

**INVOLVING INFORMALLY HOUSED COMMUNITIES
IN SHAPING LOCAL GOVERNMENT POLICIES
AIMED AT POVERTY ALLEVIATION:
A SOUTH AFRICAN PERSPECTIVE**

by

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submitted in accordance with the requirements for the degree of

DOCTOR OF LITERATURE AND PHILOSOPHY

in the subject

DEVELOPMENT STUDIES

at the

UNIVERSITY OF SOUTH AFRICA

PROMOTER: PROF PETER STEWART

AUGUST 2006

Declaration

I declare that 'Involving Informally Housed Communities in Shaping Local Government Policies Aimed at Poverty Alleviation: A South African Perspective ' 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.

Andrea Cortemiglia

Monday, 07 August 2006

Dedication

To my beloved mother,

whose noble heart has nourished mine,
for her unfailing love and power of endurance.

To my beloved father,

whose enthusiasm for knowledge has sparked mine,
for his love and support, especially during my stay overseas.

To anyone

who cares for the plight of others and the cause of social justice,
for the way they live their lives.

And to anyone

who has to struggle against the yoke of poverty,
for the lessons of courage, humility and faith they teach me every day.

Abstract

This thesis discusses the involvement of informally housed communities in shaping local government policies aimed at poverty alleviation. Involving the poor in the design of anti-poverty policies at local level is regarded as an invaluable opportunity that should be used by municipal governments to make poverty alleviation efforts more demand-driven and therefore more relevant to the people they are meant to benefit. The argument is that because the poor know about poverty first-hand, they would be in a position to revive local government's capacity to respond effectively to their needs. But this does not come without a price. Because of the complexity of public management, participative democracy is liable to slow down the process of governance. It may also become advantageous to the interests of some people or groups of people at the expense of others if attention is not paid to the representation and consideration of all the voices in the community—to name two drawbacks. For this reason, it is essential to the realization of an effective bottom-up approach to anti-poverty policy-making that certain conditions are in existence and practical issues of involvement are worked through. Accordingly, it is the intention of this study to focus on two particular areas (conditions and practical issues that would facilitate the process of involving informally housed communities in the design of local government policies that affect their lives), which are investigated with particular reference to the South African context. Drawing upon a series of field surveys and a broad selection of relevant works of scholars from both the international and local scene, the picture that emerges is that there needs to be a proper level of government's commitment, capacity and legally binding responsibility coupled with a healthy degree of community's motivation, ability and organizational capacity in order to involve the poor in local governance efficiently. The study has also found that there needs to be proper forms of involvement (the most relevant of which are identified as an ombudsman, public meetings and residents' committees) that are to be employed with attention to such issues as stakeholders to be engaged, degree of participation, timing of involvement and topics for which public debate may be sought.

Key Terms

Citizen participation; community development; informal settlements; local government; policy-making; poverty alleviation; shacks; slums; South Africa.

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Acknowledgements

I am grateful to the respondents living in the surveyed informal settlements for teaching me, during the eight months of field research, what I would never have learnt from books. I am also grateful to the interviewees working for the City of Tshwane (Pretoria) Metropolitan Municipality and, in particular, to those working for the Housing Division for their time and willingness to contribute to this thesis. Special thanks must go to the members of the South African Communist Party who are passionately active in the surveyed informal settlements for their precious assistance, especially during the initial phase of the field research. Last, but not least, I am grateful to my promoter for making the writing of this thesis more valuable and almost stress-free.

Chapter 1

Introduction: Proceeding on a 'Journey of a Thousand Miles'

A giant pine tree grows from a tiny sprout. A tall building begins with a heap of earth. A journey of a thousand miles starts with one step.

Lao Tzu

Ancient Chinese Philosopher
Tao Te Ching, Sixth Century BC

Poverty eradication is an overriding development goal. According to the World Bank's statistics, the number of people living on less than one dollar a day (at 1993 purchasing power parity) is about 1,1 billion worldwide and the corresponding number of those living below two dollars a day totals about 2,7 billion or 45% of the world population—the great majority of whom are living in the developing world. Given the evidently inadequate progress made thus far in this respect, it is increasingly recognized that a series of substantial challenges at different levels and in various directions have to be dealt with if the serious problems confronting such a large number of fellow humans are to be solved in a sustainable way. Some of these challenges have international dimensions and demand profound changes in the political, military, commercial, financial and technological relations between all nations of the world and, in particular, between the Northern and Southern regions. Others are of a more national character and include such diverse issues as economic underdevelopment, exploitative labour practices, inadequate social assistance and social security, illiteracy, despotic regimes, political corruption, ethnic conflicts, gender

bias, religious fundamentalism, excessive population and cultural barriers to individual well-being. While the aforementioned play an important role in poverty generation, which specific factor is relatively more responsible for these levels of poverty around the world is quite difficult to establish, especially because they are strongly interdependent. As a result of the variety and interdependency of the causes behind the spread of poverty, there seem to be a critical need for multidimensional and integrated strategies to be systematically employed at local, national, regional and global levels so as to overcome poverty all over the world. From what has just been mentioned, it can be deduced that there is quite a bit to do. So, where does one start?

