading of Informal Settlement Programme (UISP) is instituted in terms of section 3(4) (g) of the Housing Act, 1997. The programme provides grants to a municipality to carry out the upgrading of informal settlements within its jurisdiction in a structured manner. The grant funding will assist the municipality in fast tracking the provision of security of tenure, basic municipal services, social and economic amenities and the empowerment of residents in informal settlements to take control of housing development.

2.4.2.1 Objectives of the Upgrading of Informal Settlements Programme

The programme objectives are in line with legislations relevant to legalising of squatters objectives:

- a) Tenure Security: To recognise and formalise the tenure rights of residents within informal settlements.
- b) Health and Security: To promote the development of healthy and secure living environments. It facilitates the provision of affordable and sustainable basic municipal engineering infrastructure to the residents of informal settlements. This must allow for scaling up in the future.
- c) Empowerment: To promote community empowerment, social and economic integration, to build social capital through participative processes and to address the broader social needs of communities.

2.4.2.2 Principles of the Informal Settlements Upgrading Programme

The principles of the Informal Settlement Upgrading Programme are:

- a) To reach as many households as possible and maximise the impact of the programme. To achieve the national goal of upgrading of all informal settlements by 2014;
- b) To focus primarily on settlements located in areas posing a threat to health and safety;

- c) To promote the objective of spatial restructuring and integration in projects;
- d) To prioritise settlements threatened with eviction or have been the subject of a Court Judgement;
- e) To ensure that authorities adhere to the principle of community participation which is a key success factor and that relocation of communities should be a last resort.

2.4.2.3 Criteria of Settlements that Qualify for upgrading

The Informal Settlement Upgrading Programme points out to five characteristics for settlements to qualify for upgrading. The settlements must demonstrate one or more of these characteristics, subject to household and individual qualifiers. The characteristics are illegality and informality, inappropriate locations, restricted public and private sector investment, poverty and vulnerability and social stress.

2.4.2.4 Beneficiaries of the Programme

Individuals that qualify for assistance under the programme are:

- a) Households that comply with the Housing Subsidy Scheme qualification criteria;
- b) Households/persons with a monthly income exceeding the maximum income limit as approved by the Minister from time to time;
- c) Households headed by minors, who are not competent to contract in collaboration with the Department of Social Development;
- d) Persons without dependents;
- e) Persons who are not first-time home owners;
- f) Persons who have previously received housing assistance and who previously owned and/or currently own a residential property. Assistance may be considered on condition that access to the benefits of the programme will be considered on a case by case basis;

- g) Illegal immigrants on the conditions prescribed by the Department of Home Affairs on a case by case basis;
- h) Persons classified as aged.

2.4.2.5 Upgrading of Informal Settlements Project Phases

The Upgrading of Informal Settlement Project has four phases, namely, the application, project initiation, project implementation and housing consolidation as depicted in figure: 2.3. The description of the phases will be summarised in table 2.3 below.

Figure 2.3: Upgrading of Informal Settlements Project Phases

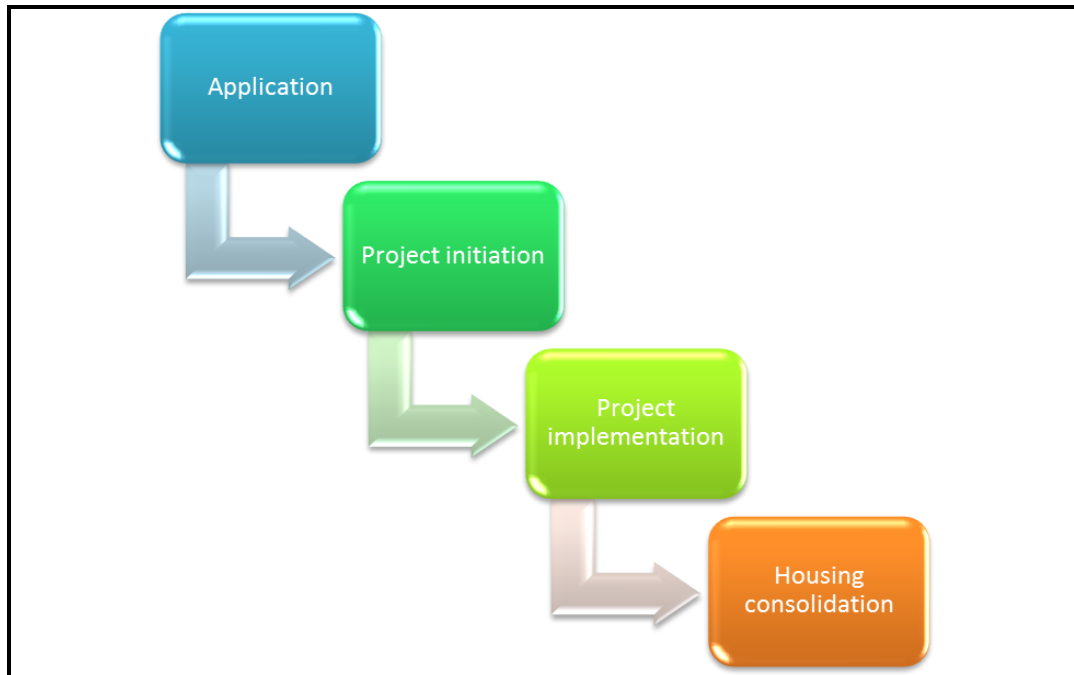


Table 2.3: Description of Upgrading of Informal Settlements Project Phases (National Housing Programme: Upgrading of Informal Settlements)

Phase	Activities
Phase 1: Application	Municipalities apply to the Provincial Government for funding for the upgrading of informal settlements. The business plan should include the municipality's Integrated Development Plan (IDP), the Housing Development Plan and prefeasibility details of the particular upgrading project. The project will proceed to Phase 2 upon approval of the business plan.
Phase 2: Project Initiation	Municipalities receive funding after the approval of the Business plan to undertake the following activities: <ul style="list-style-type: none"> a) The acquisition of land where required, through negotiation or expropriation. b) The undertaking of a clear socio-economic and demographic profile of the settlement. c) The installation of interim services to provide basic water and sanitation services to households within the settlement on an interim basis pending the formalisation of the settlement. d) The conducting of pre-planning studies to determine detailed geotechnical conditions and the undertaking of an environmental impact assessment to support planning processes.
Phase 3: Project Implementation	The Municipality should submit a final business plan and, upon approval, the municipality will receive funding to undertake the following activities: <ul style="list-style-type: none"> a) The establishment of project management capacity;

Phase	Activities
	<ul style="list-style-type: none"> b) The establishment of Housing Support Services; c) The initiation of planning processes; d) The formalisation of land occupational rights and the resolution of disputes; e) Relocation assistance; f) Land rehabilitation; g) The installation of permanent municipal engineering infrastructure; h) The construction of social amenities, economic and community facilities.
Phase 4: Housing Consolidation	<p>The final phase of township establishment finalisation, ownership registration and house construction will commence. Any outstanding social amenities will also be constructed during the final phase. A variety of options will be available for the implementation of Phase 4. These will include People's Housing Projects, individual ownership options, contractor built houses, rental accommodation and medium density options that may include rental and individual ownership options. During these phases, qualifying residents will be encouraged to develop housing proposals in accordance with their individual and communal needs, affordability and aspirations</p>

2.4.2.6 Social and Economic Facilities

The development of certain basic community and economic facilities will be facilitated through the National Housing Programme: Provision of Social and Economic Amenities. The provision of such facilities is to be determined through a consultative process between the local authority and settlement inhabitants. The following factors are to be taken into consideration during this process:

- a) An assessment of community needs must be undertaken prior to the determination of community preferences.
- b) Special care must be taken to ensure that the needs of vulnerable groups are taken into consideration during the process.
- c) Amenities to be financed typically include sport fields, community centres and others.
- d) Funding for maintenance and operation of facilities must be provided from non-housing sources by the municipality.

2.4.2.7 Community Participation

According to the National Housing Programme, community participation from the onset is critical in order to ensure that community members assume ownership of their own development and project. Community participation should be undertaken within the context of a structured agreement between the municipality and the community. Fragile community survival networks which are the hallmark of poor communities must be preserved to ensure the future sustainability of the community and the settlement.

Community capacitation and participation should be initiated with the support and active involvement of the ward committee members. Many of the tasks such as the surveying of the community within an identified project area, the facilitation of community participation and project conceptualisation could under certain circumstances be undertaken

through the assistance of Community Development Workers (CDWs) to be employed by government institutions in terms of the provisions stipulated by the Department of Public Service and Administration. A municipality may apply for funding for the appointment of capacity to assist in the processes leading up to the conclusion of the participation agreement with communities.

2.4.3 The dynamics to be considered to improve upgrading programmes

The Department of Human Settlement undertook an impact evaluation study of the upgrading of informal settlements programme in selected projects in South Africa (2011:97-101). The results of an impact evaluation study suggest the following possible dynamics to further improve the upgrading of informal settlements programmes.

Careful planning should be done to develop the required social amenities

The planning process of upgrading informal settlements should be done carefully to develop the required social amenities and the expected utility usage. The planning process must take into consideration the current residents and potential influx of new residents that join households as a direct result of upgrading interventions. The upgrading of informal settlements results in substantial increase in household sizes as family members join from other areas. The implication for the municipality is the resulting impact on community facilities and demand for services. The municipality must conduct adequate town planning and assess critically the potential impact of the provision of (subsidised) services on the municipality budget.

Incremental upgrading and potential for increased crime rates

Households, when provided with housing upgrades, accumulate assets. Electricity is the driving force behind increasing household assets like

electrical appliances. The household asset accumulation results in increased crime rates. In the context of incremental upgrading, considerations should be taken to ensure that when electricity is delivered to households living in shacks, careful attention should be given to security of the area to avoid unintended increases in household burglary rates. During the upgrading process, the benefits of electricity for decreasing crime could be emphasised as provided for in the Upgrading of Informal Settlement Policy prescripts on the minimum level of services by ensuring things such as community lighting (street lights, etc.) and neighbourhood security groups to counteract this foreseeable problem.

Integration of Government subsidized houses with the upgrading conducted by households in their serviced stands

Provision of houses is the final consolidation phase of the upgrading of informal settlement process. The programme can consider how best to integrate Government subsidised houses with the upgrading that the households already conduct on their serviced stands. There should be mechanisms of supporting households' current personal upgrading efforts by adopting People's Housing Process where people can be provided with top ups to finalise their current construction. Due consideration should be given to the question of how to support households when they wish to conduct their own upgrading on a serviced stand since this is a key feature of sustainable incremental upgrading.

Financial awareness support when upgrading

Human settlement interventions incentivize asset accumulation and also place a further financial burden on a household in the form of service payments. The households find it difficult to pay for these extra provisions due to a lack of sustainable job opportunities. The change of lifestyle brought upon by upgrading a settlement comes with added financial responsibility on the part of the household. Therefore households should

be provided with financial awareness support when upgrading takes place to ensure that their resultant increases in expenditure are sustainable and do not impose heavy debt burdens on themselves or the municipality. The capacity building programmes could come in the form of budget awareness workshops.

Economic integration and sustainable job creation should be the cornerstone of the upgrading process

The house becomes the biggest asset that these households have. Consequently, they will be less likely to move away in search of other job opportunities even if they are unable to gain employment where they are staying. This could explain the increased unemployment rates, higher apathy levels and ultimately more grant-dependent communities that are being observed. To avoid this situation, the central principle of upgrading settlements in well-located areas with access to employment opportunities that the city provides needs to be fully internalised during the upgrading process.

Capacity building and awareness campaigns

The successful implementation of the housing programme needs capacity building and awareness programmes for provinces and municipalities to implement the upgrading of Informal Settlements Programme (UISP). It is clear that UISP, as it is implemented on the ground, is not always in line with the policy guidelines.

It can be concluded that the important considerations for the implementation of the upgrading of informal settlement programme are in line with social development. The considerations take into account the important principles highlighted in social development, namely, holistic process, developmental approach, social problems, social and economic

development and improving the well-being and quality of lives of communities.

2.4.4 The benefits of upgrading informal/squatter settlements

The impact of illegal squatting has been indicated in 2.1.7. It is evident that there are five key benefits of upgrading informal settlements (Martin, 1983). The upgrading of informal settlements:

- a) Improves health and consequently the risks of epidemics are minimised.
- b) Creates economic opportunities to empower local communities.
- c) Creates social opportunities to develop social amenities like clinics.
- d) Is a legal tool to provide secure tenure for the urban poor residents.
- e) Is an opportunity to upgrading of housing processes where the state commits resources.

Some of the benefits of upgrading informal settlements indirectly minimise some of the impact of illegal squatting like threat to health, as it improves health and in this way minimises the risks of epidemics. However, it is important that the implementers take into consideration all the threats when planning for the upgrading of informal settlement. For example, the needs of the neighbouring communities must be taken into account. In other words, planning must follow a holistic approach.

2.4.5 Challenges encountered in the upgrading of informal settlement in Gauteng, South Africa

An article by Aigbavboa & Thwala (2010) summarises the challenges that have been encountered in the upgrading of informal settlements in Gauteng, South Africa. The authors identify the following factors:

- a) Budgetary constraints from both Department of Human Settlement and municipalities funding for bulk services and internal services top-ups resulting in a long waiting time for most settlements;
- b) Land legal issues relating to complex statutory land assembly processes;
- c) Lack of bulk services infrastructure in many areas;
- d) Relocation issues such as: Most relocation and eradication that is not well planned resulting in worsened life condition due to distance of the relocation sites from livelihoods and disruption of social networks, livelihoods and schooling and even in some cases access to basic necessities such as water and shelter;
- e) Developers being reluctant to work on projects involving informal settlements;
- f) A huge implementation gap in terms of progressive legislation, with finances and technical skills lacking. Mobilising funds is still a fundamental problem, particularly because financial institutions are still not willing to give loans to the low-income sector.
- g) Eradication in most cases is a housing right violation as seen from a number of cases.
- h) Lack of communication at all three tiers of government with the informal settlements.

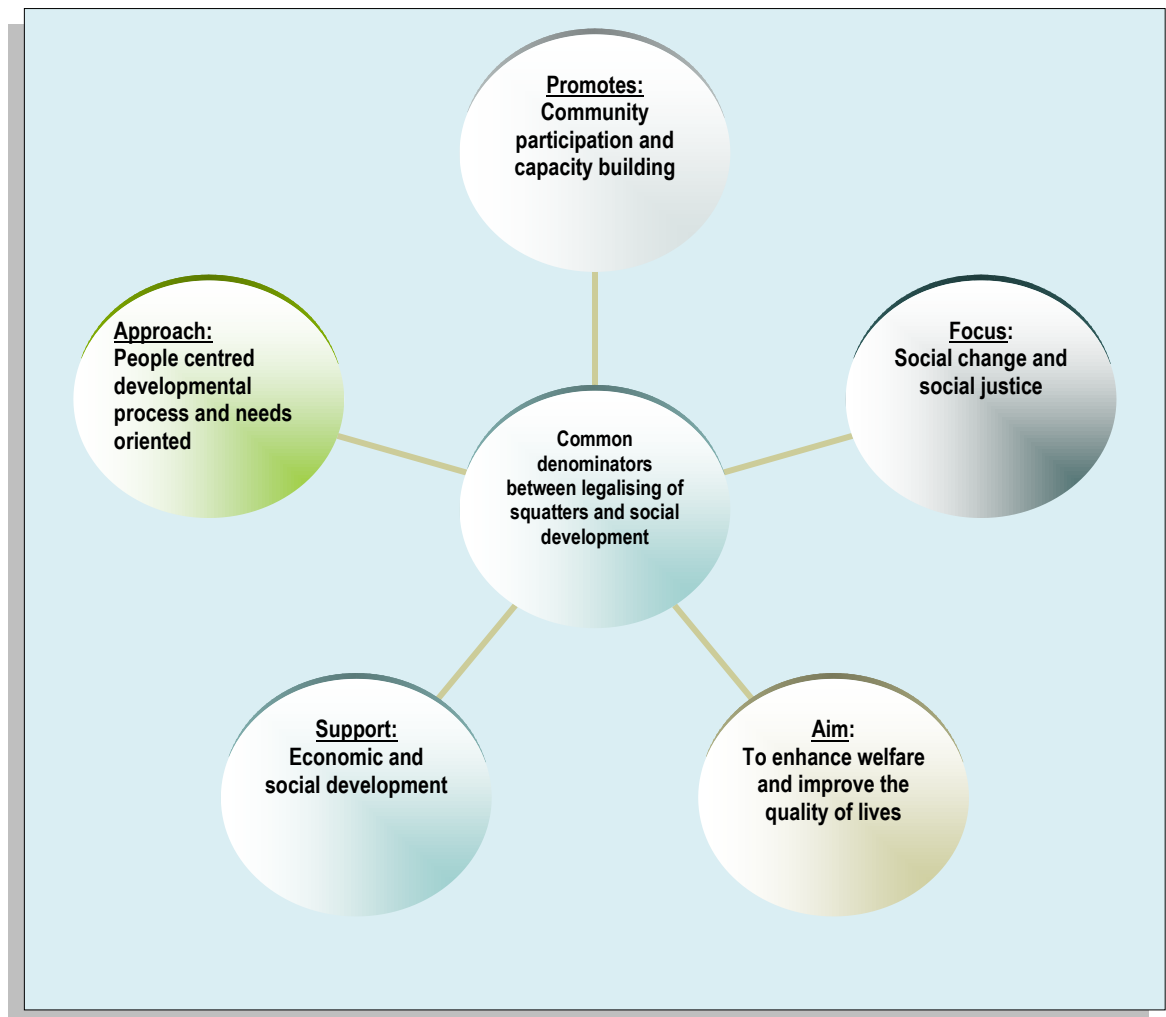
From the above challenges, it is evident that the problems of informal settlement still persist in the country and in the Gauteng province specifically. It can be said that in-situ upgrading is better and more effective drawing from the above challenges. Eradication though might be necessary in some instances; however, if it is not well structured and planned, it does inflate more problems on the informal settlement dwellers' poor living condition. Eradication of informal settlement in this context means relocation of informal settlement to another area. However, one direction that should not be overlooked in incorporating the informal

settlement to the large society is the improvement of the lives of those living in them. If this is not done, no matter the level of upgrading, informal settlements will be a reality that the government will have to put up with.

2.4.6 Relationship between implementation plan on legalising of squatters and social development

The similarities between the theoretical process of legalising of squatters and social development as a process and an approach are depicted in figure: 2.4

Figure 2.4: Relationship between the implementation plan and social development



The review of literature confirms the relationship between the implementation plan on legalising of squatters and social development. The theoretical process of legalising of squatters takes into consideration the principles of social development.

2.5 Conclusion

Squatting in South Africa is a reality. The statistics confirm that more than 1.2 million households are living in informal settlements. The Department of Human Settlement has developed implementation plan frameworks to guide the municipalities in the process of legalising of squatters through the Breaking the New Ground and Upgrading of Informal Settlement Programme. The plans are in line with social development process and approach. They promote the principle of developmental process, community participation, economic and social development and improving the well-being and quality of lives of communities.

The theoretical process of legalising of squatters through the Programme of Upgrading of Informal Settlement Programme does not reflect the strategies to address the full impact of illegal squatting. However, social development advocates the best interest of the community and society as a whole; it is inclusive and universalistic in nature. It will be interesting to find out in the investigation how the factors that impact on squatting are being addressed in City of Tshwane Metropolitan Municipality.