As pointed out by the ancient Chinese Philosopher Lao Tzu about 25 centuries ago, even enormous efforts start with one step. While I cannot claim to know precisely what should be the first step towards the eradication of poverty in the world and although I subscribe to the school of thought who argue that a good deal of the cause of poverty lies at international level and solutions must therefore be sought at that level, I think that it is imperative that the governments of the countries and cities where poverty has the strongest incidence lay part of the foundation of the cross-boundary efforts necessary to make poverty history. The implication of this is the establishment or consolidation of good-governance practices at national and local level so as to enable the governments of the developing world to be better at preparing, administering and monitoring policies for the benefit of their communities—especially for the sake of the poor section of society. The need for good governance as the essential basis for poverty eradication can be restated as the need for good quality of government action in respect of the whole range of public policies that most directly affect the poor, which is considered necessary regardless of the role the state should play in promoting economic and social equity—a role that, in principle, can be interventionist, facilitative or merely regulatory. By drawing on Knight et al. (2002), Kjær and Kinnerup (2002), Kinuthia-Njenga (1999) and the World Bank (1992), it is possible to identify three intertwined core dimensions of good governance which need to be taken into account in the fight against poverty: first, government competence in the design and implementation of laws, institutions and policies conducive to a better quality of life and opportunities for the poor (competent governance); second, government

accountability in the administration of public resources intended for the poor with particular focus on keeping a tight rein on corruption and nepotism (accountable governance); and third, involvement of the poor themselves, not only in the implementation, but also, and most significantly, in the formulation of government decisions that more directly affect their livelihood (participative governance), which is the focus of the present thesis. In respect of the latter, although it would be naïve to contend that only the poor know how to deal with the problem of figuring out what to do about poverty and it would be injudicious to overlook the difficulties and possible drawbacks associated with the participation of poor communities in government policy-making, it goes without saying that the poor know about poverty first-hand and, therefore, their involvement not simply in the execution but also, and more importantly, in the design of government policies that affect their lives is worth being taken seriously and tried out.

Research Topic

Every day, everywhere, countless people of diverse backgrounds engage in a multiplicity of voluntary activities by investing time, effort or money on a voluntary basis, that is, without pay or with only modest compensation for the expenses they incur. All these activities can, in principle, be regarded as cases of community (or public) participation, which can then be referred to as any activity that is undertaken voluntarily in the public domain. Community participation is equivalent to civic voluntarism and manifests itself in a variety of different contexts, in different ways and for different reasons. For example, some people volunteer on a regular basis whereas others give of their time. Some people volunteer out of a desire to help others less fortunate or to honour the memory of a loved one, whereas others may do so in the hope of moving into a paid position. Whatever their commitment, people volunteer in their community by helping with soup kitchens, homeless shelters, AIDS orphanages and river clean-ups or far away from their own country in areas where earthquakes, floods, hurricanes, tsunamis or other tragedies have left their mark, to name but a few contexts. Similarly, some people are involved with religious institutions, charities, hospitals and the like whereas others volunteer for political, environmental or social campaigns. Some participate in the workplace or in their children's school, whereas some others are involved in neighbourhood associations or in town hall meetings. People's contribution is also wide-ranging. Some are prepared to provide physical or intellectual work to the organization for which they volunteer, whereas others are able to make monetary contributions to their favourite causes.

Voluntary activities can be classified as political or non-political, depending on the volunteer's intention or motivation for doing something to influence government action—although the borderline between the two classes may sometimes be blurred. More specifically, voluntary engagement in politics or political participation can, in the main, be defined as any voluntary activity that is intended to influence, or results in the influencing of, what governments at various levels decide to do. Political voluntarism, however, is anything but a homogeneous group of activities. Voting at elections, for

example, is the basic means of political participation in every democracy. But ordinary people who want to participate in politics may ask for much more than having a vote in the selection of presidents, parliamentarians, mayors or councillors. Among other things, they may affiliate with political parties and work as volunteers in electoral campaigns. They may also lobby international agencies and national or local governments through signing petitions and attending marches or other mass demonstrations. Or they may directly participate in the governing process by attending government's meetings open to the public and interacting with elected and non-elected officials with a view to influence the decision-making process that affects their collective life.

Although the researcher shall have occasion to mention different forms of political participation, or civic activism with political implications, the present thesis is intended to examine the direct involvement of the public in government policy-making. The direct participation of lay citizens and organizations in the process in which governments set goals to be reached and actions are planned to achieve these goals is usually referred to as participative governance and is defined as direct in the sense that the people represent their interests directly to political decision-makers and not just indirectly by voting for the selection of representatives who are responsible for making political decisions. As pointed out, among others, by Burke (1968), Stewart (1976), Hughes (1985) and Meyer and Theron (2000), participative governance is a political process that involves public hearings, public meetings, government–community working groups and other modes of civic engagement in which a plurality of community members are directly involved in determining the social, economic and physical development of the place in which they live—a circumstance that would suggest a significant democratic step forward compared to the mere voting at elections every four or five years. The involvement of the public in shaping government policies is discussed with regard to the local level of government. This choice is not only made on account of the fact that it is at local level (rather than at the level of provincial or central government) where a higher proportion of interested citizens and organizations may have an opportunity to convey their precious knowledge on local conditions to government officials and pressure them to be more

responsive to their needs and priorities but also because local government is that branch of government that is concerned with matters that most directly impact on people's lives and livelihood. As far as the target population is concerned, it is the intent of this study to investigate the involvement of communities living in poverty—more precisely, it focuses on the engagement of informally housed communities whose conditions of living constitute one of the most complex challenges (if not the most) confronting the great majority of the cities in Africa, Asia and Latin America. Last but not least, South Africa was chosen as the geographical focus of the study, not only because of the considerable incidence of informal housing (nearly one-third of the population spend their lives in informal dwellings in urban or rural South Africa) but also for being one of the most unequal countries in the world in terms of wealth and income distribution.