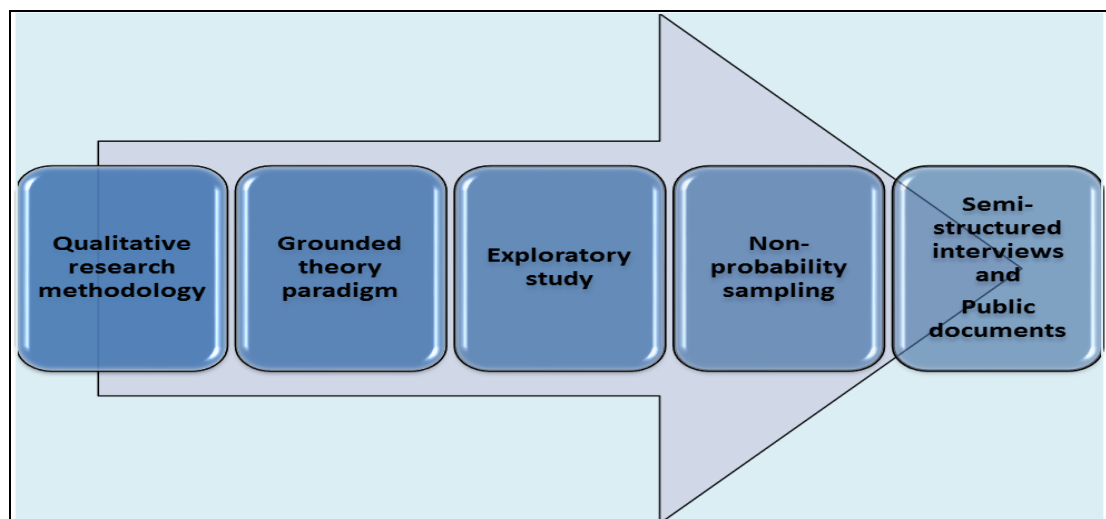
CHAPTER 3: RESEARCH METHODOLOGY AND DESIGN

Introduction

Research methodology is described as the methods, techniques and procedures that are employed in the process of implementing the research design (Babbie & Mouton, 2006: 105). The study of legalising of squatters as a factor in social development used qualitative research methodology. This chapter focuses on the description and application of qualitative research. The distinctive features, notions and principles of qualitative research will be highlighted.

The study used grounded theory paradigm as a frame of reference and strategy and has adopted the exploratory research approach. Four sources of data were used for the study, namely semi structured interviews, focus groups, observations and public/official documents relevant to the study of legalising of squatters and social development. The sampling used in the study is non-probability sampling method with purposive or judgemental sampling. Below in figure 3.1 is a graphic presentation of research methodology and design.

Figure 3.1: Summary of research methodology and design



3.1. Qualitative research methodology

The researcher used qualitative research methodology to conduct the study of legalising of squatters as a factor in social development. This research methodology is a framework, world view or paradigm for doing research (Willis, 2007:22). Qualitative research as an approach studies social actions and processes (Babbie & Mouton, 2006:271). It is pointed out in Taylor and Bogdan (1998:7) that qualitative research methodology is the type of research that produces descriptive data. The primary goal of studies using the qualitative research methodology is described by Babbie and Mouton (2006: 270) as understanding and describing actions and events.

Qualitative researchers attempt to view the world through the perspective (eyes) of the actors themselves. The qualitative researchers put themselves in the shoes of the respondents and try to understand their actions, decisions, behaviour and practices from their perspective (Babbie & Mouton, 2006:271). The actors or insiders' perspectives in the context of the study of legalising of squatters as a factor in social development are the respondents or officials from the City of Tshwane Metropolitan Municipality, the Department of Human Settlements, Plastic View/Woodlane village informal settlements community and officials from the Non- Governmental Organisations working with Plastic View/Woodlane village informal settlement community.

3.1.1. The key features of qualitative research

Qualitative research methodology has distinctive key features, notions and principles. Babbie and Mouton (2006:270) points out the key features of qualitative research as follows. Qualitative research:

- a) Is conducted in the natural setting of social actors.
- b) Focuses on process rather than outcomes.
- c) Emphasises the actor's perspective.

- d) Has as its primary aim, in-depth descriptions and understanding of actions and events.
- e) Is mainly concerned with understanding social action in terms of its specific context rather than attempting to generalize to some theoretical population.
- f) Is an inductive process approach resulting in the generation of theories or hypotheses.
- g) Has as its main instrument in the research process the qualitative researcher.

3.1.2. The notions of qualitative research

Taylor and Bogdan (1998:7-10) explain the notions of qualitative research. They contend that qualitative researchers:

- a) Are concerned with the meanings people attach to things in their lives.
- b) Look at the setting and people holistically, that is, people, settings or groups are viewed as a whole.
- c) Are concerned with how people think and act in their everyday lives.
- d) Acknowledge the worth of studying all perspectives.
- e) Emphasise the meaningfulness of their research.
- f) Believe that there is something to be learned in all settings and groups.
- g) Conduct inductive qualitative research
- h) Perceive qualitative research as a craft.

3.1.3. Principles of qualitative research

Willis (2007:224) points out that the guiding principles of qualitative research are not prescriptive and rigid. He highlights the 13 guiding principles for qualitative research as follows:

- a) The purpose is contextual or situated understanding and not truth.

- b) The researcher accepts multiple sources of influence.
- c) The research takes a foundational perspective rather than a technique perspective.
- d) The practice is recursive (iterate), involving emergent data collection and analysis.
- e) It uses multiple sources of data.
- f) Paradigm views research as a reflective process. The researcher is the primary tool for data collection and analysis.
- g) The emphasis is on participatory research.
- h) The researcher adopts an open approach.
- i) The researcher deals with bias directly.
- j) The researcher selects natural contexts for research.
- k) The emphasis is on holistic research.
- l) Emphasis is that analogical reasoning is important. Research involves more than induction and deduction (Willis. 2007: 215- 216)

3.2. Grounded theory paradigm

The study of legalising of squatters as a factor in social development used the grounded theory paradigm as a frame of reference and strategy. The rationale behind the study using grounded theory is that the researcher does not know what it is that she does not know. Grounded theory is relevant because it is an approach that allows the researcher to study a relatively unknown social phenomenon around which no specific theory may exist yet. The theory is literally built from the ground up in the process, brick by brick. The bricks are the concepts that are grounded as the researcher proceeds through the analysis process (Babbie & Mouton, 2006:498).

Babbie and Mouton (2006:498) point out that grounded theory is derived from the study of the phenomenon it represents. Grounded theory is discovered, developed and provisionally verified through systematic data

collection and analysis of data pertaining to that phenomenon. Therefore, data collection, analysis and theory stand in reciprocal relationship with each other. The researcher begins with an area of study and what is relevant to that area is allowed to emerge.

Willis (2007:202–203) explains that grounded theory research is nonlinear, it does not proceed in an orderly manner through a predetermined sequence of steps. The grounded theory allows the researcher to begin with general topics or unformed questions and refines questions and answers as the study progresses.

3.3. Research design

Research design is a plan or structured framework of how the researcher intends to conduct the research (Babbie & Mouton, 2006:106). It is a plan or blueprint of how research is intended to be conducted (Babbie & Mouton, 2006:74). There is an agreement between Babbie and Mouton (2006) and Willis (2007: 196) who both perceive research design as a researcher's plan of how to proceed with the research.

3.3.1. Exploratory study

The researcher used exploratory study approach. An exploratory approach is relevant to this study because it is conducted to explore a topic or provide a basic familiarity with that topic. An exploratory study is done to satisfy the researcher's curiosity and desire for better understanding (Babbie & Mouton, 2006: 79). The purpose of the study of legalising of squatters as a factor in social development is explorative in nature.

It is pointed out in Babbie and Mouton (2006: 271) that the primary interest of the qualitative researcher is to describe the actions of the research participants in great detail and try to understand these actions in terms of

the actors' perspective and context. Therefore exploratory approach is relevant in qualitative research.

Exploratory study has its shortcomings as well. It seldom provides satisfactory answers to research questions though it can hint at the answers and can give insights into the research methods that could provide definite answers. The reason exploratory studies are seldom definitive in themselves has to do with representativeness (Babbie & Mouton, 2006: 80).

3.3.2. Research question

It is pointed out in de Vos et al. (2005:321) that specific questions about the subject must be formulated and should be related to the goals and objectives of the investigation. Below is the research question for the study of legalising of squatters as a factor in social development.

The research question for the study: What is the relationship between the City of Tshwane Metropolitan Municipality process of legalising of squatters and social development?

3.3.3. Aim of research

According to de Vos et al. (2005:104), aim implies the broader, more abstract conception of the end toward which effort or ambition is directed.

The aim of research is to explore the City of Tshwane Metropolitan Municipality process of legalising squatters in relation to social development.

3.3.4. Objectives of the study

Objectives denote the more concrete, measurable and more speedily attainable conception of such an end towards which effort or ambition is directed. Objectives are the steps to be taken, one by one, realistically at

grassroots level, within a certain time span, in order to attain the aim (de Vos et al. 2005:104).

The objectives of research are:

- a) To explore the process of legalising of squatters in the City of Tshwane Metropolitan Municipality;
- b) To explore the relationship between the process of legalising of squatters in the City of Tshwane Metropolitan Municipality and social development;
- c) To explore the participation of local communities in the process of legalising of squatters;
- d) To explore the integration of economic development in the process of legalising of squatters;
- e) To explore the integration of health, social and welfare components in the process of legalising of squatters;
- f) To explore the integration of basic services like water, sanitation and electricity in the process of legalising of squatters.

3.3.5. Population

A population is defined as the totality of persons, events, organisation units, case records or other sampling units which the research problem is concerned (de Vos et al. 2005:194). There are similarities between the definition by de Vos et al. (2005) and that by Babbie and Mouton (2006:100) who define the population for the study as the group (usually people) about whom a conclusion must be drawn. A study population is that aggregation of elements from which the sample is actually selected (Babbie & Mouton 2006:174).

The target population for the study of legalising of squatters as a factor in social development is Government, Non- Governmental and Faith Based

Organisations, Woodlane Village/Plastic View informal settlement community and public documents:

a) Organisations

Government

- The Department of Human Settlement to:
 - Confirm the extent of informal settlement in South Africa
 - Analyse the legislations relevant to the legalisation of informal settlements in relation to social development
- The City of Tshwane Metropolitan Municipality to explore the process of legalising of informal settlements in relation to social development

Non- Government

- Tswelopele Step by Step Organisation to understand the role of Non-Governmental Organisation in relation to informal settlements and social development
- Faith Based
- Moreletapark Dutch Reformed Church and Emmanuel and Grace Presbyterian Church to understand the role of Faith Based Organisation in relation to informal settlements and social development

b) Persons

- Woodlane Village/Plastic View informal settlement community to understand the informal dwellers perspective and experiences.

c) Public Documents

The public documents will supplement the data collected from the respondents in the government sector.

A sampling frame can be described as a list of all people in a population. The population size listed in Table 3.1 below is based on expert officials relevant to the study of legalising of squatters as a factor in social

development and the number of households in Woodlane Village/Plastic View informal settlements.

Table 3.1: Population of the study

	Population	Population size
Government		
<u>City of Tshwane Metropolitan Municipality</u>		
1	○ Housing and human settlement department	Five officials responsible for informal settlements
	○ Health and social development department	One social worker responsible for Woodlane village informal settlement
	○ Economic development department	Four officials responsible for development services in informal settlements
	<u>Department of Human Settlement</u>	
	○ Department of Monitoring and Evaluation	Three officials responsible for monitoring and evaluation of informal settlements
○ Non Government Organisation		
2	○ Tswelopele Step by Step Organisation	Two Directors responsible for Woodlane Village
Faith Based Organisation		
3	○ Moreletapark Dutch Reformed Church	Five members

	Population	Population size
		responsible for Woodlane village community projects
	<ul style="list-style-type: none"> Emmanuel and Grace Presbyterian Church 	Two responsible for Woodlane village community projects
Informal Settlement Community		
4	Plastic View/Woodlane village informal settlement community	856 households
Public documents		
5	Comprehensive Plan for Sustainable Human Settlements or better known as Breaking New Grounds (BNG) Department of Human Settlement Informal Settlement Atlas (2009/2010) National Housing Programme: Upgrading of Informal Settlements	Three documents

3.3.6. Sampling

Babbie and Mouton (2006:164) define sampling as a process of selecting observations. It is confirmed in Babbie and Mouton (2006:174) that a sample is actually selected from a study population. In qualitative research study, sampling is as strongly applied as in quantitative research. Sampling involves drawing a small number of participants from the total population group in which the researcher intends to study. In a qualitative study the sample group is not randomly selected, meaning that not every participant has an equal chance of partaking in the study. The reason for this is that qualitative research focuses more on obtaining rich saturated

information rather than on representing the whole population group (de Vos et al. 2005:194).

The researcher used non- probability sampling method with purposive or judgemental sampling to obtain information on the legalising of squatters as a factor in social development. Non- probability sampling methods are utilised in qualitative studies. The odds of selecting a particular individual in non-probability sampling method are not known (de Vos et al. 2005: 201). It is also pointed out in de Vos et al. (2005:198) that non-probability sampling is done without randomization.

The researcher was not able to determine beforehand how many participants would be interviewed, as this depended on whether enough information was obtained or not. The reasons for selecting 39 participants were based on the respondents knowledge, expertise, involvement in the monitoring and evaluation of informal settlements, legislations, policies and strategies on informal settlements, implementation of legalising of informal settlements and social development, services to the Woodlands Village/Plastic View informal settlements and residents of Woodlands who know the historical background of the village and participates in the village leadership structures, job creation opportunities and beneficiaries of services provide. The purposive or judgemental sampling made it likely that they would be able to answer the proposed research questions very well. The researcher's approach was to obtain rich saturated information rather than representing the whole population group.

The method used to reach these participants was purposive sampling. The respondents were selected based on the following purpose or judgement:

- a) Department of Human Settlement: The officials were selected on the basis of their knowledge and expertise with regard to the extent of

informal settlements in South Africa and the legislations, policies, plans and strategies relevant to informal settlement and social development.

- b) City of Tshwane Metropolitan Municipality: The officials in the municipality were selected on the basis of their knowledge, expertise and involvement with the implementation of the legalising process of informal settlements and social development.
- c) Tswelopele Step by Step Organisation: The Directors were selected on the basis of their involvement and services with Woodlane village/Plastic view informal settlement.
- d) Moreleta Dutch Reformed Church and Emmanuel and Grace Presbyterian Church: The church members were selected on the basis of their services and involvement in the church welfare projects responsible for Woodlane village/Plastic view.
- e) Woodlane Village/ Plastic View informal settlement: The residents of Woodlane informal settlement selected on the basis of their involvement in the leadership structures of the community, participation in the jobs created for the community, participation in the projects and services implemented in the community and their interest in participating in the study.

3.3.7. Data Collection

The researcher used four methods of data collection concurrently to collect information, namely, semi-structured interviews, focus groups, observations and public documents.

All the respondents were interviewed using semi-structured interviews. The executive committee members of Woodlands village/Plastic view were interviewed both individually and in focus groups. Some of the residents were interviewed both individually and in focus groups. Observation of the entire settlement was conducted with the support of Tswelopele Step by Step Organisation Director. Participant observations

were conducted from site visits to Woodlands Village with the support of executive committee to know the residents perceptions, experiences and emotions on the legalisation process and social development project in the informal settlement. Documents were analysed to supplement the data obtained from interviews, focus groups and observations. The researcher requested the respondents to provide the public/official documents relevant to legalising of squatters and social development used in the departments in a form of policies, reports, implementation guidelines, processes and procedures to complement the interviews.

Document analysis as a social research method is an important and invaluable research tool in its own right. It is evident in de Vos et al. (2005:314) that documents study is the analysis of any written material that contains information about the phenomenon that is being researched.

The researcher collected data using the common sense Hypothetico-inductivist model. According to Wengraf (2001:2), in a common-sensical model, the researcher collects all the relevant facts and then examines them to see what theory is suggested by all the facts. The theory thus emerges from the data. This is the original grounded theory tradition in which theory emerges by a process of induction. The facts are believed to suggest or even require or dictate theorization. The researcher used four methods of data collection namely, semi structured interviews, focus groups, observations and public/official documents.

Semi- structured interviews

Semi- structured interviews are defined as interviews organized around areas of a particular interest, while still allowing considerable flexibility in scope and depth (de Vos et al. 2005:292). The semi-structured interview is ideal for the researcher to gain a detailed picture of a participant's perceptions or accounts of a particular topic. The method gives the

researcher and the participant much more flexibility. The researcher is able to follow up particular interesting avenues and the participant is able to give a fuller picture (de Vos et al. 2005:296).

Semi- structured interviews are most suitable where the researcher is particularly interested in complexity and process. The researcher will have a set of predetermined questions on an interview schedule. The schedule guides the interview; it is not dictated by it. The participant shares more closely in the direction the interview takes and he can introduce an issue the researcher had not thought of. The participant is perceived as an expert on the subject in this relationship and should therefore be allowed maximum opportunity to tell the story (de Vos et al. 2005:296).

Focus groups: The researcher used focus groups in the study to complement the semi- structured interview method with individuals. According to Morgan (1997:6) in de Vos et al. (2005:300), focus group is a research technique that collects data through group interaction on a topic determined by the researcher. The purpose of focus groups is to promote self-disclosure among participants. Focus groups are useful when multiple viewpoints or responses are needed on a specific topic.

Observations

The researcher will also use observation as additional and complementary method of data collection for the study. DeWalt and DeWalt (2002:92) believe that the goal for design of research using participant observation as a method is to develop a holistic understanding of the phenomena under study that is as objective and accurate as possible. They suggest that participant observation be used as a way to increase the validity of the study, as observations may help the researcher have a better understanding of the context and phenomenon under study. Validity is stronger with the use of additional strategies used with observation, such

as interviewing, document analysis, or surveys. Participant observation can be used to help answer descriptive research questions and to build theory.

Public/official documents

The researcher will also use public/official documents as an additional and complementary method of data collection for the study. According to Taylor and Bogdan (1998:129), there are an unlimited number of official and public documents, government reports, records and materials available as sources of data. The qualitative researcher brings a different perspective to the reports and documents. It is pointed out in de Vos et al. (2005:317) that official documents are compiled and maintained on a continuous basis by large organisations such as government institutions. The official documents are more formal and structured.

3.3.8. Data analysis

Data analysis is defined as an interpretation of the collected data for the purpose of drawing conclusions that reflect on the interests, ideas and theories that initiated the inquiry (Babbie & Mouton, 2006: 101). It is pointed out in de Vos et al. (2005:337-338) that category formation represents the heart of qualitative data analysis. One of the popular forms of analysis is classification. Classifying can be described as taking the qualitative information apart and looking for categories, themes or dimensions of information. Classification involves identifying five or six general themes with sub themes.

The presentation and discussions of findings will be based on the following five classified themes:

- f) The extent of informal settlements in South Africa
- g) The rights of informal settlement dwellers, social policies

- h) Social policies
- i) City of Tshwane Metropolitan Municipality process of legalising of squatters
- j) Social development approach.

3.3.9. Value of findings

The finding will add value to the City of Tshwane Metropolitan Municipality, Department of Human Settlements, Non-Governmental organisations, Faith Based organisations and leaders in the informal settlement communities in the following ways:

- a) Advancement of knowledge;
- b) Recommendations to policy issues.
- c) Helping the City of Tshwane Metropolitan Municipality in implementation of informal settlement policies and processes.

3.3.10. The limitations of research methods

The researcher is conscious that the limitations are part of any study and measures must be put in place to eliminate or minimise them. According to de Vos et al. (2005:118-119), the below-mentioned potential limitations are often identified even in the most carefully planned research study.

- a) The reliability and validity of data collection instruments;
- b) Access to data;
- c) Ethical problems;
- d) The ability to control extraneous factors in the environment and in respondents;
- e) The generalisability of the sample to the population from which it was drawn.

The researcher acknowledges the following limitations in the study of legalising of squatters as factor in social development:

The reliability and validity of data collection instruments: Data collection instruments have their own weaknesses.

Access to data: This study deals with a very sensitive issue of legalising of informal settlements as a factor in social development. Some respondents from Woodlane Village/Plastic View were uncomfortable to reveal their real views on their experiences and emotions with regard to the legalisation process and social development projects. Some of the approached respondents could not participate in the research due to the sensitive nature of informal settlement and/or other commitments.

The generalisability of the sample to the population from which it was drawn: The results of the study cannot be generalized to the population of the study. Respondents interviewed spoke on the basis of their individual perceptions, experiences and emotions.

3.3.11. Measures to minimise research limitations

It is important to highlight the meaning of reliability and validity as they are relevant to the measures to be put in place to minimise research limitations. Reliability is defined as the quality of measurement method that suggests that the same data would have been collected each time in repeated method of data collection of the same phenomenon (Babbie & Mouton: 2006: 646). Validity is a measure that accurately reflects the concept it is intended to measure (Babbie & Mouton, 2006: 648).

a) The reliability and validity of data collection instruments

The researcher used four methods of data collection namely, interviews, focus groups, observations and public/officials documents. The researcher validated and cross checked findings by using a combination of data collection tools. It is evident in Willis (2007: 218) that it is essential to find multiple sources of confirmations to draw a conclusion, if more than one

source of information points to it, the researcher is justified to make a conclusion. It is pointed out in Willis (2007:18) that the rationale of using more than one method is that the flaws of one method are often the strengths of another, and by combining methods, researchers can achieve the best of each, while overcoming their unique deficiencies.

The researcher evaluated the authenticity or validity of the official/public documents relevant to legalising of squatters and social development. According to de Vos et al. (2005:317 -318), the validity and reliability of documents can be tested in the following ways:

- Comparing the relevant document with other written documents or data collected in other ways;
- Verifying data by interviewing other informants, persons in the same roles or persons knowledgeable on the subject, or who were personally involved in the event.

Therefore, the content of the document were compared with responses from interviewees.

b) Access to data

The use of multiple sources of data enhances the chances of access to data. The researcher identified the population sample whereby data was sourced, namely the officials from the Department of Human Settlements and the City of Tshwane Metropolitan Municipality, respondents from Moreleta Dutch Reformed Church, Emmanuel and Grace Presbyterian Church, respondents from Tswelopele Step by Step Organisation and public /official documents relevant to the study of legalising of squatters and social development.

According to de Vos et al. (2005: 315) each data source has its strengths and weaknesses and by using multiple sources, the strengths of one procedure can compensate for the weaknesses of another approach.

c) Ethical problems

The researcher is fully aware of the ethical consideration in research (refer to section 3.3.12 below) and adhered to all the ethical considerations when conducting the study of legalising of squatters as a factor in social development.

d) The ability to control extraneous factors in the environment and in respondents

The researcher used the member check method to control extraneous factors in the environment and respondents. Babbie and Mouton (2006: 275) and Willis (2007:220) agree that the collected data, emerging conclusions and the analysed data must be checked or taken back to the respondents to check whether what has been constructed from the data is actually what they have said.

e) The generalisability of the sample to the population from which it was drawn

The aim of qualitative research study is to provide an understanding of the meaning which one or two people attribute to a certain event, and not generalize it. Therefore the results of the study cannot be generalized to the population of the study (Babbie & Mouton, 2006:274)

3.3.12. Ethical considerations

Ethics are defined as a set of widely accepted principles that offer rules for and behavioural expectations, of the most correct conduct towards respondents, employers, sponsors, other researchers, assistants and

students. According to (de Vos et al. 2005:69), important issues explored in ethical considerations are that

- a) No harm should come to respondents.
- b) Prospective respondents should give their informed consent.
- c) Respondents should not be deceived in any way.
- d) Researchers should be competent and responsible.

The researcher adhered to all the ethical considerations when conducting the study of legalising of squatters as a factor in social development. The researcher observed the following ethics:

- a) The researcher protected the respondents from any type of harm and discomfort that may develop from the research project, especially employment situation. Permission to conduct this report was obtained from the respondents.
- b) The researcher ensured that participation was voluntarily, the respondents were not coerced to participate. The study was explained to the respondents to enable them to give an informed consent.
- c) The researcher was honest about the aim of the study and respondents were not deceived.
- d) The study report took issues of ethics seriously into consideration. Permission to conduct this report was obtained from the respondents.
- e) Consent was also sought from respondents to use the digital camera to take pictures.

3.4. Conclusion

The qualitative research method is relevant to the study of legalising of squatters as a factor in social development. The semi-structured interviews, observations and public documents/policies are relevant techniques to source information. The analysis of data will be based on grounded theory.

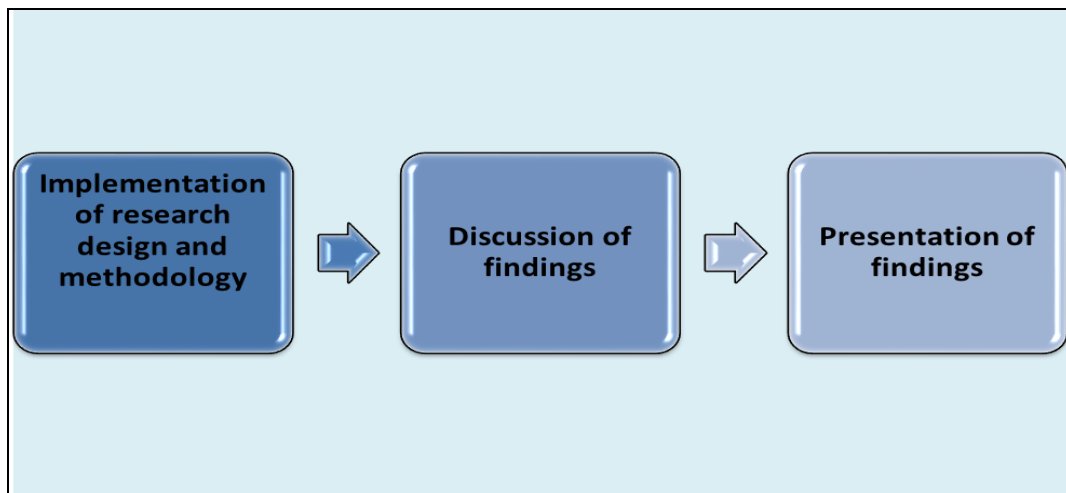
There are limitations of the research methodology and the researcher has put measures in place to minimise them by using multiple sources of data collection, amongst other things. The researcher acknowledges that there are ethical problems in research and is obligated to adhere to the ethical considerations in order for the research to be conducted ethically.

CHAPTER 4: PRESENTATION AND DISCUSSION OF FINDINGS

Introduction

The chapter on presentation and discussion of findings for the study of legalising of squatters as a factor in social development comprises three broad sections, namely, implementation of the research methodology and design, presentation of findings and discussion of findings as depicted in figure 4.1.

Figure 4.1: Themes on the presentation and discussion of findings



The presentation and discussions of findings are based on the following five classified themes:

- a) The extent of informal settlements in South Africa
- b) The rights of informal settlement dwellers, social policies
- c) Social policies
- d) City of Tshwane Metropolitan Municipality process of legalising of squatters
- e) Social development approach.

4.1. Implementation of the research methodology and design

The implementation of the research methodology and design in summarised below in figure 4.2.

Figure 4.2: Research methodology and design implemented in the study



4.1.1 Methodology

The study of legalising of squatters as a factor in social development is based on qualitative research methodology. Qualitative research methodology is a framework, world view or paradigm for doing research (Willis, 2007:22). The methodology studies social actions and processes (Babbie & Mouton, 2006:271). Taylor and Bogdan (1998:7) point out that qualitative research methodology produces descriptive data.

The approach of the study is based on grounded theory using both the constant comparative method and theoretical sampling strategy. It is pointed out in Taylor and Bogdan (1998:137) that grounded theory is a

method for discovering theories, concepts, hypotheses and propositions directly from data rather than from prior assumptions, other research or existing theoretical frameworks. The constant comparative method allows the researcher to simultaneously code and analyse data in order to develop concepts. The concepts are developed by continually comparing specific incidents in the data. The researcher refines these concepts, identifies their properties, explores their relationships to one another and integrates them into a coherent theory. Theoretical sampling strategy enables the researcher to select new cases to study according to their potential for helping to expand or refine the concepts and theory that have already been developed. Data collection and analysis proceeds together.

4.1.2 Research design

Babbie and Mouton (2006:74) and Willis (2007:196) perceive a research design as a researcher's plan on how to undertake the research.

4.1.2.1 Exploratory study design

The study of legalising of squatters as a factor in social development used an exploratory study design. An exploratory study is undertaken to satisfy the researcher's curiosity and desire for better understanding (Babbie & Mouton, 2006: 79). The study aims to explore the City of Tshwane Metropolitan Municipality process of legalising of squatters in relation to social development. Consequently the study is explorative in nature.

Research question

The research question for the study is: What is the relationship between the City of Tshwane Metropolitan Municipality process of legalising of squatters and social development?

Objectives of the study

The objectives are steps undertaken, one by one, realistically at grassroots level, within a certain time span, in order to attain the aim of the study (de Vos et al. 2005:104). The objectives of the study are:

- a) To explore the process of legalising of squatters in the City of Tshwane Metropolitan Municipality;
- b) To explore the relationship between the process of legalising of squatters in the City of Tshwane Metropolitan Municipality and social development;
- c) To explore the participation of local communities in the process of legalising of squatters;
- d) To explore the integration of economic development in the process of legalising of squatters;
- e) To explore the integration of health, social and welfare components in the process of legalising of squatters;
- f) To explore the integration of basic services like water, sanitation and electricity in the process of legalising of squatters.

4.1.2.2 Population and sampling

Population

A population is the totality of persons, events, organisation units, case records or other sampling units which the research problem is concerned (de Vos et al. 2005:194). The population for the study of legalising of squatters as a factor in social development is depicted in figure 4.3 below.

The population comprises of the Department of Human Settlements, City of Tshwane Metropolitan Municipality, Non-Governmental and Faith Based organisations (Tswelopele Step by Step Organisation, Moreleta Dutch Reformed Church Moreleta Park, Emmanuel and Grace Presbyterian Church), Plastic View/Woodlane village informal settlement community and relevant public/official documents.

Figure 4.3: Population for the study



Sampling

Sampling is defined as taking a portion of a population and considering it a representative of that population (de Vos et al. 2005: 203). Babbie and Mouton (2006:174) point out that a sample is actually selected from a study population. The study of legalising of squatters as factor in social development used the non-probability sampling method with the purposive or judgemental sampling strategy.

According to de Vos et al. (2005:198), non- probability sampling methods are utilised in qualitative studies. The odds of selecting a particular individual in non-probability sampling method are not known because the researcher does not know the population size or the members of the population. Non-probability sampling is done without randomization. Babbie and Mouton (2006:166) indicate that in purposive or judgemental sampling, sometimes it is appropriate to select a sample on the basis of own knowledge of the population, its elements and the nature of the research aims, that is, based on judgement and purpose.

A total of 39 participants were interviewed using both one on one interviews and focus groups. The participants are representative of the population mentioned above. The list of participants is reflected below in table 4.1.

Table 4.1: Participants in the study

Sample	Respondents
A. The City of Tshwane Metropolitan Municipality	
1. Department of Housing and Human Settlements	1. Mabeba Meetse: Director 012 358 4366/69
1. Department of Social Development	1. Nyambewu Thivhulawi: Social worker: 072 114 6420
2. Department of Economic Development	1. Manaso Benjamin: Executive Director: 012 358 2497 2. Ndlovu Lulama: Executive Director 012 358 1047 3. Tshikovi Lufuno: Executive Director: 012 358 3685
B. Department of Human Settlement	
1. Policy Development, Monitoring and Evaluation	1. Chauke Phillip: Chief Director: 012 421 1311 2. Rajkumar Victor: Director: 012 421 1744
C. Non-governmental organisations	
1. Tswelopele Step by Step organisation	1. Dredge Colin: 012 997 1256 2. Dredge Denise: 012 997 1256
2. NG Church Moreleta Park	1. Nathan Kruger: 012 997 8000 2. Jooste Suzanne: Pure Hope Kids

Sample	Respondents
	<p>school Administrator: 012 997 8083</p> <p>3. Anderson Riana: Pure Hope Kids</p> <p>school Principal: 012 997 8083</p>
3. Emmanuel and Grace Presbyterian Church	<p>1. Smith Craig: 083 458 0496</p> <p>2. Kyriakou Michael: 083 419 1825</p>
D. Woodlands Village Community	
1. Executive committee	<p>1. Banda Donald: 079 162 7219</p> <p>2. Semalope Israel: 071 700 1926</p> <p>3. Ngwenya Sibusisiwe: 073 093 9118</p> <p>4. Sithole Benjamin: 074 069 9692</p> <p>5. Zvenyika Trevor: 084 290 6338</p>
2. Community members	<p>1. Sejake Esrom</p> <p>2. Chauke Makgathi</p> <p>3. Fanele Pietie</p> <p>4. Nkabinde Piet</p> <p>5. Tsholo Maditshaba</p> <p>6. Kgesa Manapo</p> <p>7. Kgesa Mosa</p> <p>8. Mika Madimpho</p> <p>9. Ntatoleng Maitumeleng</p> <p>10. Gamoga Ntsebang</p> <p>11. Lutendo Gabara</p> <p>12. Phofi Masebatho</p> <p>13. Pila Maureen</p> <p>14. Tshabalala Martha</p> <p>15. Ngumana Tholakele</p> <p>16. Ngotshene Simon</p>

Sample	Respondents
	17. Maanela Thosa 18. Mochendi Cedrick 19. Mathibela Tryphina
E. Public/Official Documents	
1. Public/Official documents	Comprehensive Plan for Sustainable Human Settlements or better known as Breaking New Grounds (BNG)
	Department of Human Settlement Informal Settlement Atlas (2009/2010)
	National Housing Programme: Upgrading of Informal Settlements

4.1.2.3 Methods of data collection

The methods used to collect data for the study of legalising of squatters as a factor in social development are semi-structured interviews with all respondents, focus groups with Woodlane Village executive committee and some community members, observations and analysis of public/official documents. Field notes were constructed from the interviews, focus groups and observations undertaken.

Semi- structured interviews: The researcher used semi-structured interviews to collect data for the study. Semi structured interviews are defined as interviews organised around areas of a particular interest, while still allowing considerable flexibility in scope and depth (de Vos et al. 2005:292). The semi-structured interview is ideal for the researcher to gain a detailed picture of a participant's perceptions or accounts of a particular topic. The method gives the researcher and the participant much more flexibility. The researcher is able to follow up particular interesting avenues and the participant is able to give a fuller picture (de Vos et al.

2005:296). Semi structured interviews are most suitable where the researcher is particularly interested in complexity and process.

Focus groups: The researcher used focus groups in the study to complement the semi structured interview method with individuals. According to Morgan (1997:6) in de Vos et al. (2005:300), focus group is a research technique that collects data through group interaction on a topic determined by the researcher. The purpose of focus groups is to promote self-disclosure among participants. Focus groups are useful when multiple viewpoints or responses are needed on a specific topic.

Observations

The researcher also used observation as additional and complementary method of data collection for the study. DeWalt and DeWalt (2002:92) believe that the goal for design of research using participant observation as a method is to develop a holistic understanding of the phenomena under study that is as objective and accurate as possible.

Public/official documents: The researcher also used documents analysis to complement both the semi-structured interviews with individuals and focus groups. It is pointed out in de Vos et al. (2005:314) that documents study is the analysis of any written material that contains information about the phenomenon that is being researched.

4.1.2.4 Interview instrument

The researcher had a set of predetermined questions on an interview schedule (refer to Annexure A) to guide the semi-structured one-on-one interviews and the focus groups interviews. Holstein and Gubrium (1995:76) in de Vos et al. (2005:296) describe an interview schedule as a questionnaire written to guide interviews. The interview schedule provides

the researcher with a set of predetermined questions that might be used as an appropriate instrument to engage the participant and designate the narrative terrain. The schedule guides the interview rather than dictates it. The participants are experts on the subject and were allowed maximum opportunity to tell their stories (de Vos et al. 2005:296).

4.1.2.5 Data Analysis

Data analysis is defined as an interpretation of the collected data for the purpose of drawing conclusions that reflect on the interests, ideas and theories that initiated the inquiry (Babbie & Mouton, 2006: 101). It is pointed out in de Vos et al. (2005:337-338) that category formation represents the heart of qualitative data analysis. One of the popular forms of analysis is classification. Classifying can be described as taking the qualitative information apart and looking for categories, themes or dimensions of information.

4.1.2.6 Ethical Considerations

The researcher adhered to all the ethical considerations when conducting the study of legalising of squatters as a factor in social development. The researcher had an ethical obligation and strove to protect the respondents from any type of harm and discomfort that could have developed from the research project, especially employment situation. She explained the investigation to the respondents to enable them to give an informed consent. The respondents were not coerced to participate, it was voluntary.

4.1.2.7 Limitations

The researcher did put measures in place to minimise limitations on the study of legalising of squatters as a factor in social development. The researcher used four methods of data collection, namely, interviews, focus groups and public/officials documents. The findings on the study were

validated and cross-checked through a combination of multiple data collection methods. Willis (2007: 218) points out that it is essential to find multiple sources of confirmations to draw a conclusion, if more than one source of information point to it, the researcher is justified to make the conclusion. It is pointed out in Willis (2007:18) that the rationale of using more than one method is that the flaws of one method are often the strengths of another.

The data in the official/public documents were verified through interviews conducted. The analysed data was taken back to the respondents to check whether what had been constructed from the data was actually what they had said. The qualitative research aim of study is to provide an understanding of the meaning which one or two people attribute to a certain event, and not generalize it. Therefore the results of the study cannot be generalized to the population of the study (Babbie & Mouton. 2006:274).

4.2. Findings

The findings are based on the perspectives of the critical stakeholders in the study, namely, the Woodlane village community, City of Tshwane Metropolitan Municipality, Non-Governmental and Faith Based Organisations and the Department of Human Settlement. The findings are categorized according to the following five themes:

- a) The extent of informal settlements in South Africa
- b) The rights of informal settlement dwellers
- c) Social policies
- d) City of Tshwane Metropolitan Municipality process of legalising of squatters
- e) Social development approach

Below is table 4.2 reflecting classified themes with sub-themes.

Table 4.2: Findings categories with sub-themes

1	Theme: The extent of informal settlements in South Africa
<i>Sub themes for the theme: The extent of informal settlement</i>	
a) The extent of informal settlements in South Africa b) The extent of informal settlement in Gauteng Province	
2	Theme: The rights of informal settlement dwellers in South Africa
3	Theme: Social policies
4	Theme: City of Tshwane Municipality process of legalising of squatters
5	Theme: Social development approach
<i>Sub-themes for the theme: Social development approach</i>	
a) Needs oriented approach b) Social justice c) Community participation d) Economic development e) Development projects f) Welfare and health services g) Housing and basic services h) Early learning development i) Community self empowerment j) Social change k) Improved quality of life	

4.2.1 The extent of informal settlements in South Africa

It is also important for the study of legalising of squatters as a factor in social development to establish an understanding of the extent and reality of informal settlements in South Africa. Victor Rajkumar, a director from the Department of Human Settlement, explained that the department undertook a study to depict the status of informal settlements in South Africa. Seventy municipalities were selected nationally and an intensive process in consultation with the concerned municipalities was undertaken.