Research Objectives

Participative governance is praised for its pro-development effects (Stiefel and Wolfe (1994), Long (2001) and Knight et al. (2002)). It is maintained that failing participative governance there would be little room for anything but paternalistic state intervention and unremarkable community-based self-help initiatives. The key assumption behind this statement is that people are aware of their social needs and priorities, and possess useful knowledge that can help refine the government policy-making that impacts on their lives. While acknowledging that different people are able to contribute to development to different extents, the principle that no one is so 'poor' in ability or knowledge that he or she is unable to contribute something to the development of society as well as that no one is so 'rich' that he or she does not require co-operation at all is espoused. Put differently, the involvement of communities in shaping government policies is regarded as a development opportunity and it is maintained that the state should be encouraged to make the best use of it, which also happens to be the viewpoint of the researcher. The realization of a grassroots or bottom-up approach to development (and in particular to poverty eradication), however, does not come easily or may even turn out to be a chimera whenever certain conditions are not in existence or practical issues of involvement are not worked through. Accordingly, it is the intention of this study to delve into the conditions and practical issues that would make possible or facilitate the involvement of poor communities in the design of government policies that affect their lives. More precisely, the present thesis is meant to discuss the involvement of informally housed communities in shaping local government policies on poverty alleviation in the context of South Africa, with particular emphasis on the following objectives:

- (1) exploring the conditions that would enable the involvement of communities living in informal settlements
- (2) examining the practical issues that would allow their participation to be effective.

The aforesaid objectives serve as reference points for the research work, thus resulting in both the data and analysis reflected in this thesis being geared towards

achieving them. This thesis comprises seven chapters. Following the present introductory chapter which outlines the topic, objectives and methodology of the research, Chapter 2 is an effort to bring to light some of the hard reality that hundreds of millions of informally housed residents continue to suffer across the developing world at the beginning of the third millennium. Complementarily, Chapter 3 provides an overview of South Africa's informal settlements with particular emphasis on their origins, their distribution around the country and government policies targeted at attempting to reach out to the needs of the informally housed population. In Chapter 4, objections to and appeals for the involvement of the poor in shaping government policies relevant to their community are discussed followed by a short history of popular participation from ancient Greece to the present and an account of three real-world experiences in engaging the poorest of the poor in the developing world. The aforesaid chapters can be seen as preparatory to the double focus of the research, that is, as mentioned earlier, to investigate the conditions that would enable the involvement of informally housed communities (which is dealt with in Chapter 5) and to examine the practical issues that would allow their participation to be of use (which is tackled in Chapter 6). In the final chapter, Chapter 7, the conclusion of the study is drawn.

Research Methodology

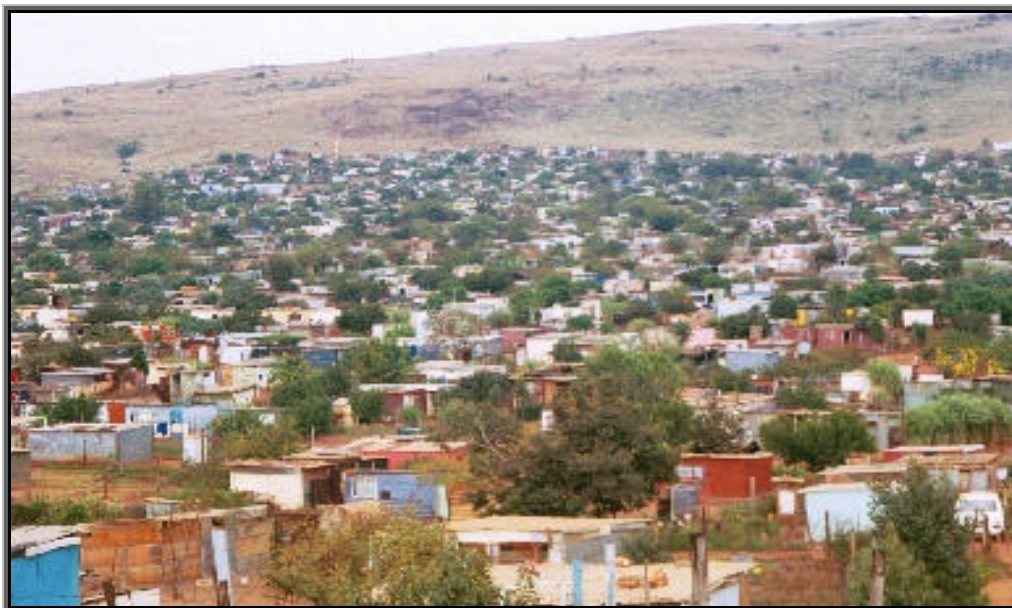
Last but not least, it is important to explain how the research was accomplished or, in other words, how the researcher went about collecting the data necessary to achieve the research objectives. The research methodology, or information collection process, started with a literature survey. The list of writings used by the researcher in preparing this thesis can be subdivided into three main study areas, which are seldom brought together in a single study. The first study area contains writings on the origins and dynamics of informal settlements and possible options for government intervention in poverty alleviation. The second study area includes works relating to open government and community involvement in policy-making. The third area comprises studies on decentralization and local government management. The research objectives guided the selection and review of the existing literature on the research topic, which served as an important source of knowledge for the compilation of the seven chapters into which the present study is organized. Altogether the bibliography consists of 216 entries, the greater majority of which is devoted to discussing issues related to the three aforesaid study areas within the context of South Africa or the developing world.

In conjunction with the literature review, it was fundamental to conduct a series of field surveys to secure first-hand information on the research topic. All field surveys were conducted between January and August 2005, and involved in-depth interviews with 80 respondents—52 informal settlers and 28 local government officials living in, or working for, the City of Tshwane (Pretoria) Metropolitan Municipality (CTMM)—who were asked by the researcher to convey their views and feelings on selected issues related to the subject of community participation. All informally housed interviewees reside in four different informal settlements whose selection was made in two steps. First, a list of informal settlements suffering from the worst residential conditions in terms of physical infrastructure and environmental degradation was drawn following a few preliminary talks with CTMM officials working for the Housing Division of the Department of Housing, City Planning and Environmental Management. From the list

of informal settlements existing in the CTMM, the researcher chose to focus on the following four because they afforded him the opportunity to gain relatively easier and safer access to the resident community.

The first informal settlement is located in Atteridgeville (Ward 7), about 20 kilometres west of Pretoria, and is referred to as 'Brazzaville' as a tribute to the support the African National Congress (ANC) received from the Republic of Congo-Brazzaville during the liberation struggle against apartheid (Figure 1.1). Brazzaville is reported to house about 3 100 families (a figure that is regarded as an underestimation by the community leaders) and has a history that starts in 1997. Over two-thirds of the land is privately owned while the remaining section belongs to the municipality. The owners are willing to sell the land to the municipality but no negotiation is in progress—the reason being that most of the settlement's land (both the privately and publicly owned portions) is said to be dolomitic (although the community has never been presented with a geological survey on this issue) and therefore subject to ground movements that would require higher public investments in housing development (especially in respect of house foundations) which is supposed to be low-cost. But although the relocation of the community to a more suitable land seems to be the most convenient solution and is not, in principle, resisted by the residents as long as it would take place within a reasonable distance, a proper destination area is still to be found and the timeframe is uncertain as a result of the ward councillor's minimal interaction with, and scarcely co-operative attitude towards, the community. In this regard, it is for example reported that the ward councillor calls ward committee meetings as and when he pleases (which happens to be rare) rather than at least once a month as he is supposed to do according to the CTMM's rules relating to the functioning of ward committees. Alongside what is perceived as an unhelpful attitude on the part of the ward councillor—which has actually never been constructive, especially since the community scored a landmark court victory against the CTMM which was seeking the eviction of the residents without offering them proper alternative accommodation towards the end of 1998—it also appears that the Regional Office of the Speaker is not very keen on doing anything more than writing reports on how bad things are.

Figure 1.1 A Section of 'Brazzaville' Informal Settlement, Atteridgeville



The second informal settlement is located in Mamelodi East (Ward 17), about 20 kilometres east of Pretoria and is called 'Morgan Village' (Figure 1.2)—named this way after one of the 'comrades' who were particularly active in the area. In 1996–97, the first settlers started to occupy this state-owned piece of land which today houses slightly fewer than 400 families. The great majority of the community is expected to be relocated to a serviced site to be constructed in Nellmapius (about 5 kilometres apart) so as to make space for the construction of a road (K54) connecting Mahube Valley to Bronkhorstspuit Road. The few remaining families are supposed to remain where they are and patiently wait for a plan of action by the CTMM. Although the necessity of relocating the largest part of the community is undisputed, the timeframe for doing so and the residential conditions to be found in the destination area have yet not been disclosed to the residents. This can be attributed to rather centralistic and allegedly deceitful management of the ward committee on the part of the ward councillor, which impedes serious, frank and constructive dialogue on the various concerns of the community. As a matter of fact, there is a general lack of trust on the part of the informally housed community in respect of the ward councillor, which has developed particularly since the murder of Jimmy Thulare—the popular local leader of the South African Communist Party (Mamelodi Branch) who used to reside in the same ward

before being killed, allegedly for political reasons, on 10 May 2004. In this rather frozen and sterile relationship between the ward councillor and the community living in the area of concern, the role of the Regional Office of the Speaker is perceived by the greater part of the informally housed community, at best, as negligent and, at worst, complicit. This unenthusiastic feeling about the Regional Speaker is motivated by his alleged excessive familiarity, not only with the ward councillor, but also with the various municipal officials who are believed not to do their best to act in the interest of the community, which is said to impair objectivity and independence of judgement in the exercise of his official duties.

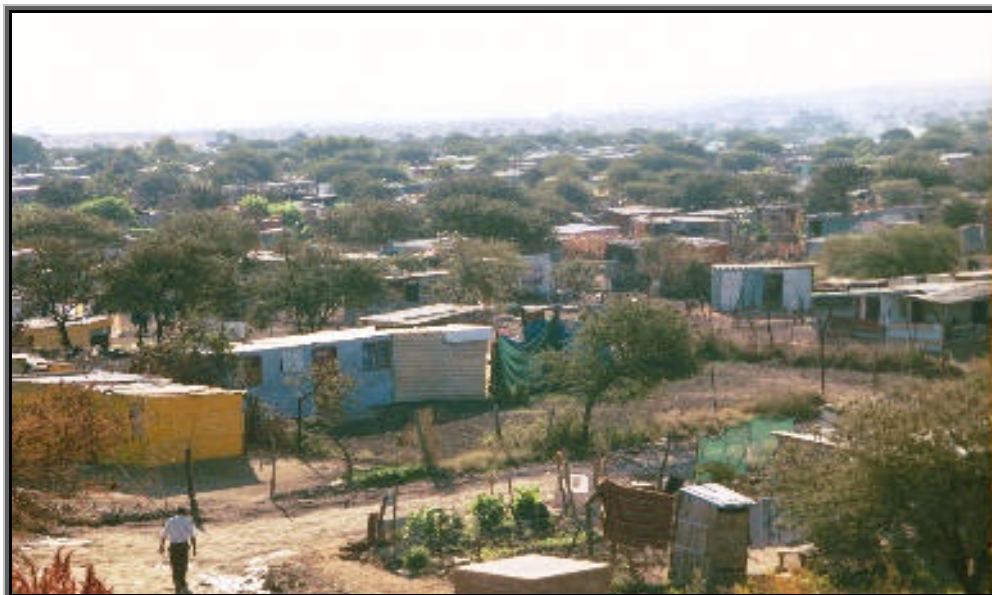
Picture 1.2 A Section of 'Morgan Village' Informal Settlement, Mamelodi East