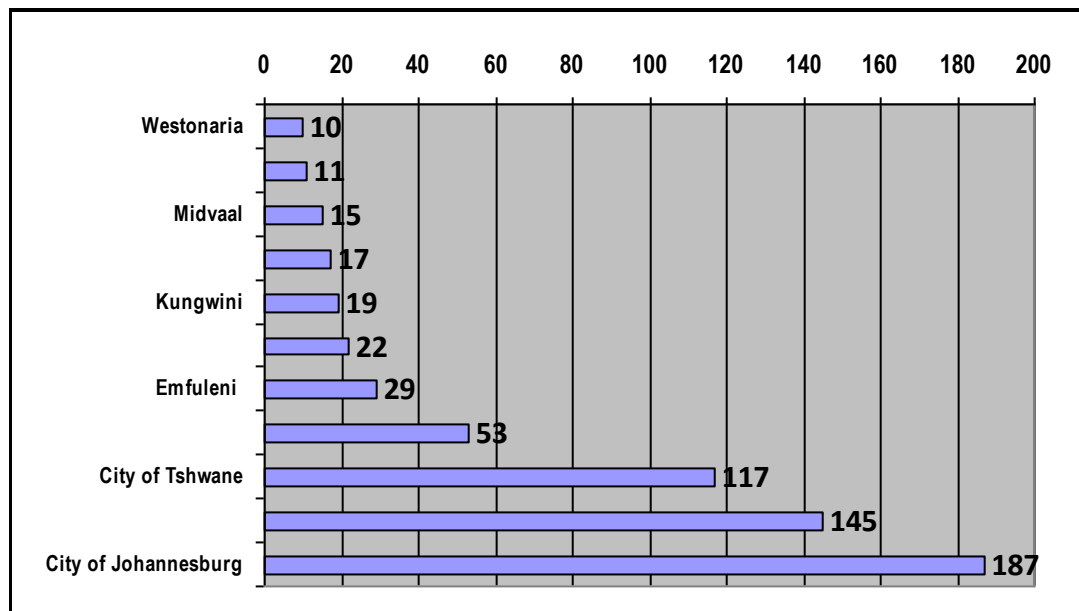
The outcome of the study confirmed that there were 2 628 informal settlements polygons in South Africa across 70 municipalities in 2009/2010 (Department of Human Settlement Informal Settlements Atlas. 2009/2010).

4.2.1.1 The extent of informal settlements in Gauteng Province

According to the Department of Human Settlement Informal Settlement Atlas (2009/2010), Gauteng municipalities were all counted and the total number of informal settlements in all municipalities was 647 as depicted in graph 4.1.

The Gauteng Province Municipality with the largest informal settlement during the period of 2009/2010 was the City of Johannesburg Metropolitan Municipality, followed by Ekurhuleni Metropolitan Municipality. The City of Tshwane, (formerly known as Pretoria) Metropolitan Municipality, came third. The City of Tshwane Metropolitan Municipality which is the focus of the study had 117 informal settlements during the period 2009/2010.

Graph 4.1: Number of informal settlements in Gauteng municipalities (2009/2010)



4.2.2 The rights of informal settlement dwellers in South Africa

The Constitution (1996: section 26) (1) states that everyone has the right to access adequate housing, (2) that the state must take reasonable legislative and other measures, within its available resources to achieve the progressive realisation of this right and (3) 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. According to the Constitution (1996: section 27 (1) (a) (b) and (c)) stipulates that each citizen has the right to access proper services and infrastructure such as health care services, water and social security. The Constitution (1996: section 24 (a) (b)) confirms the right to live in a suitable environment free of harm to health or well-being

The Prevention of Illegal Evictions from and Unlawful Occupation of Land (Act No 19 of 1998) protects squatters from unfair evictions. If the occupants have stayed on a piece of land for more than six months, they should be provided with an alternative shelter. The Act stipulates 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. Special consideration should be given to the rights of the elderly, children, disabled persons and particularly households headed by women, and that it should be recognised that the needs of those groups should be considered. The Act must be adhered to by the registered owner of land, including an organ of state, seeking to evict a person who occupies his land and utilises such land to erect any hut, shack, tent or any other form of temporary or permanent dwelling or shelter without the consent of the landowner

Plastic View/Woodlane village informal settlement High Court ruling

According to an article by Venter (2012:1), the Acting Judge Piet van der Byl issued a court order on 8 June 2012 that the group of informal dwellers living in an informal settlement in Moreleta Park, informally known as Plastic View, has the right to stay in the informal settlement. The court order is clear that only those dwellers who qualify for social housing assistance will be allocated land. A "qualified person" is any occupier of the demarcated area as at 4 June 2012, who is a South African citizen or has a valid residence permit allowing them to permanently reside in the country. Included are the lawful refugees who qualified for the allocation of housing in terms of the council's housing development policy. The concerned community of 856 households was already living on the land earmarked for housing in Moreleta Park.

Woodlane village executive committee members and Colin and Denise from Tswelopele Step by Step informed the researcher that Plastic View is now called Woodlane village. Below is the picture of Woodlands village in Moreleta Park.

Picture 4.1: Plastic View/Woodlane village in Moreleta Park, Tshwane-Gauteng



Residents in estates surrounding the informal settlement

There have been negotiations between the (areas next to the informal settlement) home owners' associations and the City of Tshwane Metropolitan Municipality. The agreement reached between the homeowners' association and City of Tshwane Metropolitan Municipality was that the municipality must establish a township in the demarcated area (Plastic View) with serviced residential erven by no later than November 2013 (Venter 2012:1)

Geographic location of Plastic View/Woodlane village informal settlement

Plastic View informal settlement is situated in Moreleta Park, East of Pretoria in the City of Tshwane Metropolitan Municipality, Gauteng Province. Below are the maps of South Africa with provinces and a map of Gauteng Province with all the municipalities. The aim is to geographically locate the informal settlement.

Map: 4.1: Provinces of South Africa



Source: <http://www.sacarrental.com/maps.htm>)

Map 4.2: Map of Gauteng Province with Metropolitan Municipalities



Source:

[http://commons.wikimedia.org/wiki/File:Map_of_Gauteng_with_municipalities_labelled_\(2011\).svg](http://commons.wikimedia.org/wiki/File:Map_of_Gauteng_with_municipalities_labelled_(2011).svg)

History of Plastic View/Woodlane village informal settlement

According to Henderson and Thomas (1987:58) argues that issues and problems of an area are connected to people, organisations and events in the past. Local people are the best sources of historical data. The Woodlane village executive committee members namely, Benjamin, Trevor, Israel, Donald and Sibusisiwe together with community members explained that the community had been squatting in the open space within the bushes in the Moreleta Park area since 2005. They were squatting in different camps according to countries of origin such as Lesotho, Zimbabwe, Mozambique and South Africa. Many community members

with South African nationality are from Provinces as far as Limpopo, Free State, Mpumalanga, Eastern Cape, North West and Northern Cape.

Reasons for squatting in Moreleta Park, East of Pretoria

The researcher agrees with Rogers proposition seven that the best way to understand behaviour is to view it in terms of the individual or community frame of reference (Grobler, Schenk & du Toit. 2003:68). Therefore it is critical to understand the reasons for squatting in Moreletapark from the Woodlands village squatters' point of view.

Benjamin, Trevor, Israel, Donald and Sibusisiwe together with community members explained that the three main reasons for the community to squat specifically in Moreleta Park open space are job opportunities around Pretoria East, political instability and poverty in the neighbouring countries, displacement of farm workers, expensive accommodation and high transport fares. The researcher agrees with Rogers proposition five that behaviour essentially consists of purposeful endeavours by individuals to satisfy their needs as experienced in their life world (Grobler et al. 2003:59). The squatters have various reasons for squatting based on their individual experiences and the endeavour to satisfy their different needs.

Job opportunities: The Woodlane executive committee and the community members agree that the main reason that attracted them to the squatter settlement, particularly in Moreleta area, is job opportunities in the Pretoria East. The job opportunities in the area are construction and domestic work.

Political instability and poverty: Sibusisiwe explained that most of the Zimbabwean nationalities left Zimbabwe due to the political instability and poverty in search for greener pastures in South Africa. She mentioned that

an unskilled labourer in Zimbabwe may earn approximately R200.00 per month whereas in South Africa, one may earn approximately R100.00 per day.

Displacement of farm workers: The Woodlane village executive committee members, Donald and Israel explained that their parents were farm workers and they were raised in farms in the surrounding areas of Pretoria East. The challenges started when the farm workers sold their farms and they did not have anywhere to go. Some families went back to the rural areas. Others remained to seek job opportunities and opted for squatting as they could not afford accommodation.

Expensive accommodation and high transport fares: Some community members interviewed like Busisiwe explained that they opted for squatting so that they could be next to their workplaces. They are in the construction and domestic work sector which does not pay them much and can neither afford expensive accommodation in Pretoria nor daily transports fares. They think it is better to squat and save the money for the basic needs at home. Benjamin gave an example that if he commutes from home, he will have to leave home at 4am and will only arrive back home at 10pm.

Environmental perspective of Woodlane informal settlement

According to Henderson and Thomas (1987:58) the environment of an area is of interest, it provides the context in which people in the area go about their work and leisure. The Woodlane informal settlement is situated next to Moreletapark church, affluent suburbs namely, Meadow Glen, Meadow Ridge, Moreleta Park Extension 44, Mooikloof and Woodhill, shopping mall and has good access to roads. The researcher observed that the squatters have access to opportunities community development project opportunities from Moreleta Dutch Reformed Church and other non-governmental organisations, domestic and contractual work, public

transport and Woodlands, Parkview and Moreleta shopping malls. Some domestic and contractual workers do not use transport to go to work.

4.2.3 Social policies

Department of Human Settlement perspective

The role of the Department of Human Settlement

The South African Government Information on Housing (2011) points out that the role of the national Department of Human Settlement is policy development, funding, monitoring and evaluation of the implementation of housing and sanitation programmes in South Africa. The Chief Director in the Department of Human Settlement, Phillip Chauke, clarified the powers of the Minister of the Department of Human Settlement as policy development, funding and monitoring the implementation of human settlements programmes according to social policies.

Social policies relevant to the formalisation of informal settlements

Phillip Chauke, confirmed the social policies relevant to the study of legalising of squatters as: The Constitution of Republic of South Africa (1996), the Prevention of Illegal Evictions from and Unlawful Occupation of Land (Act No 19 of 1998), the Draft Prevention of Illegal Evictions from and Unlawful Occupation of Land Amendment Bill of 2003, the Less Formal Township Establishment Act (Act No 113 of 1991), the Housing Act (Act No 107 of 1997), Comprehensive Sustainable Human Settlement (Breaking New Grounds) and the Housing Programme.

Phillip Chauke perceives the social policies to be in line with social development as an approach. He pointed out that the above-mentioned social policies embrace most of the principles of the social development approach as reflected below:

- a) Acknowledgement of housing as basic human right;
- b) Promoting social justice in the eviction process and provision of an alternative adequate shelter in cases of unjust eviction;
- c) Contribution to poverty reduction through the provision of funding in a form of housing subsidies to the poor;
- d) Promotion of economic development through job creation during the construction of houses;
- e) Promotion of an integrated and holistic approach through the introduction of norms and standards for the human settlements and inclusion of basic services (water, sanitation and electricity) and ancillary services (schools, clinics and commercial opportunities);
- f) Promotion of a developmental approach through the participation of communities
- g) Improving the quality of lives;
- h) Ensuring compliance with social policies through regulations and monitoring processes.

The successes and challenges

The Chief Director, Phillip Chauke, emphasised that South Africa as compared to Zimbabwe and Botswana is performing better in the programme of upgrading of informal settlements. The South African social policies are good and promote social development as an approach. However, just like any other programme, the upgrading of informal settlements has its own challenges such as the funding cycles in cases where the budget cannot be rolled over, the constraints with regard to procurement processes, the compromising of quality by contractors and mushrooming of informal settlements by people who continue to invade land.

4.2.4 The City of Tshwane Municipality process of legalising of squatters

The role of City of Tshwane Metropolitan Municipality

The City of Tshwane Metropolitan Municipality, just like other organs of the local government, is mandated in chapter 7 of the Constitution (1996: section 152(b) and (c)) to ensure the provision of services to communities in a sustainable manner and promote social and economic development. The White Paper on Local Government (1998) regulates the local government to be developmental. Developmental local government is committed to working with citizens and groups within the community to find sustainable ways to meet their social and economic growth while integrating and coordinating, democratising development and leading and learning.

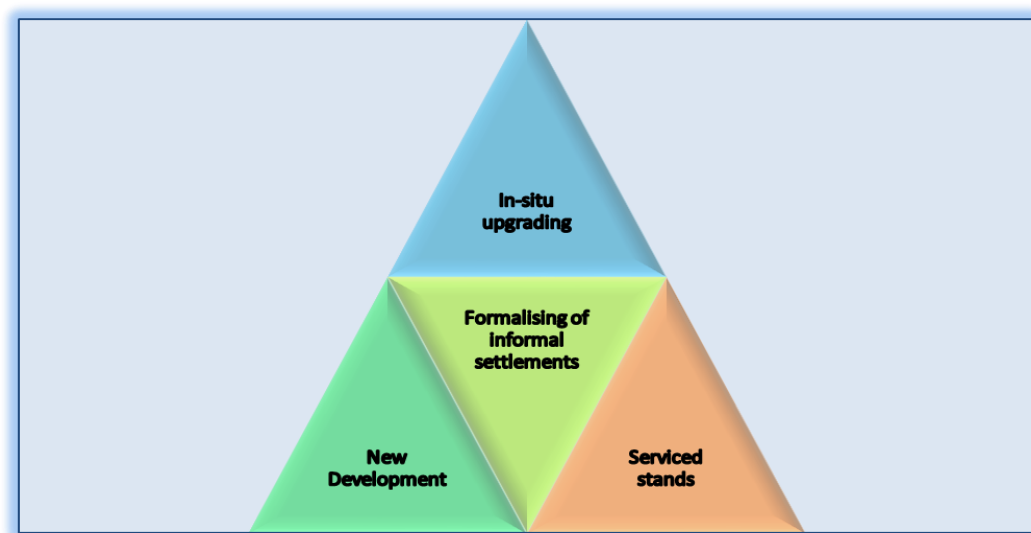
The process of formalising/upgrading of informal settlements

Metse Mabeba, the Director from the City of Tshwane Metropolitan Municipality, Department of Housing and Human Settlement confirmed that there is a process in place for formalising or upgrading of informal settlements. She explained that there are three options for the formalisation or upgrading of informal settlements in the City of Tshwane Metropolitan Municipality. The approaches are in-situ upgrading, new developments and serviced stands briefly explained below and depicted in figure 4.5.

- a) In-situ upgrading: The formal settlement is developed in the location where the informal settlement exists.
- b) New development: The formal settlement is developed within a radius of 10 kilometers from the existing informal settlement because the location is not developable and habitable.
- c) Serviced stands: Another option of formalising or upgrading of informal settlements is through provision of serviced stands. The stands

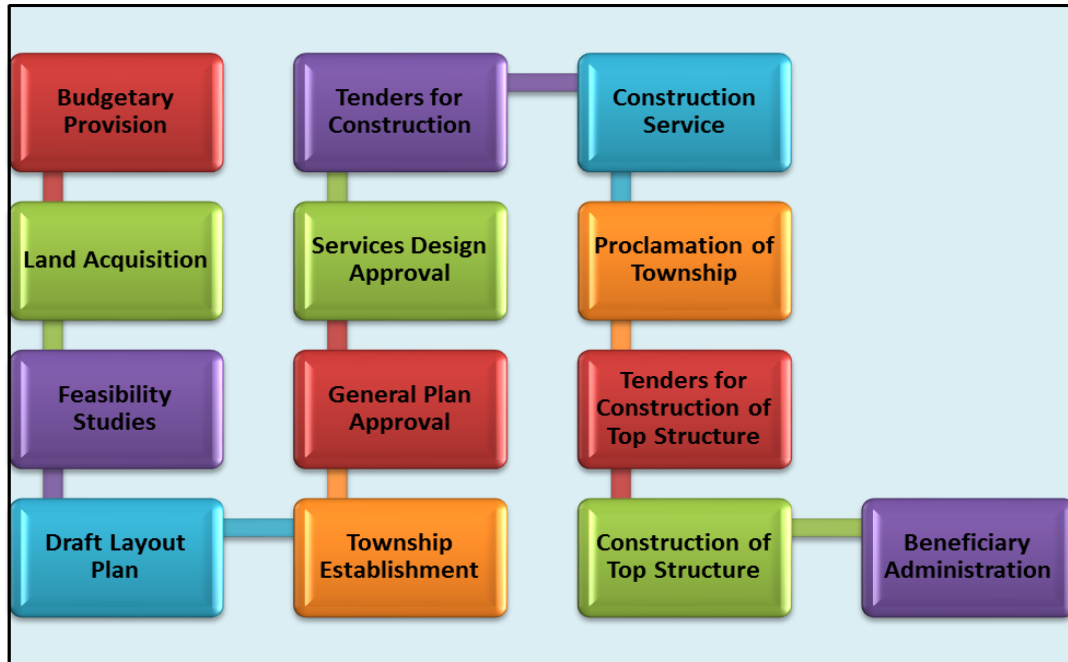
with basic services such as water and sanitation are provided to the informal dwellers to build their own houses.

Figure: 4.5. Approaches to formalising of informal settlements



Director Metse Mabeba outlined the housing development process for the formalising or upgrading of informal settlement and confirmed the process with a housing process document. The process has 14 phases which can be undertaken over a period between 48 to 60 months. The process is depicted in figure 4.6.

Figure 4.6: The housing development process (City of Tshwane. Housing Development Process document)



The phases are briefly explained below.

- a) Budgetary provision: The Provincial Department of Human Settlement and City of Tshwane Department of Finance provide the budget for the housing process development.
- b) Land acquisition: The Provincial Department of Human Settlement and the City of Tshwane Legal Services undertake the process of land valuation and council resolution. If land to be developed is in private ownership, the land will have to be acquired before any public funding is spent.
- c) Feasibility studies: The Provincial Department of Human Settlement appoints a consultant for mapping (if required), experts for compiling an engineering geological report, an environmental impact scoping report and/or environmental impact assessment, floodline determination and other engineers for determining services capacities.
- d) Draft layout plan: The Provincial Department of Human Settlement appoints a town planning consultant and other consultants, for example, a

surveyor for outside figure, engineer for planning inputs and so forth. The draft layout is compiled. Amendments on technical level are addressed through technical town planning committee and public participation through ward councilor and ward committee.

e) Township establishment: The City of Tshwane Metropolitan Municipality, Department of City Planning appoints a consultant to compile the town establishment application and advertise it in the local press. The lay out plan is amended subject to objections and comments received. The town establishment is approved by the relevant authority

f) General plan approval: The City of Tshwane Metropolitan Municipality, Department of City Planning appoints a consultant to survey the stands, compile small scale diagrams, issue land survey certificates and general plan. The general plan is approved by the Surveyor General Office.

g) Service design approval: The Department of Public Works and Infrastructure Development appoints a consultant to compile services designs for water, sanitation, roads and storm water. The service design is approved by the local authority.

h) Tenders for construction: The City of Tshwane Department of Housing and Human Settlement and the Provincial Department of Human Settlement compile tender documents, advertise and adjudicate the tender. The tenders are submitted to Council for approval and the successful bidder is appointed to for construction.

i) Construction services: The City of Tshwane Department of Housing and Human Settlement and the Provincial Department of Human Settlement undertake the site establishment, identification and training of local artisans and construction services

j) Proclamation of township: The City of Tshwane Department of Legal Services undertakes the proclamation of township in Provincial Gazette depending on the legislation used to establish the township.