The third informal settlement is located in the southern portion of Soshanguve (Ward 37), about 30 kilometres north-west of Pretoria, and is referred to as 'Plastic View' (Figure 1.3). This land began to be occupied in 2000–01 and today is estimated to house approximately 1 500 families. The origin of the name is sadly ironic: owing to the geological structure of the soil which does not allow the surface to dry out before two or three days after heavy rains, and even then, drying may be only superficial, residents who need to walk around or reach the nearest railway station are compelled to wrap their shoes in plastic bags to protect them against the mud in the streets—the plastic is then dumped everywhere across the settlement. Most of the land belongs to

the state-owned company Transnet/Spoornet (the largest transport operator in Southern Africa), which has plans to develop the area for railway use. Accordingly, a council resolution was passed for the residents to be relocated to a relatively nearby place—though even the most basic aspects of the project are wrapped in absolute mystery as a result of both a dearth of planning within the local government departments involved in the process and excessive concern about not interfering with government officials in the execution of their duties on the part of the ward councillor. This absence of settlement planning can also be attributed to the non-representation of Plastic View on the ward committee, which can be traced back to a lack of proactive attitude on the part of both the ward councillor and the Regional Office of the Speaker in complying with their responsibilities to ensure diversity of interests and geographic representation on the ward committee in question.

Figure 1.3 A Section of ‘Plastic View’ Informal Settlement, Soshanguve



Finally, the fourth informal settlement is located in Olievenhoutbosch (Ward 48) near the affluent town of Centurion, about 25 kilometres south of Pretoria, and is named ‘Choba’ after its supposed landowner (Figure 1.4). The settlement houses about 3 500 families and has a history that goes back to the birth of the new South Africa in 1994. Although contested, the land is thought to belong to a now deceased, wealthy,

seemingly intimidating, old businessperson who demands the payment of rent (from R50 to R100 a month) from each and every family. As it seems that he never bothered to register the land in his own name before his death, there is an ongoing land ownership dispute between him (now his heirs) and the CTMM alongside the failed attempt by the municipality to purchase the land. In principle, the future of the community does not seem to be in question: almost everyone sounds confident that the people will be relocated in the area. Practically speaking, however, it is still unclear to the community when, where and how the relocation is going to take place especially as a result of the political sidelining of the ward councillor—a man who is widely regarded as honest but also too often unavailable to his constituency—by his own party (ANC). This not only resulted in a three-month suspension followed by his resignation just a few months before the new local government elections but also, and most disturbingly, in the Machiavellian marginalization of the councillor-led ward committee and just about any other form of non-factional, non-opportunistic community participation in the ward’s decision-making process.

Figure 1.4 A Section of ‘Choba’ Informal Settlement, Olievenhoutbosch



Once a sample of four informal settlements was deemed acceptable, it was necessary to decide from whom (both residents and local government officials) the researcher was going to collect information. As per the selection of a sample of informally housed

interviewees, the focus was on two target groups: community leaders and ordinary residents. The first group (community leaders) was chosen among the members of various residents' committees (including ward committees) operating in the aforesaid settlements: a sample of 36 respondents (highly representative in terms of numbers) was selected in stages and almost equally divided among the four surveyed informal settlements. Two-thirds of them were male and one-third were female. All respondents were aged 20 or above and a large number of them were aged between 31 and 46 (83,3%). The level of school education of the respondents was limited, ranging from Standard 5 (Grade 7) to Standard 10 (Grade 12). Only one-fourth of the respondents were working full-time at the time of the interviews, whereas the remaining three-fourth were without any full-time job or without any job at all. Among those who were working full-time, the most typical occupation was that of service and sales workers (55,6%) followed by clerical workers (33,3%) and skilled workers (11,1%). Questions on income were generally avoided not to run the risk of upsetting the interviewee and being looked upon with suspicion. The selection of a relatively good number of respondents from the community leadership, compared to the selected sample of ordinary residents, is justified by the fact that they are considered to be in a better position to provide useful data on the research topic. Interviews with committee members were individually conducted so as to reduce external influences on the respondent to a minimum. In one case, however, prior to individual interviews, it was also possible to hold an ad hoc committee meeting, which was attended by almost all the members of the committee, during which the researcher had an opportunity to inform the interviewees of what he was doing and answer questions from the participants. The second group (ordinary residents) consisted of 16 respondents who were identified with the help of a few community leaders. 68,8% of them were female and 31,2% were male. A higher quota for women was set up on purpose to make up for their inevitable under-representation among the sample of community leaders. The age of the respondents spanned from 18 to 75. Their level of school education was, on average, lower than that of the sample of community leaders, ranging from Standard 5 (Grade 7) to Standard 8 (Grade 10). Regrettably, only two respondents were working full-time at the time of the interviews, whereas twelve were working part-time or not at all. The remaining two interviewees were