- k) Opening of township register: The City of Tshwane Department of Legal Services and the Provincial Department of Human Settlement open registers and transfer individual stands to beneficiaries. If only serviced stands are provided, transfers can take place after completion of services installation. If top structures are also provided, then transfers normally take place after completion of top structures.
- l) Tenders for construction of top structure: The City of Tshwane Department of Housing and Human Settlement and the Provincial Department of Human Settlement compile tender documents, advertise and adjudicate the tender. The tenders are submitted to Council for approval and the successful bidder is appointed to construct the top structures.
- m) Construction of top structure: The appointed successful bidder constructs the top structures.
- n) Beneficiary administration: The Provincial Department of Human Settlement identifies and registers the qualifying beneficiaries. The phase runs concurrently to the whole process. The properties are then transferred.

The challenges of the process of formalising/upgrading of informal settlements

Director Metse Mabeba confirmed that the process of formalising or upgrading of informal settlements has its own challenges.

- a) The mushrooming of informal settlements has a negative impact on addressing the backlog and the budget.
- b) The process of upgrading of informal settlements is long.
- c) There is limited funding for top structures and bulk infrastructure.

The relationship between the process of formalising/upgrading of informal settlements and social development

Director Metse Mabeba perceives the successes of the process of upgrading of informal settlements as being a result of an integrated and holistic approach that takes into consideration the legislations, social policies and social development as an approach. Metse Mabeba confirmed that the process has evolved from just being technical to taking into consideration the participation of the community, job creation during the construction of houses and integration of social amenities like clinics and schools. The process is in line with the Department of Human Settlement Comprehensive Sustainable Human Settlement (Breaking New Grounds) planning document. It propagates moving away from a housing only approach towards the development of social and economic infrastructure as an integral part of settlement. The importance of integrated approach promotes access to assets (shelter and basic services like health, safety, emergency services, educational and day care facilities) by communities which enhances the fight against poverty.

4.2.5 The Social development approach

Social development approach refers to policies and programmes that meet needs, promote rights, manage social problems and facilitate the maximisation of opportunities to achieve social wellbeing and the promotion of human empowerment and human inclusion (Patel, 2005:203). The findings on social development will be structured in terms of the following themes: needs oriented, social justice, community participation, economic development, development projects, welfare and health services, housing and basic services, early learning development, community safety, community self-empowerment, social change and improved quality of lives as depicted in figure 4.7.below.

Figure 4.7: Themes in the presentation of findings



4.2.5.1 Needs oriented approach

Social development as a process has an aspect of identifying a pre-existing social condition that social development seeks to change (Midgely, 1999:26). The needs-oriented approach informs and sculpts the feature or outcome of social development (Swanepoel & de Beer, 2006:37). Needs assessment is the first step to be taken before a project commences.

According to Max Neef in Schenck, Nel and Louw (2010:12), the fundamental human needs are subsistence, transcendence, freedom, idleness, creation, understanding, participation, affection, protection and identity. If the fundamental human needs are not adequately satisfied, they reveal human poverty. According to Hope and Timmel (1999:55) the five basic human needs according to Maslow Ladder are physical needs, safety and security needs, love and belonging, self-respect and personal growth. There is a relationship between Max Neef fundamental needs and

Maslow's ladder of basic human needs. For instance the physical needs are subsistence needs, safety and security needs are protection needs and love and belonging needs are affection needs.

Woodlane village community perspective

According to Grobler et al. (2003:49), Rogers's proposition two states that perception of the world is an individual, group or community matter, people respond in terms of both experience and perception. Furthermore, according to Grobler et al (2003:17), Rogers's proposition a human being, group or community has one basic striving, to actualize, maintain and develop the total self. Therefore it is critical to understand the needs of the community from their perception and how they want to develop. The Woodlane village executive committee and the community members interviewed expressed their needs as explained below:

a) Need of subsistence

The Woodlane village executive committee and the community members explained that some community members are unemployed, poor, sick and old. Therefore they cannot afford to buy food or transport fee to go to the health services institutions for medical treatment. Therefore there is a need for food and transport money. The needs expressed by the community are actually the satisfiers for the need for subsistence.

b) The need for identity

The Woodlane village executive committee and the community members know that the City of Tshwane Metropolitan Municipality has an agreement with the homeowner's association to establish the township by November 2013. If the municipality fails to meet the deadline, the homeowners association can approach the court to force the municipality to evict the remaining residents, whether they qualify for housing or not. They are worried as to what will happen if the City of Tshwane

Metropolitan Municipality fails to establish the township by November 2013. The community needs the process of legalising of the informal settlement to be finalised in order for them to have legal identity as residents of Woodlane village.

c) The need for protection

Woodlane village executive committee and the community members expressed their challenges in terms of the inadequate and unsafe makeshift shelters, crime in the community and environmental health hazards. The community complained about their makeshift structures which are mostly made of plastic, cardboard and wood. The makeshift shelter does not protect them from harsh weathers, rain and are susceptible to fire as well. One community member, Manapo, said that the makeshift shelters are not safe; if someone wants to hurt you, it is very easy because some shelters are made from plastic only. She even referred to the incidents of fires where lives were lost in the camp.

Woodlane village executive committee and the community members complained that there are criminal activities like fights, assaults and mugging in the community. They even said that a week does not pass by without an ambulance coming to the village. The researcher confirmed the community's fears whilst visiting the Woodlane village executive committee member, Trevor for a follow up interview. An estranged couple had a fight and Trevor had to intervene as a community leader.

The community's need for protection is caused by inadequate and unsafe shelter, crime and environment health hazards. Below is the picture of a makeshift shelter in Woodlane village.

Picture 4.2: A house in Plastic View/Woodlane village informal settlement



d) The need for understanding

Benjamin and Manapo explained that many people in the community are illiterate and do not understand English and Afrikaans. Manapo emphasised that this makes it difficult for women to work in the domestic sector. Other community contract workers explained that they rely on someone who knows the language to negotiate on their behalf, and, in most instances, the translator misrepresents them in terms of the remuneration. Manapo and Trevor explained the need for Basic Adult Education and English and Afrikaans language lessons. Pietie confirmed that he is the supervisor of the labourers in Moreleta Dutch Reformed Church and he translates for them. The needs expressed by the community satisfy the need for understanding.

e) The need for participation

Woodlane village executive committee and the community members want to participate in the skills development projects that will enhance the chances to access economic opportunities. They also want to participate in the job market.

Non-governmental organisation perspective

Colin and Denise Dredge from Tswelopele Step by Step organisation explained that they had built relationships with the Woodlane village community. They continuously strive to learn and understand the community needs and work with them in their environment to find ways to address the identified needs. The researcher, whilst walking with Denise and Colin Dredge at Woodlane village, confirmed through observation that they have a positive relationship with the community. The community members greeted them with respect, the children ran to them and some community members made informal follow ups and feedback on their personal issues.

Tswelopele Step by Step organisation has facilitated the establishment of a forum of local Faith Based Organisations and Non-Governmental Organisations to meet the community needs and to enhance relational and integrational opportunities in the Pretoria East community. Ten organisations have expressed an interest in assisting with development opportunities for the Woodlane community. The projects that are underway and in line with community needs are basic adult education, language classes, skills development projects, amongst others. The Woodlane executive committee is represented in the forum.

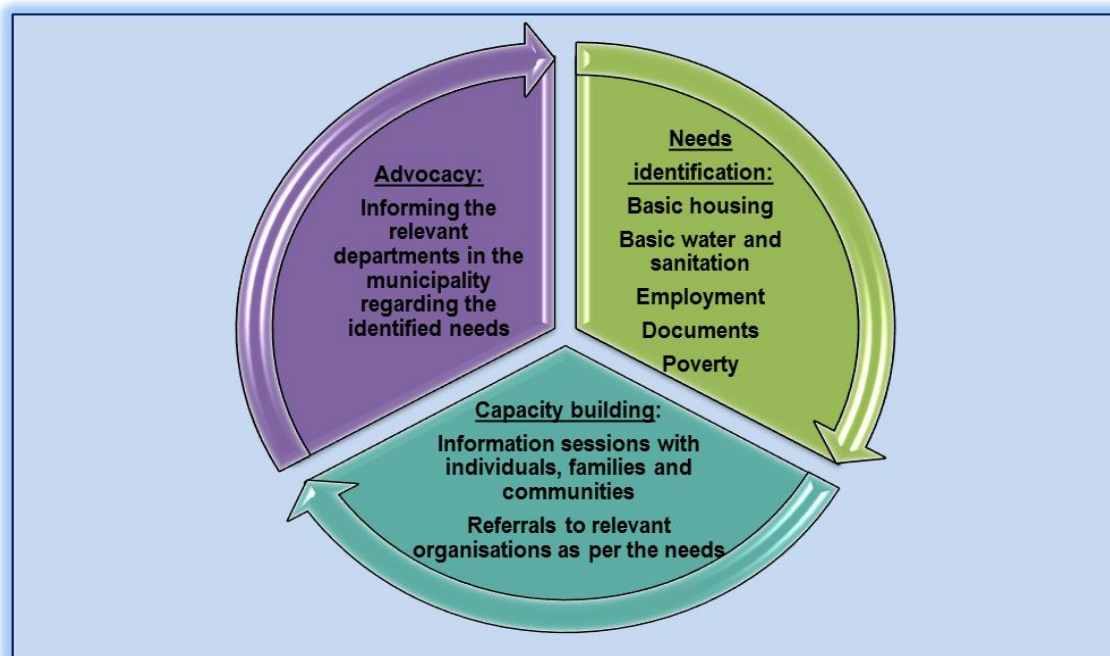
Nathan Kruger explained that Moreleta Dutch Reformed Church has a ministry called community focus whose aim is to reach out to the

community. The identified community is currently Woodlands village community. Nathan Kruger confirmed that there is harmony in the organisations working at Woodlands village. The Woodlane village planning is done through the forum which is also represented by Woodlane village executive committee members. He explained that if the organisation can work together the resources can be maximised and the development impact in the community will increase.

The City of Tshwane Metropolitan Municipality perspective

A social worker, Thivhulawi Nyambewu, confirmed that the services rendered to informal settlements are needs oriented as depicted in figure 4.8 below. Thivhulawi explained that the basic needs in the informal settlements are a lack of proper housing, basic water and sanitation services, unemployment, poverty and a lack of income and of identity documentation. The process followed in the implementation of development services in the informal settlements are, needs identification, capacity building and advocacy.

Figure: 4.8: Intervention process in the informal settlements



4.2.5.2 Social justice

Barker (1999:451) as quoted in Patel (2005:224) defines social justice as an ideal condition in which all members of a society have the same basic rights, protection, opportunities, obligations and social benefits. Social justice is one of the primary values of social development.

Social development upholds a commitment to social justice in the society by upholding and protecting rights, opportunities, obligations and social benefits equally for all citizens, especially the most disadvantaged. The practice of social justice should result in social change (Patel.2005:224).

Woodlane village community perspective

The Woodlands executive committee and community members explain that social justice was partly achieved on 8 June 2012, through the High Court ruling in favour of the community to stay in the informal settlement. Benjamin was even proud to show me newspaper clippings in that regard. The Woodlane executive committee and the community members do not really know the rights of informal settlement dwellers. They emphasised the pain and hardships they were facing whilst squatting in the bushes in Moreleta Park since 2005. They narrated how the South African Police Services, South African Defense Force, City of Tshwane Metropolitan Municipality metro police and the red ants would come, surround the squatter area, demolish or set on fire their makeshift shelter, take the basic belongings and pack them into police vans for screening. They would be left in a dire situation with absolutely nothing. However they were totally vulnerable because they did not know what to do about the situation.

The Woodlane village executive committee and the community members made a reference to the challenges and frustrations they experienced before the High court ruling to stay in the informal settlement. They could

not access the government and private institutions services because they did not have a home address. It was difficult to go to the clinic for health services, apply for the social grant and open a bank account and other credit accounts. They acknowledge the efforts undertaken by Tswelopele Step by Step organisation since 2006, in consultation with them to fight for their rights to stay in the informal settlement. They expressed their gratitude to Denise and Colin Dredge who fought tirelessly for the squatters to be recognised. The community was proud that they can now access health services, apply for social grants and open bank or credit accounts because they have home addresses.

Non-governmental organisations perspective

Denise and Colin Dredge explained that Tswelopele Step by Step is a non-profit organisation which was registered by the Department of Social Development in June 2003. The organisation has the best interests of the homeless at heart and perceives the causes of homelessness in South Africa as: increased urbanisation, refugees, increasing levels of unemployment within South Africa, a lack of education and/or skills, political instability in neighbouring countries resulting in refugees in South Africa and the scourge of HIV/AIDS. All of these result in the displacement of people who are still trying to be economically active. The organisation is dedicated to finding solutions to the problems of urbanisation, rampant poverty and homelessness.

Colin and Denise Dredge had been working with the Woodlands village community since 2006 and had approached the court to try and find shelter for them. The organisation participated actively in the legal process for the community to be legalised; was a victory when, in June 2012, the High Court ruled in the Woodlane village community favour to stay in the informal settlement. Colin and Denise Dredge explained that Tswelopele Step by Step organisation advocates and supports the Woodlane village

community in their quest for better living conditions, in spite of significant opposition. The organisation is willing to speak on their behalf whenever questions from the media, neighbouring residents associations and local government agencies arise. At times, when passive advocacy fails to bear fruit, the organisation enforces the People's Constitutional Rights by means of legal intervention.

City of Tshwane Metropolitan Municipality perspective

The social worker, Thivhulawi Nyambewu from the City of Tshwane Metropolitan Municipality, emphasised that development is for all people, including the informal settlement dwellers. He pointed out that social development must promote social justice. Consequently, the informal settlement dwellers need not be excluded from the social services because they also have a right to the services.

4.2.5.3 Community participation approach

Social development is a people-centered approach to development and promotes citizens' participation and strengthens the voice of the poor people in decision-making and in building democratic and accountable institutions (Patel, 2005:30). It is pointed out in Grobler and Schenck (2009:4) that person centred approach aims to enable the people to discover for themselves what they are struggling with and then find their own unique way forward.

Woodlane village community perspective

Woodlane executive committee members Benjamin, Trevor, Israel, Donald and Sibusisiwe explained that there are structures in the community with functions, that is, Woodlane village executive committee and the street leaders. The functions of the executive committee are mediating disputes within the community, formulating community rules in consultation with the community as well as meeting monthly with the local police and quarterly

with the non-governmental and Faith Based organisations forum. The street leaders are also mediating disputes within their respective streets as well as communication of important information from the executive committee to the community and vice versa.

The Woodlane village executive committee is very much impressed by the fact that they participate in the faith-based and non-governmental organisation forum and local police meetings. The committee felt that the community is being valued, respected and their perceptions, needs and abilities acknowledged. Benjamin and Trevor have been seconded by the executive committee to represent Woodlane community in the forum. The village committee is confident that all the development initiatives for the Woodlane village community will address the needs of the community because they are part of the planning.

Non-governmental organisations perspective

Colin and Denise Dredge from Tswelopele Step by Step organisation have facilitated the establishment of Woodlane village executive committee and street leaders. The Woodlane executive committee has been capacitated, coached and mentored with leadership skills and thereby enabled to manage community affairs. The committee is autonomous and independent from Tswelopele Step by Step organisation.

The City of Tshwane Metropolitan Municipality perspective

The White Paper on Local Government (1998) mandates the local government to work with citizens and groups within the community to find ways to meet their social, economic and material needs and improve their quality of life. The local government must target the marginalised members of the communities such as the poor people, women and disabled people.

Director Metse Mabeba from the City of Tshwane Metropolitan Municipality, Department of Housing and Human Settlement confirmed that the informal dwellers participate in the process of legalising of informal settlements. The communities are one of the critical stakeholders in the processes of Integrated Development Planning and formalising of informal settlements and housing development. During the Integrated Development Planning Process, the communities participate through community meetings organised by ward councillors and stakeholders meetings. The project steering committee is established and participates fully in the processes of formalising of informal settlements and housing development.

The Department of Human Settlement perspective

The National Housing Programme: Upgrading of Informal Settlement Programme is instituted of the Housing Act (1997: section3 (4) (g)). The programme provides grants to a municipality to carry out the upgrading of informal settlements within its jurisdiction in a structured manner. According to the programme, the involvement of community participation from the onset is key in order to ensure that community members assume ownership of their own development and project.

The National Housing Programme states that the community participation should be undertaken within the context of a structured agreement between the municipality and the community. Fragile community survival networks which are the hallmark of poor communities must be preserved to ensure the future sustainability of the community and the settlement. Tasks such as the surveying of the community within an identified project area, the facilitation of community participation and project conceptualisation could, under certain circumstances, be undertaken through the assistance of Community Development Workers (CDWs) to be employed by government institutions in terms of the provisions

stipulated by the Department of Public Service and Administration. A municipality may apply for funding for the appointment of capacity to assist in the processes leading up to the conclusion of the participation agreement with communities.

4.2.5.4 Economic development

Social development promotes the well-being of the population as a whole in conjunction with a dynamic process of economic development. The process of social development is inextricably linked to economic development (Midgely.1995:25). Patel (2005:30) states that the proponents of social development approach argue that the connection between economic and social development can be achieved through macroeconomic policies that promote employment. The policies should foster social inclusion of people in the development process through employment and self-employment and raise the standards of living of the poor and unemployed. Investments in building the capacities of poor people to participate productively in economy through human capital development (education and skill development), social capital development (social networks), micro enterprises and credit are also proposed.

Woodlane village community perspective

Swanepoel (2006:12), states that every community has its own economy that is manifested in the informal system and also employment in the formal system. The economic context is also described as the rate of employment, presence and activity of commerce and industry and the presence and scope of informal economic activity. The level of activity of the economy can be measured by aspects such as daily needs like food, education and clothing.

Job opportunities

Woodlane executive committee and community members confirmed that many people in Woodlands village are employed in and around Pretoria East in the construction and domestic sector. This is due to the fact that the Woodlane village is located in an area where work opportunities for semi-skilled and unskilled labourers are more readily available and most of the earnings are therefore not spent on travelling costs. Pietie, Israel and Donald also confirmed that some of the community members are employed at Moreleta Dutch Reformed Church next to the village.

Woodlane executive committee and the beneficiaries confirmed that the City of Tshwane Metropolitan Municipality is implementing the Expanded Public Works Programme in Woodlands village. Twelve members of the community were appointed to work in the Expanded Public Works Programme, the environment sector of the City of Tshwane Metropolitan Municipality. The beneficiaries explained that they clean the village and streets in Moreleta Park suburb and earn R2000.00 each per month. The job opportunities have improved their quality of lives in the sense that they can now meet their subsistence needs and send money to their families.

Picture 4.3: Woodlane village EPWP employees



Small businesses opportunities

The Woodlane executive committee and community members explained that the economic opportunities at Woodlands village are small businesses in the form of *spaza* (informal) shops. There is a *spaza* shop or two in each and every street in the community, which sell almost everything from food, vegetables, fruit, candles, paraffin and other goods, etc. Benjamin introduced me to the *spaza* shops owners in the community. The *spaza* shops owners were not comfortable to disclose the issue of profit but confirmed that they are making enough money to survive. Ezrom Sejake was open and said he makes a profit of up to R200, 00 per day.

Picture 4.4: *Spaza* shop at Woodlane village



Non-governmental organisations perspective

Entrepreneurial development and capacity building

Colin and Denise Dredge from Tswelopele Step by Step capacitate the community on a one on one basis by providing basic training and advice

on money management and strategies to save start-up capital for micro business enterprises to families at risk. The aim of the capacity building is to assist the small businesses to be sustainable, alleviate poverty and facilitate the independence of the individual involved.

The organisation also uses the strategy of providing second hand clothing to individuals for sale. Individuals involved in this project must pay half of the money made from the sale of clothing to assist chronically and terminally ill members of the community to get to and from hospital/clinic appointments. The other half must be used as start-up capital for the micro business enterprise of their choice. The approach reinforces good business ethics while at the same time enhancing the individual's ability to plan and strategise. It also ensures that the individual benefiting from this exercise is also contributing to the vulnerable members of their community.

The City of Tshwane Metropolitan Municipality perspective

Benjamin Manaso, the Executive Director in the Economic Development Department of the City of Tshwane Metropolitan Municipality, explained that there are four divisions in the Department of Economic development namely, Expanded Public Works Programme (EPWP), business support operations, sector support and economic intelligence divisions as depicted in figure 4.9.

Figure 4.9: Economic Development Department Divisions



Expanded Public Works Programme Division

Another Executive Director, Lulama Ndlovu, explained that the Expanded Public Works Programme division was established to align with the national Expanded Public Works Programme. The key element of the Expanded Public Works Programme is to maximise job creation. The Expanded Public Works Programme sectors are infrastructure, environment, working for fire and water, social and economic projects.

Lulama Ndlovu gave an example of infrastructure sector component of the programme. She explained that if the municipality is implementing an infrastructure project, the beneficiaries receive project-based occupational (brick making, carpentry) and life skills (HIV) training. An example of the environment sector project is the “*operation vat alles*” where the beneficiaries clean the streets of the city in orange uniforms. Examples of the social sector projects are the early childhood development, home-based care, safety and security and scholar patrol.

Business Support Operations Division

The Executive Director in the business support operations division, Lufuno Tshikovi, explained that the division aims to create an enabling environment through development and support for small medium micro enterprises (SMMEs), cooperatives and informal traders. The intended outcome is to increase the contribution of informal trader's in the economy of the city through employment creation, poverty alleviation and crime reduction.

Lufuno Tshikovi confirmed that the Woodlands village informal settlements will only benefit from the programme once it is legalised or formalised. The role of the business support division to the small, micro and medium enterprises, cooperatives and informal traders is two-fold:

- a) To regulate and ensure compliance from businesses to the following legislations, Business Act (Act No 71 of 1991), Cooperatives Amendment Bill of Act 2005, Street trading by-laws, Small Business Act (2003);
- b) To support and assist the informal traders, formal traders and informal business to trade within the by-laws of the municipality.

The small, micro and medium enterprises are categorised and classified in main areas of their business activities in order for the business support operation division to provide suitable support in the following areas:

- a) Training: The small, micro and medium enterprise and cooperatives are provided with training, skills development and management. The development of small, micro and medium enterprises contributes towards sustainable job creation.
- b) Incubation: The small, micro and medium enterprises are supported through incubation programmes. Partnerships have been formed with the companies to enhance business incubation programmes.
- c) Infrastructure: The informal traders are developed through the provision of suitable infrastructure in the form of stalls.
- d) License or permits: The informal traders are developed and facilitated to meet all the requirements in order to qualify for licenses or permits. The traders who are having licenses and permits benefit from workshops facilitated by the business support division.

4.2.5.5 Development projects

According to Swanepoel and de Beer (2006:172), all community development projects are built around needs. The people know their needs, but a project cannot address all or many of the people's needs at the same time. Therefore a project will evolve out of a problem, need or concern of a specific group of people.

Woodlane village community perspective

The Woodlane executive committee and community members explained that the community had benefited from skills development projects like crocheting, sewing and welding facilitated by Tswelopele Step by Step and Moreleta Dutch Reformed Church. Sibusiso explained that her sister Opher was trained in welding. She is currently employed in a construction company and can afford to rent accommodation in Mamelodi. Trevor also explained how the sewing project benefited his wife who is now making school uniform for children in Zimbabwe. The members of the community were very happy about the crocheting project facilitated by the Moreleta Dutch reformed Church, whereby they learn the crocheting skill and get financial incentives when their products are sold. According to Grobler et al. (2003: 44), Rogers proposition one state that the experiential world of every person, group or community is central, unique and personal. This personal world is constantly changing.

Non-governmental organisations perspective

Colin and Denise from Tswelopele Step by Step organisation confirmed that the organisation assisted the community with life skills and educative programmes which helped to bring them to their current level of independence. The aim is to encourage and empower the community to take responsibility and work towards improving their situation. The organisation is no longer directly involved in teaching life skills, but has capacitated some of the faith-based organisations in the area to provide training developed by Tswelopele Step By Step organisation, to members of Woodlands village community.

Nathan Kruger explained that the NG Moreleta Dutch Reformed Church community has been involved with the Woodlane community for more

than five years. Last year 25 members were involved in the Alpha course which enables the community to develop spiritually, the course will be repeated in 2013. The projects that are currently running to the benefit of Woodlane village are pure hope kids' crèche and crocheting skills development. The Moreleta Dutch Reformed Church, together with other organisations working in the Woodlands village, has identified other community needs through the forum.

Nathan Kruger emphasised that most of the women in the community are working in the domestic sector and there is a need to learn skills that may enhance their opportunities in the domestic sector job market. There is also a need for Adult Basic Education and Training since many community members are illiterate. There is an opportunity of economic development as well through arts coupled with entrepreneurial skills. The art products produced can be sold.

The City of Tshwane Metropolitan Municipality perspective

A social worker, Thivhulawi Nyambeni, explained that the intervention strategy for the identified needs of the informal dwellers is through providing capacity building and advocacy. The capacity building interventions range from life skills, referrals to the relevant departments like Home Affairs for documents. The advocacy services focus on informing relevant departments in the City of Tshwane Municipality about other needs.

4.2.5.6 Welfare and health services

According to Schenck et al. (2010:28), welfare is described as a type of assistance that involves direct service delivery to meet immediate deficiency or shortage experienced by the poor, for example, social grants, food or shelter. The underlying assumption seems that some short term would enable people to get on their feet again. This type of short

term assistance is essential but temporary and has no effect on the causes of poverty. The South African government has implemented several relief and welfare services since 1996 like the comprehensive social assistance programme (with different types of state grants) and the Indigency Programme of Local Government (for assisting poor households with access to basic municipal services). In south Africa the official approach to welfare and social services is referred to as social development (Schenck et al.2010:32).

Woodlane village community perspective

The Woodlane executive committee and community members explained that Tswelopele Step by Step organisation brings food parcels every Monday afternoon for the vulnerable members of the community (the sick and the elderly). Michael Kyriakou from Presbyterian also assists Tswelopele Step by Step organisation with the distribution of food parcels. The sick are also given transport money for the hospital.

Non-governmental organisations perspective

Denise and Colin Dredge from Tswelopele Step by Step organisation confirmed that the chronically ill and the aged who are unable to work are assisted with food, clothing and oversight to ensure proper compliance with medical treatments. There are also regular outreaches to mothers with young children to ensure that children are properly cared for and to assist with food, where necessary, so as to avoid malnutrition. The community is assisted to access services provided by the government such as medical treatment, social grants and processes of applying for identity documents at the Department of Home Affairs.

The researcher also observed that the community members also took the initiative to do food gardens as depicted in picture 4.5. According to

Grobler et al. (2003: 58), Rogers proposition five states that behaviour essentially consists of purposeful endeavours by the person, group or community to satisfy the needs that persons, group or community experiences in the world.

Picture 4.5: Food gardens by Woodlane village community members



The City of Tshwane Metropolitan Municipality perspective

The social worker Thivhulawi Nyambeni explained that he uses the information sessions intervention strategy to enable the community to access resources provided by the Government such as medical treatment, social grants and processes of applying for identity document at the Department of Home Affairs. The social worker expressed the frustration of witnessing on a daily basis the dire needs and poverty of informal dwellers and the fact that the food parcels are not always available. He said that sometimes he just has to communicate hope.

4.2.5.7 Housing and basic services

The Constitution (1996: section 26) (1)) states that everyone has the right to access adequate housing. The Constitution (1996: section 27 (1) (a) (b) and (c)) endorses that each citizen has the right to access proper services and infrastructure such as health care services, water and social security. Furthermore, the Constitution (1996: section 24 (a) and (b)) confirm the right to live in a suitable environment free of harm to health or wellbeing.

Woodlane village community perspective

The Woodlane executive committee and community members expressed that they do not have houses that meet the minimum standards of shelter and electricity. The community acknowledged that the City of Tshwane Metropolitan Municipality had provided them with the basic sanitation, water and waste removal services.

The Woodlane executive committee and community members complained that there are some residents who still dump refuse anywhere despite the fact that every house is given the waste plastics. The EPWP workers who do the environmental cleaning confirmed that some community members throw dirt everywhere even though there are waste removal means.

Picture 4.6: An illegal dumping site in Woodlands village



Non-Governmental organisation perspective

Colin and Denise Dredge from Tswelopele Step by Step organisation confirmed that the High Court ruling in favour of the Woodlands village community to stay in the informal settlement enabled the community to have access to basic services like water, sanitation and waste removal. The City of Tshwane municipality has installed these temporary basic services like water, sanitation and waste removal. Although the chemical toilets are regularly emptied by the service provider employed by the City of Tshwane, the employees of the Expanded Public Works Programme by the City of Tshwane also clean and maintain the hygiene of the toilets and collect refuse inside the settlement and around the periphery of the fenced off area.

City of Tshwane Metropolitan Municipality

Director: Metse Mabeba from the City Tshwane Metropolitan Municipality confirmed that the process of formalisation of informal settlements integrates basic services like water and sanitation. Below are the pictures of the temporary basic services installed at Woodlands village after the High court ruling in favour of the community to stay in the informal settlement.

Picture 4.7: Temporary waste removal services





4.2.5.8 Early learning development

Woodlane village community perspective

The Woodlane executive committee and community members were happy to acknowledge that Moreleta Dutch Reformed Church has established Pure Hope Kids and Grade 1 classes for the children of Woodlane village using church facilities. Some mothers of the children who are attending Pure Hope Kids crèche and school were very impressed about the development in their children. Some parents said that their children are communicating in English, which is the opportunity some parents never had. The parents are learning a lot from their children, for example, washing hands before touching food and when coming from the toilet. The parents pay R20.00 per month and their children get meals from the crèche.

Non-governmental organisations perspective

Colin and Denise from Tswelopele Step by Step organisation explained that the organisation's relationship with other Faith Based Organisations has resulted in the development of a crèche and in 2013 the primary school began with Grade 1 classes at the Moreleta Dutch Reformed Church. The primary school will increase the grade levels year by year. Tswelopele Step by Step organisation collaborated with the Boschkop Primary School to enroll the children who were not able to get into the new school at the Church. A school bus fetches and brings them home daily.

The Principal, Riana Anderson and Administrator, Suzanne Jooste explained that Pure Hope Kids is a pre-primary and primary educational institution for under-privileged children, including Woodlands village children. The institution is rooted in the Christian faith and was established with the primary goal to reach out and minister to children, illustrating the heart and love of Jesus for children. The school has four classes with 15 children in each class. As the children are far behind in all areas of development, it is critical to limit the number of toddlers per class in order to ensure that they receive optimal attention and stimulation.

The school programme focuses on developing the children in all areas and aspects of their lives. Their lingual, visual and motor skills as well as the development of perception are addressed on a daily basis. Even the development of association, spelling and wording plays an important role. In addition, the programme also includes weekly music classes, pottery classes, and computer classes. The children are provided with breakfast, snacks and refreshments during morning tea and lunch times. Social workers are also involved in the school programme and available to take

care of toddlers' specific needs. They also run a programme with the parents. Below are the pictures of Pure Hope Kids.

Picture 4.10: Pure Hope Kids



4.2.5.9 Community self-empowerment

According to Schenck et al. (2010:94), empowerment is described as a process of the development of the person to be able to make his own choices and develop the capacity and take responsibility for those choices.

Woodlane village community perspective

Trevor explained that there are ten soccer club teams in the community initiated by the community themselves. One was initiated by him and is named Trevor Zvenyika soccer team. The soccer team practices every Monday and Friday and the team members are committed. Trevor explained that the soccer team gets support from the Faith Based Organisations in the form of soccer boots and coaching. The Woodlane village soccer teams have a league and play against each other for cash prizes. Each soccer team contributes R400 for the league and the team that wins gets the cash prize. Below is the picture of some community members in the soccer field.

Picture 4.11: Woodlane village community members playing in the soccer field



Non-Governmental organisation perspective

Michael Kyriakou and Craig Smith from Presbyterian congregation confirmed that they support the Trevor Zvenyika soccer team with

coaching and managed to buy soccer boots for the team members. However, the principle of self-empowerment is instilled in the support. The soccer team members were encouraged to contribute R50.00 towards the soccer boots. The total money contributed by team members was R900.00. It was used to buy food parcels and transport money for the vulnerable and chronically ill members of the community through Tswelopele Step by Step organisation.

4.2.5.10 Community safety

According to Hope and Timmel (1999:55), one of the basic human needs according to Maslow Ladder is safety and security. There seems to be an agreement between Maslow and Max Neef as stated in Schenck et al. (2012:12) that one of the fundamental human needs is the protection.

Woodlane village community perspective

The Woodlane executive committee and community members expressed the importance of the security services provided by the City of Tshwane Metropolitan Municipality for the community. The security company provides 24/7 security services to the community. Trevor gave an example that if the community members are fighting, they inform the security members to call the police.

The community leaders also explained that through the facilitation of Tswelopele Step by Step organisation, they are in the process of establishing the community policing forum in collaboration with the local police station. The meetings with the local police are to monitor crime levels within the community and discuss crime prevention strategies to ensure that the Woodlane village does not get taken over by unruly elements. Woodlane executive committee explained that the participation in the local police meetings enabled them to bring crime down in the community due to improved communication channels.

4.2.5.11 Social change

One of the characteristics of social development is that it invokes a sense of process and the notion of change and growth are explicit (Midgely, 1995: 26).

Woodlane village community perspective

The Woodlane executive committee and community members argue that there is minimal social change in Woodlane village. The community has the right to stay in the informal settlement, as ruled by the High Court. The community explained that social change can only be achieved when houses have been built with basic amenities like sanitation, water and electricity and they are legal owners of the houses.

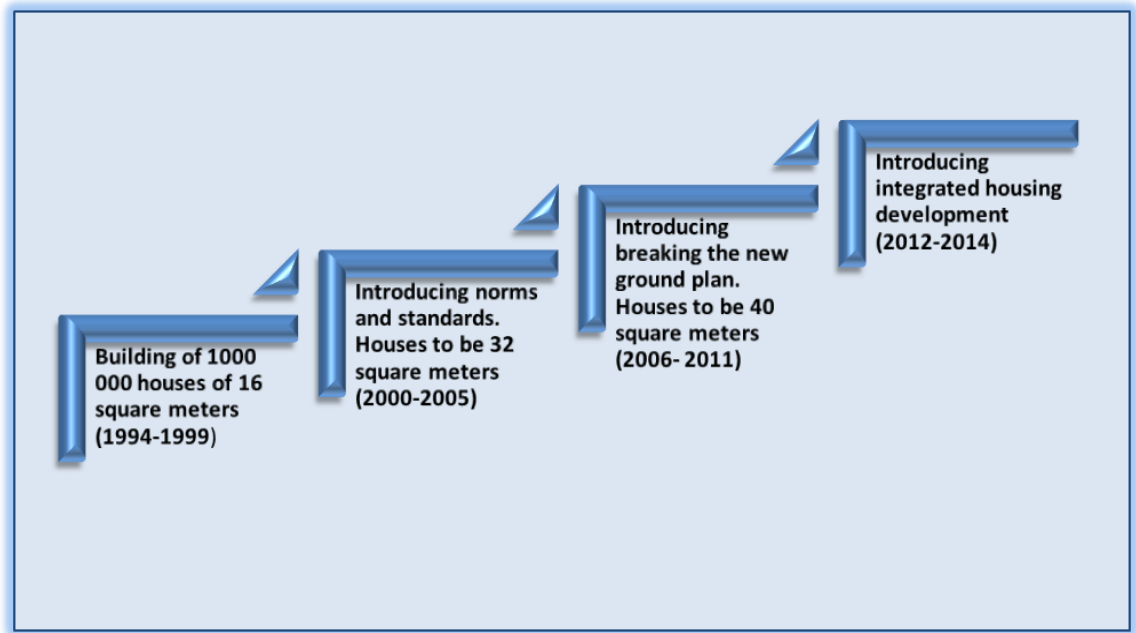
Non-governmental organisation perspective

Colin and Denise Dredge from Tswelopele Step by Step organisation believe that mixed approach housing development project is an ultimate goal for the social change in Woodlane village community. The mixed approach housing development approach will cater for rental houses, low cost houses and other types.

Department of Human Settlement perspective

The Chief Director, Phillip Chauke, explained that it had been a learning journey for South Africa to have achieved social development in the formalising and upgrading of informal settlements. The process evolved from target driven provision of houses to introduction of norms and standards and integrated human settlement development which takes into consideration the principles of social development. The process dates back to 1994 as depicted in diagram 4.10 below.

Figure: 4.10. Development of integrated human settlement process



4.2.5.12 Improved quality of life

Midgely (1995:7) points out that social development enhances the quality of life for all citizens and responds to the problems of distorted development.

Woodlane village community perspective

The Woodlane executive committee and the community members agree that the quality of life has partly improved in terms of the following:

- a) The right to stay in the informal settlement as per the High Court ruling;
- b) The temporary basic sanitation and basic water services installed at the village by the City of Tshwane Metropolitan Municipality;
- c) The few temporary jobs created by the City of Tshwane Metropolitan Municipality Expanded Public Work Programme and NG Church Moreleta Park;

- d) The job opportunities in construction and domestic sector around Pretoria east area;
- e) The life skills programmes by Tswelopele Step by Step and Moreleta Dutch Reformed Church
- f) The Pure Hope Kids for early learning development of the children of the village;
- g) The chronically ill and elderly project by Tswelopele Step by Step organisations.

4.3 Discussions of Findings

The findings for the study of legalising of squatters as a factor in social development are based on the research question: What is the relationship between the process of legalising of squatters and social development? The discussion on the relationship between legalising of squatters and social development will be based on social development strategy (vision, goals, values, programmes and principles) as pointed out in Patel (2005) and as reflected in the diagram below.

Figure 4.11: Relationship between South African social policies, legalising of squatters' process and social development



4.3.1 Social development vision and the process of legalising of squatters

Patel (2005:203) points out that the vision of social development is an empowered, humane, just and democratic society. Social development focuses on pro-poor change, challenges to unequal and distorted economic, social and political development nationally, regionally and globally, proactive involvement of governments in developmental social welfare.

Woodlane village informal settlement is characterised amongst other things, by poverty, unemployment and fundamental needs like subsistence, understanding, identity and participation resulting mainly from the injustices of the past. Therefore social development as a process and an approach is relevant to the process of legalising of squatters and may bring change through community empowerment and social justice.

4.3.2 Social development goals

Patel (2005:204) points out that the social development goals are: to promote social and economic development, participation of the socially excluded in development efforts, achieve tangible improvements in quality of life of the people, promote human development and social wellbeing.

Based on the findings, the South African social legislations, policies and the City of Tshwane Metropolitan Municipality process of legalising of informal settlement have proved to promote social development goals. Since the social development goals are integrated in the legislations, social policies and the legalising of informal settlement process, therefore the implementers of legislations and policies have a mandate and an obligation to implement the programmes in line with the social development goals. Table 4.3 below illustrates the relationship between

social development goals and the South African legislations, policies and process of legalising of squatters.