retired persons, one of them aged 75 and the other 65. As mentioned above, the researcher cannot report on the income levels of the respondents because questions on income were purposely avoided. Most of the interviews with ordinary residents were individual, with the exception of two small groups of two and three people. In respect of the relatively small size of the sample of ordinary informally housed respondents, it is worth pointing out that the researcher is aware that at first glance it could appear as a methodological weakness because it may not be taken as fully representative of the general community, at least in terms of numbers. However, it will be clear from a reading of the actual wording of the questions posed to the respondents that a good degree of depth of inquiry is believed to have been achieved and this made up for the limited representation of the sample. Given cost and time constraints, the only other workable option to small numbers of in-depth interviews would have been a relatively larger-scale survey based on a standardized questionnaire with open questions limited to a minimum, which would have been more representative and shown some quantitative results. Conversely, it is the opinion of the researcher that the lesser depth of the information that would have been collected through a questionnaire with closed questions would have jeopardized the qualitative understanding of the topic of the survey and virtually made the answers of the respondents of little use. It is finally worth noting that thanks to the initial mediation of a bunch of resident friends (students at the University of South Africa) and local political activists (members of the South African Communist Party), it was a relatively straightforward matter to approach the respondents, make them fully aware of the purpose of the research and obtain their consent to take part in the survey. There was then a limited need to motivate both community leaders and ordinary residents of informal settlements to sit with the researcher and answer all his questions as they were usually willing to talk and provide the information being sought.

As per the selection of a sample of local government officials, it was, first of all, necessary to identify the concerned departments (along with divisions and sections) of the CTMM that would have been worth approaching to discuss the research topic. After being provided with a bigger-picture overview of who does what in the municipal administration by the Office of the Municipal Manager, it was decided to make contact

with the following departments and offices: the Department of Housing, City Planning and Environmental Management, the Department of Social Development, the Integrated Development Planning (IDP) Office and the Office of the Speaker—the last-mentioned is responsible for the establishment and functioning of ward committees which, on paper, are the single most influential community vehicle for impacting on the municipal budget and IDP. Although a sample of 24 respondents was selected from all the above municipal units, it was decided to engage more deeply with those officials who bear most of the responsibility for dealing with informal settlements and are therefore regarded as the most important sources of relevant information on the research topic. Accordingly, most of the interviewees worked for either the Office of the Speaker (33,3%) or the Department of Housing, City Planning and Environmental Management's division, named the Housing Division (50%)—more precisely, for the three sections of the Housing Division called Informal Settlements, Land Invasion and Community Liaison Section, Waiting List and Subsidy Administration Section and Housing Development and Provision Section. It is also worth noting that both headquarters and regional managers participated in the survey—among the latter, the sample was limited to those responsible for the areas under which the four informal settlements selected as the case study for this research fall. All respondents were generally found reasonably willing to answer the greater part of the questions prepared for them as well as engage in further discussions on social, economic and political issues with the researcher. It is also important to point out that the councillors for Wards 7, 17, 37 and 48 also took part in the survey, though with limited success. They were found not particularly willing to answer the questions prepared for them or too concerned with seeking to disseminate various political slogans to give the impression that everything is rosy or under control. Last but not least, the researcher deemed appropriate to gather additional information from a few knowledgeable people outside the two aforementioned groups of respondents (i.e., residents of informal settlements and local government officials). Interviews have accordingly been arranged with a high-ranked official at the Office of the Public Protector and a few Police officers engaged in the prevention of crime in the surveyed informal settlements.

Before starting data collection, the researcher drafted two different questionnaires, which were to undergo a process of refinement as interviews progressed. The first questionnaire was administered to a sample of residents of informal settlements—both community leaders and ordinary people. The second was submitted to a sample of local government officials, including the four ward councillors. Both questionnaires are divided into three sections: the first section contains personal and ice-breaking questions; the second section includes questions that help improve the understanding of the conditions to secure the participation of residents of informal settlements in the formulation of local government policies, which is the first objective of this thesis; and the third section incorporates questions to expand knowledge of the practical issues needed to work out how to involve informally housed communities in local government policy-making, which is the second objective of the present thesis. All interviews with informal settlers took place at the respondent's dwelling and the time to complete the questionnaire ranged in most cases from four to six hours. The reason for the extended interviews is to be found in the need to explain to the interviewees the kind of information for which the researcher was searching, to clarify the more complicated questions that may have caused some confusion as well as to respect the respondents' desire to talk extensively about their experiences, hopes and fears. However, interviews with municipal officials were conducted in the office of the interviewee and lasted about two hours. All interviews were held in English and no particular communication difficulty was experienced by the researcher. Language assistance was not requested except in a couple of cases. No recording devices were used. The evidence reproduced in this thesis was compiled from the extensive notes taken by the researcher. It is also worth stating that due care was taken by the researcher to explain to the respondents the intent of the survey so as to try to avoid the insurgence of unjustified expectations or misunderstanding. What follows is a great deal of the questions posed to the two groups of respondents. Italics indicate the actual wording of the questions, which differed slightly from case to case. Although the questions have been numbered and reordered in a sequence that makes the most sense to the thesis, they were actually brought up in different order depending on the course taken by the conversation.