Table 4.3: Social development goals, social policies and the City of Tshwane Municipality process of legalising of squatters

Social development goals					
South African social legislations and policies: The Constitution of Republic of South Africa, the Prevention of Illegal Evictions from and Unlawful Occupation of Land (Act No 19 of 1998), the Draft Prevention of Illegal Evictions from and Unlawful Occupation of Land Amendment Bill of 2003, the Less Formal Township Establishment Act 113 of 1991, the Housing Act (Act 107 of 1997), the Integrated Sustainable Human Settlement (Breaking New Grounds) and the Housing Code.					
Goal: Social development	√	Goal: Participation of the socially excluded in the in development efforts	√	Goal: Human development	√
Goal: Economic development	√	Goal: Tangible improvements in the quality of life	√	Goal: Human wellbeing	√
City of Tshwane Metropolitan Municipality process of legalising of squatters					
Goal: Social development	√	Goal: Participation of the socially excluded in the development efforts	√	Goal: Human development	√
Goal: Economic development	√	Goal: Tangible improvements in the quality of life	√	Goal: Human wellbeing	√

4.3.3 Social development programmes

Patel (2005:204) points out that the types of social development programmes are activities connected with human, social and economic development, community development, building assets for the poor, local economic development, promotion of productive employment of the socially excluded, strengthening of social capital formation, institutional development and promotion of good governance and democracy. The projects that are implemented at the Woodlands village informal settlement by the non-Governmental organisation and the City of Tshwane Metropolitan Municipality are in line with the social development programme activities as depicted in table 4.4 below.

Table 4.4: Social development programme activities and Woodlands village projects

Social development programmes	Woodlane village informal settlement project
Human and social	Tswelopele Step by Step Organisation, Moreleta Dutch Reformed Church and Emmanuel and Grace Presbyterian Church projects implemented projects in Woodlane village community that promote human social and economic development, for example life skills projects (welding, sewing, crocheting, soccer team coaching).
Local economic development	Tswelopele Step by Step organisation implemented an entrepreneurial and capacity building project of empowering community to sell second hand clothes together with one on one capacity building of entrepreneurial skills that promotes local economic development.

Social development programmes	Woodlane village informal settlement project
Promote productive employment	The City of Tshwane Metropolitan Municipality Expanded Public Works Programme with job opportunities and jobs created by Moreleta Dutch Reformed Church promote productive employment
Institutional development	Tswelopele Step by Step establishment of a forum represented by all organisations having an interest in working with Woodlane village promotes institutional development. The training and coaching of the Woodlane executive committee by Tswelopele Step by Step to fully participate in the matters that concern their community also promotes institutional development.

4.3.4 Social development values

Patel (2005:225 – 226) points out that the primary values of social development practice are social justice, *ubuntu* (humanity), democracy and participation, equality, non-discrimination, reconciliation, competence, integrity, professional responsibility, importance of human relationships and service. The social development values are rooted in the values of the Constitution of the Republic of South Africa.

Woodlane village executive committee and community members perceive the provision of intervention projects by organisations in the community to be in line with the social development practice values as depicted in table 4.5.

Table 4.5: Social development values and community perceptions

Social development practice values	Woodlane village community perceptions and experiences
Social justice	The Woodlane executive committee and community members cited the High Court judgement ruling in the community's favour to stay in the informal settlement
<i>Ubuntu</i> (humanity)	The Woodlane executive committee and community members emphasised that Tswelopele Step by Step organisation, Moreleta Dutch Reformed Church and Emmanuel and Grace Presbyterian Church treat them with dignity and respect despite their historical background, social class, race and country of origin.
Democratic participation	The Woodlane executive committee and community members are pleased that Woodlane community is represented in the established forum for the non-governmental organisations and faith-based organisations. They perceive the community involvement as a good value of democratic participation by the community.
Equality and non-discrimination	The Woodlane executive committee and community members explained that the intervention projects and services by organisation cater for all people in the community despite their country of origin be it Zimbabwe, Lesotho or Mozambique.
Competence and integrity	The Woodlane executive committee and community members explained that Tswelopele Step by Step organisation, Moreleta Dutch Reformed Church and Emmanuel and Grace Presbyterian Church have the best interest of the community. Tswelopele Step by

Social development practice values	Woodlane village community perceptions and experiences
	Step organisation has been working with the community since 2006 and has always been fighting for the rights of the community.
Importance of human relationships	The Woodlane executive committee and community members explained that there is a good relationship between Tswelopele Step by Step organisation, Moreleta Dutch reformed Church, Emmanuel and Grace Presbyterian Church, other faith-based organisations and the Woodlane village community
Service	The Woodlane executive committee and community members explained that the Tswelopele Step by Step organisation is committed to facilitating and implementing community development and welfare projects in the community in collaboration Moreleta Dutch Reformed Church, Emmanuel and Grace Presbyterian Church and other Faith Based Organisations. They also value the fact that City of Tshwane Metropolitan Municipality is providing them with temporary basic services like sanitation, water and waste removals. The 24/7 security service by the City of Tshwane Municipality is also appreciated.

4.3.5 Social development principles

Patel (2005:204) points out that the social development principles are social and economic justice, empowerment, collective action to promote public benefit, distributive and liberatory values. There is a relationship between the social development principles and the Woodlane village community perception on the intervention projects as depicted in table 4.6.

Table 4.6: Social development principles and Woodlane village community perception on intervention projects

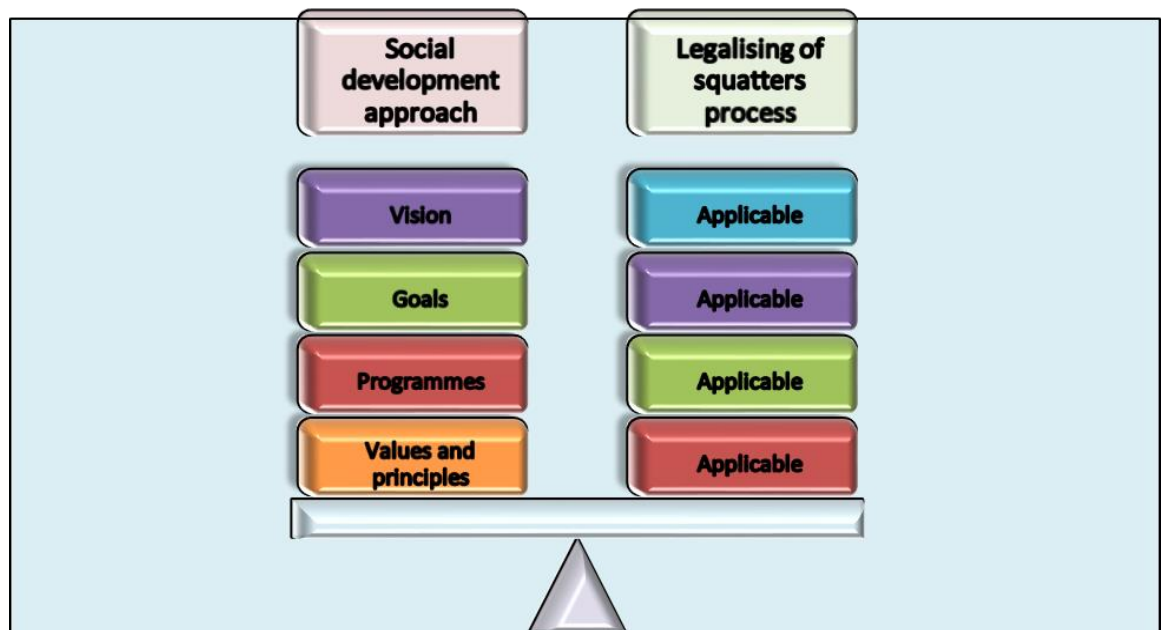
Social development principles	Woodlane village community perception on intervention projects
Social justice	The Woodlane executive committee and community members explained that social justice was partly achieved when the High Court ruled in favour of the Woodlane village community to stay in the informal settlement.
Economic justice	The Woodlane executive committee and community members explained that economic justice is partly achieved through the Expanded Public Works Programme job opportunities for the members of Woodlands village informal settlement. They also mentioned the job opportunities provided by Moreleta Dutch Reformed Church. Most community members are also working in the construction and domestic work sector in the Pretoria East area.
Empowerment	The Woodlane executive committee and community members emphasised that empowerment was achieved through the establishment of Woodlane village leadership structures. The community is managing the affairs of their own village. The community members have also established ten soccer teams in the community.
Collective action	The Woodlane executive committee explained that the collective action principle was achieved through the establishment of a non-governmental and faith based organisation forum for the collective development efforts

Social development principles	Woodlane village community perception on intervention projects
	of Woodlane village community.

4.4 Conclusion

The researcher, based on the evidence from the respondents and the discussion of findings, concludes that there is a positive relationship between the process of legalising of squatters in the City of Tshwane Metropolitan Municipality and social development as an approach. The City of Tshwane Metropolitan Municipality process of legalising squatters is in line with the South African legislations and social policies which integrate the social development strategic plan (vision, goals, values and principles). Below is the graphic presentation of the relationship between South African social policies, legalising of squatters process and social development strategy and programmes.

Figure 4.11: The relationship between the process of social development and legalising of squatters



CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

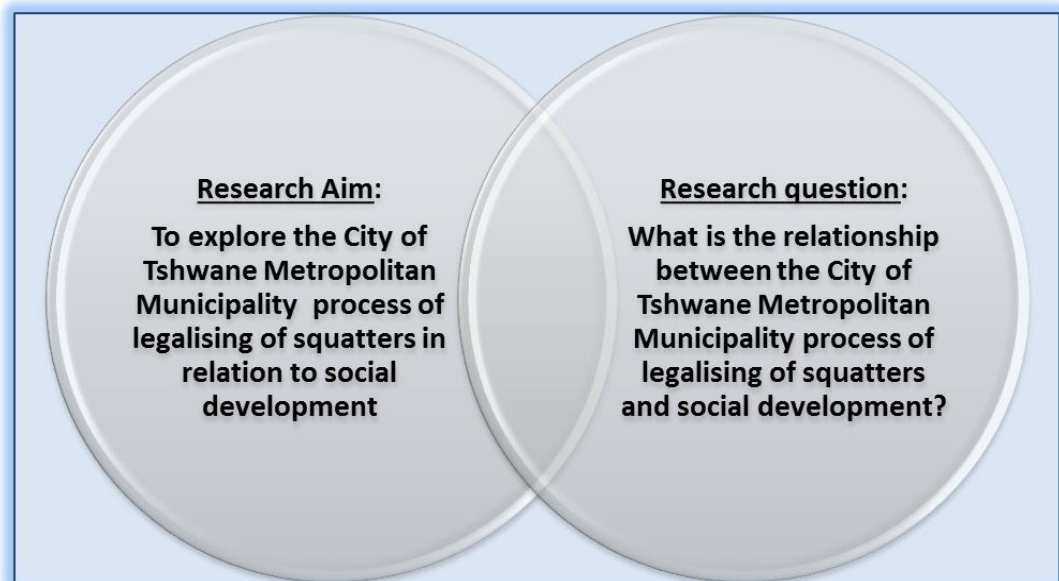
Introduction

The chapter on conclusion and recommendations will assess the findings in chapter four in relation to the research aim, question and objectives. The conclusions and recommendations are based on themes identified from the social development approach and the research findings.

5.1. Findings in relation to the Findings in relation to the research aim and question

The study of legalising of squatters as a factor in social development aims to explore the relationship between the City of Tshwane Metropolitan Municipality process of legalising of squatters and social development. The research question derived from the research aim is: What is the relationship between the process of legalising of squatters in the City of Tshwane Metropolitan Municipality and social development?

Figure: 5.1. Research aim and question



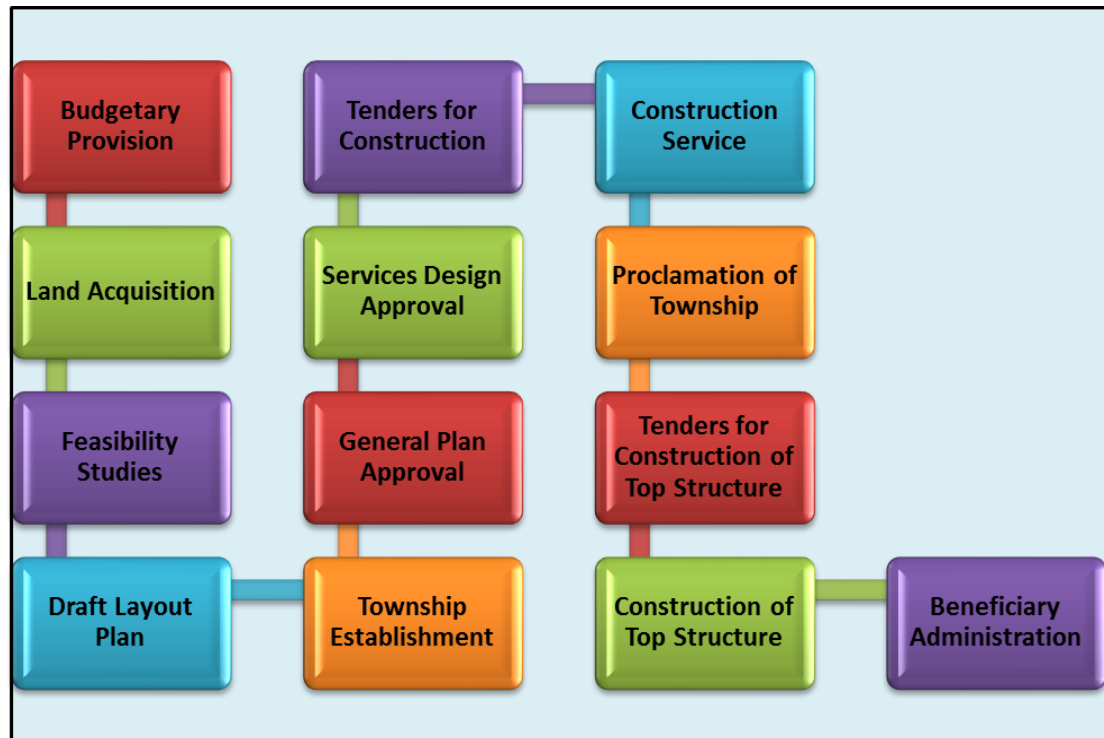
5.2. Findings in relation to the objectives

The findings in relation to the objectives of the study of legalising of squatters as a factor in social development will reflect the extent to which the research objectives were fulfilled.

5.2.1 Objective 1: To explore the process of legalising of squatters in the City of Tshwane Metropolitan Municipality

Metse Mabeba, the Director in the Department of Human Settlement and Housing in the City of Tshwane Metropolitan Municipality, confirmed that the City of Tshwane Metropolitan Municipality has a process in place for legalising or formalising of informal settlement, which is implemented over a period between 48 to 60 months. The process is explicit with milestones, time frames and responsible departments to implement the different phases. Below is the graphic presentation of the process in figure 5.2.

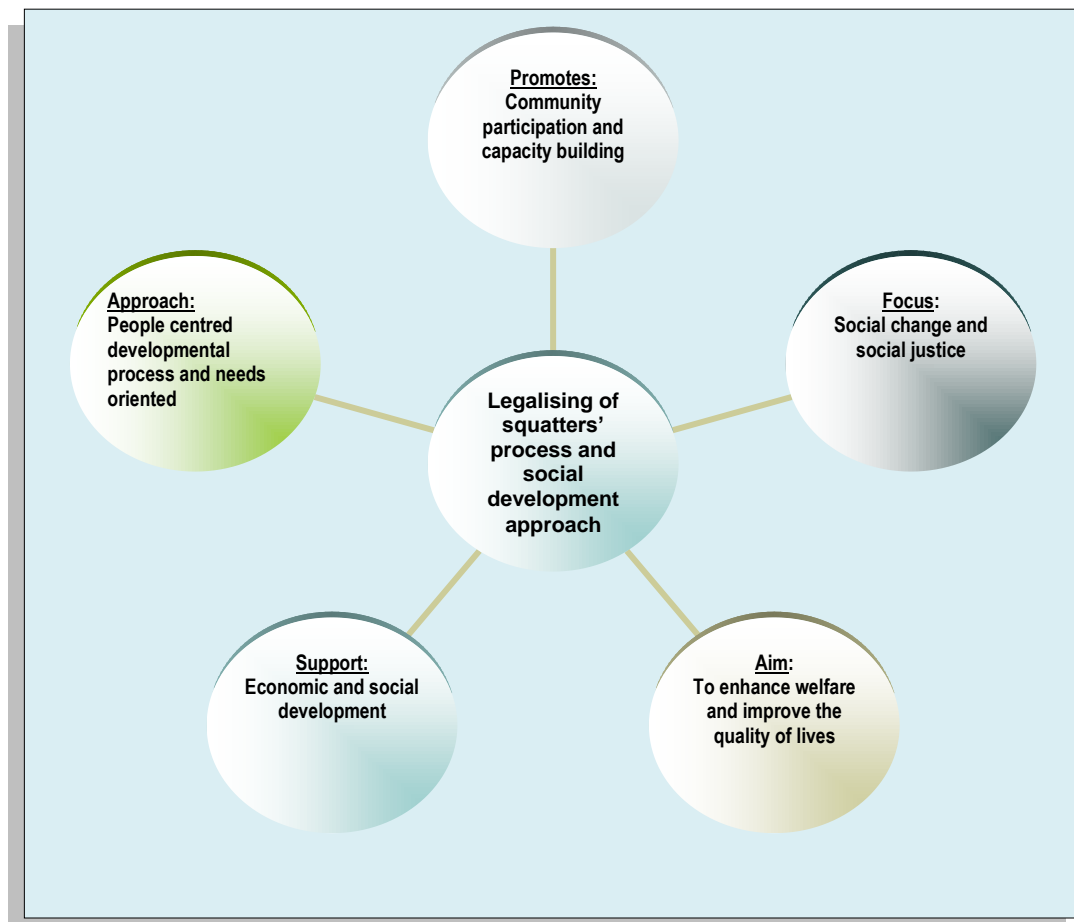
Figure: 5.2. The housing development process



5.2.2 Objective 2: To explore the relationship between the City of Tshwane process of legalising of squatters and social development

Metse Mabeba, Benjamin Manasoe, Lulama Ndlovu and Thivhulawi Nyambewu confirmed that the City of Tshwane Metropolitan Municipality process of legalising or formalising of informal settlements is congruent with the social development approach. The process has evolved from just being technical to a holistic. The process integrates the social development approach principles namely; participation of the community, economic development through job creation, social change, improving the quality of lives and people-centred approach. Therefore there is a common denominator between the process of legalising of informal settlement and social development approach as shown in figure 5.3.

Figure 5.3: Common denominators



5.2.3 Objective 3: To explore the participation of local communities and groups in the process of legalising of squatters

Metse Mabeba from the City of Tshwane Metropolitan Municipality confirmed the relationship between the process of legalising of informal settlements and social development through community participation. The community is perceived as an important stakeholder in the process of legalising of squatters. The community participation is achieved through the establishment of the project steering committee.

The study confirmed that there are leadership structures in Woodlands village informal settlements with clear roles and responsibilities. Denise and Colin Dredge from Tswelopele Step by Step organisation mentored and coached the Woodlands village executive committee on leadership roles. Nathan Kruger from NG Church Moreleta Park confirmed that the Woodlands village executive committee represents the community in the non-governmental and faith based organisations forum which has the development interest for Woodlands village informal settlement. Therefore the community is a critical stakeholder and central in any social development initiative as depicted in figure 5.4 below.

Figure 5.4: Critical stakeholders in the study



5.2.4 Objective 4: To explore the integration of economic development in the process of legalising of squatters

Job creation

Lulama Ndlovu of the City of Tshwane Metropolitan Municipality confirmed the relationship between the process of legalising of informal settlements and social development through economic development. The Expanded Public Works Programme in the City of Tshwane Metropolitan Municipality promotes economic development through job creation. The Woodlands executive committee and beneficiaries of the Expanded Public Works Programme confirmed that 12 members of the community are employed in the programme and earn R2000.00 each per month.

Small businesses

Lufuno Tshikovi of the City of Tshwane Metropolitan Municipality confirmed that informal settlements will only benefit from the business support division programmes once they are legalised or formalised. The small businesses are regulated to ensure compliance with the following legislations: Business Act (Act No 71 of 1991), Cooperatives Amendment Bill of Act 2005, Street trading by-laws and Small business Act of 2003. The business support division also offers support programmes like training, incubation, infrastructure in the form of stalls and license permits, once the informal settlement is legalised.

Many informal dwellers in Woodlands village are surviving on small businesses like *spaza* (informal) shops. Therefore the owners of *spaza* shops will only benefit from the City of Tshwane Metropolitan Municipality business support division once the informal settlement is legalised. Colin and Denise Dredge confirmed that the Tswelopele Step by Step organisation offers entrepreneurial and capacity building support to the Woodlane village informal dwellers. This is an example of the

complementary role that can be played by the Non-Governmental Organisations in the informal settlements.

5.2.5 Objective 5: To explore the integration of health, social and welfare components in the process of legalising of squatters

Metse Mabeba confirmed the relationship between the process of legalising of informal settlements and social development which integrates social amenities such as clinics. This is a critical element in the planning and implementation of the process of upgrading informal settlements in the City of Tshwane Metropolitan Municipality. Thivhulawi Nyambewu, the social worker from the City of Tshwane Metropolitan Municipality, Department of Social Development, confirmed that social workers provide social services to the informal settlements dwellers. Thivhulawi Nyambewu also informs the informal settlement dwellers about health and social grants services.

Colin and Denise Dredge confirmed that Tswelopele Step by Step organisation acknowledged the welfare services rendered by the organisation at Woodlands village. The Woodlands village executive committee and community members confirmed that Colin and Denise Dredge provide food parcels and transport fee for social grants and medical services to the vulnerable community members.

Findings from interviews with the Woodlane village executive committee and community members indicate that it was difficult to access health, social and welfare services before the High Court ruling that the community must stay in the informal settlement. The fact that the informal settlement is being recognised makes it easier for the community to access the health, social and welfare services.

5.2.6 Objective 6: To explore the integration of basic services like water, sanitation and electricity in the process of legalising of squatters

Metse Mabeba confirmed the relationship between the process of legalising of informal settlements and social development which integrates basic services like water, sanitation and electricity. The Woodlands village executive committee and community members together with Denise and Colin from Tswelopele Step by Step organisation and the researcher's observation confirmed the City of Tshwane Metropolitan Municipality provision of temporary services like water tanks, chemical toilets and waste removals in the Woodlane village informal settlement. The temporary basic services were provided after the High Court ruling that the community must stay in the informal settlement. However electricity is not yet provided.

5.3. Conclusions

According to Patel (2005:119), South Africa's conception of social development is centered on the rights-based approach that promotes social justice and emphasises meeting the needs of the most disadvantaged.

5.3.1. Housing as a basic right

Housing is a basic right in South Africa. The Constitution of the Republic of South Africa mandates that everyone has a right to adequate housing. 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. It is also mandated in the Constitution that the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.

Therefore the three spheres of government, together with the private sector and non-governmental organisation, must collaborate to maximise resources and upgrade or formalise the informal settlements in South Africa.

5.3.2. South African legislations and social policies in relation to the social development approach

The South African legislations and social policies are pro social development and committed to the social development approach. The legislations, social policies and programmes that are relevant to the legalisation of squatter settlements and promote social development are, the Constitution of Republic of South Africa, Prevention of Illegal Evictions from and Unlawful Occupation of Land (Act No 19 of 1998), Draft Prevention of Illegal Evictions from and Unlawful Occupation of Land Amendment Bill of 2003, Less Formal Township Establishment Act (Act No 113 of 1991), Housing Act (Act No 107 of 1997), Comprehensive Sustainable Human Settlement (Breaking New Grounds) and the Housing Code.

5.3.3. Legalising of squatters process and the social development approach

The White Paper on Local Government (1998) mandates the local government to be developmental. Developmental local government is described in the said White Paper, as a local government that is committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve their quality of lives.

It has been found that the City of Tshwane Metropolitan Municipality process of formalising of squatters embraces the social development approach. The City of Tshwane process of legalising of informal

settlements is based on the South African legislations, social policies and programmes that are committed to social development. The legislations, social policies and programmes are the Constitution of Republic of South Africa, White Paper on Local Government (1998), Housing Act (Act No 107 of 1997), Less Formal Township Establishment Act (Act No 113 of 1991), Comprehensive Sustainable Human Settlement (Breaking New Grounds) and the Housing Code. There is synergy between the legalising process, social policies and social development as an approach.

5.3.4. Legalising of squatters process and the social development approach principle of economic development

According to online Wikipedia encyclopedia, economic development generally refers to sustained, concerted actions of policymakers and communities that promote the standard of living and economic health of a specific area. Such actions include development of human capital, critical infrastructure, environmental sustainability, social inclusion, health, safety, literacy and many others. Economic development is a policy intervention endeavour which aims for economic and social well-being of people. South African legislations and social policies and the City of Tshwane process of legalising of informal settlements in the City of Tshwane Metropolitan promote economic development and job creation to improve the living conditions of the poor and unemployed.

5.3.5. Legalising of squatters process and the social development approach principle of participation of local communities

Social development is a developmental people-centered approach which promotes citizens' participation and strengthens the voice of poor people in decision-making (Patel, 2005:30). The National Housing Programme: Upgrading of Informal Settlement Programme is instituted in terms of the Housing Act (1997: section 3(4) (g)). One of the objectives is community participation. Community capacitation and participation should be initiated

with the support and active involvement of the ward committee members. It can be concluded that the City of Tshwane Metropolitan Municipality process of legalising of squatters is developmental and foster the participation of local communities.

5.3.6. Legalising of squatters process and the social development approach principle of integration of social, health and welfare services

The Constitution (1996: section 27 (1) (a) (b) and (c)) stipulates that each citizen has the right to access proper services and infrastructure such as health care services and social security. In order to improve the well-being of the community, the City of Tshwane Metropolitan Municipality process of legalising of informal settlements integrates social amenities like health-care centres and social services that are provided by social workers.

5.3.7. Legalising of squatters process and social development approach principle of integration of basic services like water, sanitation and electricity

The Constitution (1996: section 24 (a) (b)) confirms the right to live in a suitable environment free of harm to health or wellbeing. The Housing Act (1997: section 9 (1)) states that every municipality through the process of integrated development planning, must take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to provide services in respect of water, sanitation, and electricity economically and efficiently. The City of Tshwane Metropolitan Municipality process of legalising of squatters integrates basic services like water, sanitation and electricity to improve the wellbeing of the society.

5.4. Recommendations

The recommendations to the study are based on the gaps identified in the findings in terms of the process of legalising of squatters in the City of Tshwane Metropolitan Municipality.

5.4.1 Monitoring of squatting in the municipality area of jurisdiction

The process of legalising of squatters in the City of Tshwane Municipality is not clear in terms of the monitoring process of land or building invasions by squatters. The municipality must monitor the invasion of land and/or building in their area of jurisdiction through the respective ward councillors and community development officials. The council meetings chaired by the mayor must have squatters as a standing item.

Therefore it is recommended that the municipality, through the ward councillors and community development officials, must monitor the invasion of land and buildings at a ward level. In the council meetings, ward councillors must report the invasion of land or buildings in their respective wards within the first month of the incident. The monitoring will assist the municipality with tracking, qualifying and quantifying the mushrooming of squatter camps and plan for the appropriate intervention strategies.

5.4.2 Establishment of the squatters project steering committee

If the squatters have invaded land or a building in a municipality ward and the squatter camp has been reported to the council meeting, it is recommended that the ward councillor, together with the relevant officials, establish a project steering committee for the concerned squatter camp. The committee must be representative of the ward councillor, officials from the relevant departments in the municipality, Department of Human Settlement officials, non-governmental organisations, church organisations and the representatives of the squatter community. The

purpose of the project steering committee is to plan the intervention according to the legislations and social policies. The project steering committee must be established within the first month of the identification of squatters in the municipal ward.

The social development principle of community participation must be embraced and implemented as mandated by the White Paper on Local Government.

5.4.3 Assessment of squatting in the municipality area of jurisdiction

It is important to know the causes and reasons for squatting in order to holistically address them and not the symptoms. Therefore it is recommended that an established project steering committee should assess the causes and reasons of squatting in the concerned municipal ward. The causes and reasons must be understood from the squatters' point of view. According to (Grobler & Schenck, 2010:5), Carl Rogers's proposition five, behaviour essentially consists of purposeful endeavours by the person, group or community to satisfy the needs that a person, group or community experiences in the world. Furthermore, Carl Rogers proposition seven states that the best way to understand behaviour is to view it from the person, group or community's frame of reference

It is further recommended that the established project steering committee must assess causes and reasons for squatting using the developmental approach through community participation strategies. The process must be undertaken within the second month of the invasion of land or building by the squatters. The social development principle of community participation must be implemented as mandated by the White Paper on Local Government.

5.4.4 Needs identification of the squatting community

A squatter community is characterised by poverty and there are also vulnerable members of the community. Therefore it is recommended that the established project steering committee must identify the needs of the community whilst assessing the causes and reasons of squatting in the concerned municipal ward. The needs identification must be developmental and promote community participation strategies. The ward councillor and the respective officials must report to the council the causes and reasons for squatting in the concerned ward together with identified needs. The process of need identification must be undertaken in parallel with the process of assessment for the causes and reasons for squatting within the second month of the invasion of land or building by the squatters. The social development principle of community participation and a needs-oriented approach must be implemented as mandated by the White Paper on Local Government.

5.4.5 Community awareness

Social development is rights-based. The squatter community needs to be informed that it is illegal to invade land or a building. They also need to be capacitated on the rights of the landowners or property owners and their rights to be fairly evicted. Therefore it is recommended that the established project steering committee must capacitate the squatter community on the rights of the landowners or building owners and their rights to be fairly evicted. The capacity building process must be implemented within the third month of land or building invasion. The social development principle of capacity building must be implemented.

5.4.6 Planning process and resources to meet the squatter community's immediate subsistence needs and other needs

The identified needs of subsistence and other needs of the squatter community must be met. Therefore it is recommended that the established

project steering committee develops a plan to meet the squatter community subsistence and other needs. The municipality, together with the non-governmental organisations, faith-based organisations and private sector must collaborate to maximise the resources. The community's basic subsistence needs and basic services like sanitation and water must be met while the municipality is planning on the intervention process. The social development process of enhancing the welfare and wellbeing of the community as supported by the White Paper for Local Government must be taken into consideration.

5.4.7 Intervention process

The municipality must make an informed decision on whether to legalise or evict the squatters. The people who invade land must be fairly evicted before six months of occupation have expired to avoid the unintended costs of providing them with an alternative accommodation. However, all the Municipalities (both in rural and urban areas) must take the necessary steps to implement social development in their areas of jurisdiction to improve the well-being of their citizens. It is further recommended that the established project steering committee must make an informed decision after assessing all the political, economic, social, cultural and technical aspects whether the squatters must be legalised or evicted. The squatter community must be informed of the decision. The process of eviction must be fair and pro social development. The social development process of social justice must be promoted. If the squatter settlement is legalised, the municipality process of legalising squatters will be implemented.

5.4.8 Evaluation of the process

The lessons learnt in the process must be documented and best practices shared with other municipalities. Therefore it is recommended that the established project steering committee must evaluate the process and

make recommendations on the lessons learnt to further improve the intervention process of legalising of squatters

5.4.9 National, provincial and local forum for the monitoring and evaluation of squatter settlements in South Africa

National, provincial and local forums must be created represented by the government, non-governmental organisations, faith-based organisations, private sector and squatter movements to monitor, evaluate and report on squatter settlements. The national, provincial and local forums must recommend the best intervention strategies for funding, capacity building, policies and implementation programmes which are pro social development to address the issue of squatting in South Africa.

5.5. Methods used to ensure the reliability of these findings

The researcher used the member checking method to ensure the reliability of the findings. The responses of the participants were compared to assess agreements and disagreements. The interpretation of findings was sent to the participants for comments.

The researcher used multiple methods of data collection namely, interviews, focus groups, public and officials documents and observations. Use of multiple data collection tools enabled the researcher to validate and cross check the findings. According to Willis (2007: 218), it is essential to find multiple sources of confirmation to draw a conclusion. If more than one source of information points to it, the researcher is justified to make the conclusion. The researcher evaluated the validity of the findings by comparing the findings from the respondents, official/public documents and observations.

5.6. Limitations to the study

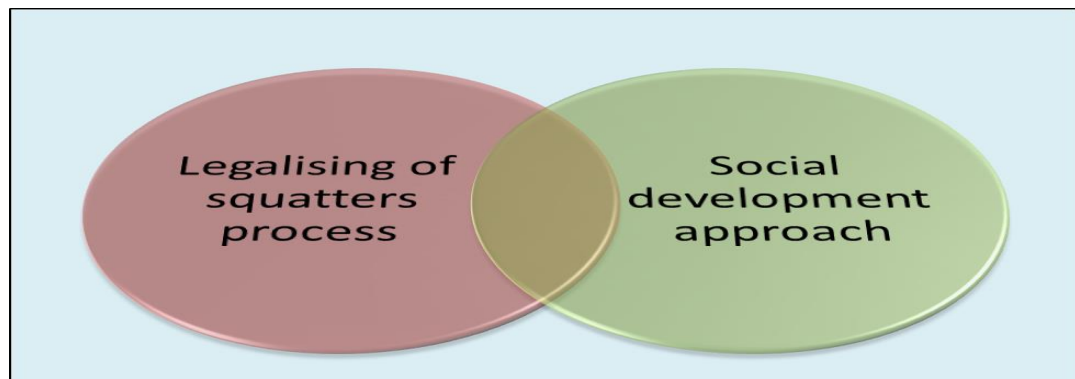
The results of the study cannot be generalised to the population of the study. Qualitative research aims to provide an understanding of the meaning which one or two people attribute to a certain event, and not generalize it (Babbie & Mouton 2006:274).

5.7. Conclusion

The researcher's conclusion is based on the findings that all the objectives of the study have been achieved. The process of legalising of informal settlements in the City of Tshwane Metropolitan Municipality is planned and implemented using the social development approach and improves the quality of lives. The researcher, based on the findings, concludes that there is congruence between the process of legalising of squatters, social policies and the social development approach. The three spheres of government, private sector and non-governmental organisations must collaborate to maximise resources because informal settlements are a reality in South Africa.

Based on the above, the answer to the research question is that there is a positive relationship between the City of Tshwane Metropolitan Municipality process of legalising of squatters and the social development approach as depicted in figure 5.5.

Figure 5.5: Relationship between the City of Tshwane process of legalising of squatters and social development



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ANNEXURE

ANNEXURE A: INTERVIEW INSTRUMENT

Annexure A: Semi Structured Interviews Questions

Organisation: _____

Department: _____

Official: _____

Designation: _____

Introduction and Background: The researcher informs the respondent on the study and the ethics to get the respondent consent. The respondent gives consent then introduce the respondent to the concept social development and legislations that support social development. The purpose of the background information is to have a common understanding and point of departure.

Summary

Midgely (1995:25) defines social development as a process of planned social change designed to promote the well-being of the population as a whole in conjunction with the dynamic process of economic development.

Legislations: The Constitution of South Africa mandates the local government to provide sustainable community services and promote social and economic development. The White Paper on Local Government (1998) regulates local government to be developmental. Meaning that the local government must be committed to:

- Work with citizens and groups within the community to find sustainable ways to:
 - ✓ Meet their social, economic and material needs and
 - ✓ Improve their quality of lives.
- Developmental local government has four interrelated characteristics:

- Maximizing social development and economic growth;
- Integrating and coordinating;
- Democratizing development and
- Leading and learning.

The relevant Millennium Development Goal to the study is Goal seven (7) and target seven (7) D. Millennium Development Goal seven (7) aims to ensure sustainable environment. Target seven (7) D aims to achieve significant improvement in the lives of at least 100 million slum dwellers

INTERVIEW INSTRUMENT	
Department of Human Settlement	
Social policies	
	What is the role of the Department?
	What are the social policies relevant to the formalising of informal settlements in South Africa?
	What is the relationship between the South African social policies, programmes and social development?
	What are the successes in the implementation of social policies in South Africa?
	What are the challenges in the implementation of social policies in South Africa?
	What is the extent of informal settlements in South Africa?
	What are the rights of informal settlement dwellers?
Social justice	
	What are your rights of people living in the informal settlements?
City of Tshwane Metropolitan Municipality	
Social policies	
	What is the role of City of Tshwane Metropolitan Municipality?
	What is the process of formalising of informal settlements in the City of

INTERVIEW INSTRUMENT	
	Tshwane Metropolitan Municipality?
	What is the relationship between the process of formalising informal settlements and social development in the City of Tshwane Metropolitan Municipality?
	What are the challenges of the informal settlements in the City of Tshwane Metropolitan Municipality?
	Social justice
	What are the rights of people living in the informal settlements?
	Community participation approach
	How do you involve the community in the projects initiated by the organisations?
	What small business opportunities are available for the community?
	What job opportunities are available in the community?
	What life skills opportunities are available in the community?
	What early learning opportunities are available in the community?
	Non-governmental organisation
	Social justice
	How long has the organisation been in existence?
	What is the objective of the organisation?
	How long have you been working with Woodlands village community?
	What are your rights as people living in the informal settlements?
	Community participation approach
	How do you involve the community in the projects initiated by the organisations?
	Needs oriented approach
	How do you identify the needs of the people in Woodlands village?
	Social development interventions
	How is poverty addressed in the community?
	What small business opportunities are available in the community?

INTERVIEW INSTRUMENT	
	What job opportunities are available in the community?
	What life skills opportunities are available for the community?
	What early learning opportunities are available for the community?
	Social change
	What are the social changes in Woodlands village community?
COMMUNITY	
Social justice	
	Where do the people living in the informal settlement come from?
	What are the reasons for people to stay in the informal settlement?
	How long has the community been living in the informal settlement?
	What are your rights as people living in the informal settlements?
Community participation approach	
	How does the community participate in the projects initiated by the government, non-governmental organisations and other institutions?
	What are the community structures and functions in the community?
	Needs oriented approach
	What changes does the community want to see taking place at Woodlands village?
Characteristics of social development	
	What basic services are available for the Woodlands village?
	What welfare services are available for the Woodlands village?
	What early learning opportunities are available for the Woodlands village children?
	What community safety projects are in place for Woodlands village community?
	What projects have the Woodlands village community initiated on their own?
	What has improved in terms of the quality of live for Woodlands village community?

INTERVIEW INSTRUMENT	
	What social changes have the Woodlands village community experienced since 2005 to date?
Social development interventions programmes	
	How is poverty addressed in the community?
	What small business opportunities are available in the community?
	What job creation opportunities are available in the community?
	What life skills opportunities are available in the community?
	What early learning opportunities are available in the community?
	What has improved in the individuals and community of Woodlands village?
	What community changes have been achieved at Woodlands village?
Social development values	
	What social justice the Woodlands village community experienced?
	How do the organisations working with the Woodlands village community treat you?
	What nationalities benefit from the development projects and services provided by the organisations?
	What makes the Woodlands village community to trust the organisations working with them?
	What is the relationship between organisations providing services and the Woodlands village community?
	What are the basic and developmental services for the Woodlands village community?
Social development principles	
	What has been a fair treatment for the Woodlands village community??
	What are the economic opportunities for the Woodlands village community?
	What are the opportunities that empower the Woodlands village community?

INTERVIEW INSTRUMENT	
	What are the collective actions for the development of Woodlands village community?