Questionnaire Administered to Residents of Informal Settlements

Section 1: Introductory Questions

The first section contains questions concerning the identity, life experience and living conditions of the respondents. Following the first few interviews, it was instead decided to avoid questions on income, rent and other potentially sensitive monetary matters if the researcher felt the risk of upsetting the interviewee and being looked upon with suspicion.

1. *When did you arrive here? From where? With whom?*
2. *Who are you living with?*
3. *What do you (and your family members) do for a living?*
4. *What school did/do you go to?*
5. *What made you move to this place?*
6. *How would you describe your living conditions? What do you miss most of all?*
7. *What kind of relation do you have with your neighbours?*
8. *What are your plans for the future?*
9. *Are you on the Housing Waiting List? If yes, since when? If not, why not?*

Section 2: Conditions for the Involvement of Informally Housed Communities

(Research Objective No. 1)

The second section groups questions revolving around the following three issues: first, the respondent's rating of the work of the residents' committees; second, whether or not and why the respondent would feel personally motivated in getting involved in meetings with the ward councillor or local government officials; and, third, whether or not the respondents lack and what they think they lack in terms of resources such as time, skills and experience, which may be useful to their community in the course of the participation process. The researcher has drawn on the answers of the interviewees primarily in the preparation of the second three paragraphs of Chapter 5.

10. *Are you serving on a residents' committee (or other community-based organization such as youth or women's forums)? Do you attend the mass meetings called in the settlement? If yes, would you say the reasons why you do so? If not, why not?*

11. *Are you satisfied with the work of the residents' committees? Do you regard the members of the committees as representative of the whole community? (If the respondent is a committee member) Are you happy with your work on the committee?*
12. *Are there any projects in place around here that are run by non-residents such as people of the church, volunteers or non-governmental organizations (NGOs)? If yes, what are they all about? Are you satisfied with their work? Do these people liaise with the residents' committee and the community in general?*
13. *What is the relation, if any, between your residents' committees and those operating in other informal settlements?*
14. *Are you an active member of any political organization? If yes, what is your role in the organization? Would you state the reasons why you do it? If no, why not?*
15. *Are you an active member of your parish, that is, are you involved in anything other than attending services? Would you state the reasons why you do it? If not, why not?*
16. *Do you spend any time on charitable or other voluntary work? If yes, would you state the reasons why you do it? If not, why not?*
17. *What do you think about the councillor/local government officials in respect of their commitment and accountability to your community?*
18. *Imagine that you are given the opportunity to participate in regular government-community meetings. Would you be willing to attend? If willing, why would you like to meet with municipal officials/ward councillor? Do you think you would be able to make them listen to and consider your problems and views? Would you be more willing to discuss personal/family problems or issues relevant to the community in general? Do you think you have enough time to commit yourself on a regular basis? If not willing, reasons for non-participation were investigated, why aren't you willing to have contact with the ward councillor/local government officials? The interviewer sometimes mentioned such possible reasons as: don't have enough time; like to take care of your problems yourself (don't care about politics); don't trust these people (don't want to mingle with them; think you might get into problems); don't think it is worth it (they can't help you; think you can't have any*

impact); prefer to wait and see what happens. What would encourage your participation?

19. *Let us now imagine for a moment that you are the councillor of this ward or even the mayor of the city! What would you do to improve the conditions of the area where you live and make its inhabitants better-off people? And what do you think would be the major obstacles in realizing what you suggest?*

Section 3: Practical Issues in Involving Informally Housed Communities

(Research Objective No. 2)

The third section explores the organizational capacity, or lack thereof, of the surveyed communities and how they liaise with the local government and ward councillor. It also encourages interviewees to suggest practical recommendations to improve the liaison process between the local government and their community. The answers of the respondents provided the researcher with helpful information primarily for the writing of Chapter 6.

20. *What matters are dealt with by the residents' committee (or other community-based organizations such as youth or women's forums) that are in place around here? Who are the people serving on the committee? How are they selected?*
21. *How often do the committee members meet? Where? Can you say what happens during these meetings? What have been the committee's major achievements? What are its plans for the future?*
22. *How does the committee liaise with the councillor/local government officials and what topics are discussed? Does it interact with the ward committee? And with the provincial government? How does the committee relate with the community in general?*
23. *Do you have mass meetings around here—meetings where all residents are invited to participate? How often do they occur? Where? Who participates? Can you tell me what happens during these meetings?*
24. *Do the councillor/local government officials attend these mass meetings? If yes, what do you remember about the latest mass meeting attended by the councillor/local government officials? If no, why not?*

25. *Do you think it is more useful that the councillor/local government officials liaise essentially with community representatives (residents' committee) or should they also be directly accountable to the whole community by attending mass meetings on a regular basis?*
26. *Should outsiders such as people of the church, volunteers or professionals participate in government–community meetings in support of the residents?*
27. *What should be the main subjects dealt with in these meetings?*
28. *Do you think that it is government's responsibility to come up with project proposals about which the community could then express their opinions or would it be better the other way around, that is, the community should come up with its own proposals to submit to the government?*
29. *What should the frequency of government–community meetings be? When should they be convened? Where?*
30. *What do you know about the Office of the Speaker and the Public Protector? (If the respondent knew about them well or once the researcher had briefly provided some information about their role and responsibilities) Would you be willing to approach complaint-handling institutions such as the Office of the Speaker or the Public Protector and lodge your complaints against the ward councillor or municipal officials? If yes, why? If not, why not?*
31. *Are there any government-funded projects going on/being planned around here that you are particularly excited about? What levels/departments of government are involved? What does the community know about the contractual agreement/proposal between the government and the contractor (what exactly they have to do, when and how much it is going to cost)? Were/are community representatives being involved in the decision-making process between the government and contractor? Are community representatives (and the community in general) offered an opportunity to liaise with the contractor/subcontractors? If yes, what do they discuss?*
32. *What do you know about the government housing programme called 'People's Housing Process'? (If the respondent knew the programme well or once the researcher had described it briefly) Do you think the residents' committee could be*

interested in the opportunities made available by the programme to informally housed communities?

33. *Do you have any practical recommendations to try to build constructive relations between the ward councillor/local government officials and your community—something that the residents' committee is not currently doing but you think or feel it should be done?*

Questionnaire Administered to Local Government Officials

Section 1: Introductory Questions

The first section contains questions about the respondents' position within the CTMM, their office's responsibilities as well as their academic and professional experience. It also tries to collect quantitative and qualitative data on informal settlements in the geographic area of responsibility of the interviewees and discusses the ways in which the municipality is trying to cope with the problem of informal settlements.

1. *What is your current position? Would you tell me something about your academic and professional background?*
2. *Which areas (also in terms of wards) are under your responsibility?*
3. *Would you describe your office in terms of responsibilities, human resources and financial means? What is the level of coordination between your office and other municipal offices?*
4. *Within the area of your responsibility: How many families live in informal dwellings? What do you know about the history of land occupation—when and why did it occur and develop to the present stage? Are current statistics regarding informal settlements different from those of four to five years ago (reference was made to the 2001 census data)? Why is that so: Housing provision? Community resettlement? Evictions? Land invasion?*
5. *What priorities need to be addressed as regards informal settlements (within the area of your responsibility)?*
6. *How does your office think to deal with these problems: in particular, are you focusing on relocation, in situ upgrading or requesting court orders for eviction? If*

relocation is involved, *can you talk about a success story of relocation?* If settlement upgrading is being done, *can you talk about a success story of in situ upgrading?* If evictions are carried out, *what do you expect people to do once they are evicted?*

7. *What is your personal vision of the future of informal areas for which you are responsible?*

Section 2: Conditions for the Involvement of Informally Housed Communities

(Research Objective No. 1)

The second section focuses on the following three issues related to the government–community liaison process: first, government’s willingness (in terms of values and moral responsibility) to liaise with informally housed communities; second, government’s capacity (in terms of staffing and funding) to interact with communities living in informal settlements; and, third, government’s responsibilities (in terms of laws and by-laws) to link up with the informally housed population. The researcher has drawn on the answers of the respondents primarily in the preparation of the first three paragraphs of Chapter 5.

8. *How would you describe the people living in informal settlements with particular reference to their community leaders and organizations (community-based and external)?*

9. *How do you think the communities living in informal settlements would be of any help to your office? And what do you think may be the disadvantages or risks of liaising with informally housed communities? How would it be possible to overcome these situations?*

10. *Do you feel any moral obligation to consult the communities living in informal settlements before your office makes a decision that affects their lives?*

11. *What are the human and financial resources allocated to liaise with informally housed communities?*

12. *Does the municipality have any policy or by-laws with respect to government–community liaison? What exactly are your obligations as municipal official with regard to engaging with informally housed communities?*

Section 3: Practical Issues in Involving Informally Housed Communities

(Research Objective No. 2)

The third section explores how government–community liaison occurs in practice before encouraging respondents to offer practical recommendations to try to build a constructive relation between the municipality and the communities living in informal settlements. The researcher has drawn on the answers of the interviewees principally in the preparation of Chapter 6.

13. *Let us talk about how government–community liaison occurs in practice: How does your office liaise with informally housed communities? Are they given an opportunity to have a say about their own future or are they just approached to ensure they know what the government wants to do and support it?*
14. *What practical problems are you encountering in relation to government–community liaison?*
15. *Who among the people living in informal settlements do you liaise with? Should outsiders such as people from the church, volunteers and NGOs participate on their behalf?*
16. *What is the frequency of government–community encounters? When are they convened? Where?*
17. *When do you start to liaise with informally housed communities—at an early stage of the planning process or only when a relocation or in situ upgrading programme has been finalized by the municipality in conjunction with the developer (contractor)? Why is that so?*
18. *What are the main subjects dealt with in the government–community meetings?*
19. *Do you think that it is municipality’s responsibility to come up with project proposals about which informally housed communities could then express their opinions or would it be better the other way around, that is, informally housed communities should come up with their own proposals to submit to the municipality?*
20. *How does government–community liaison change, if at all, during electoral periods?*

21. Do you have any practical recommendations to improve relations between the municipality and the communities living in informal settlements—something that the government is not currently doing but you think or feel it should be done?

Finally, it is important to restate that great care was taken to explain (especially to informally housed respondents) all questions that may not have been straightforward. Although this resulted in prolonged interviews, the outcome was satisfactory in that it was possible, in the vast majority of cases, to collect information relevant to the objectives of this thesis. All responses were carefully examined and compared by the researcher in order to find differences and similarities between them. In this respect, it is worth drawing attention to the fact that the largest part of the evidence from the field research is woven into the discussion presented in the core chapters of this thesis, that is, Chapters 5 and 6. In these two chapters, considerations deriving from the literature and from the field research are brought into productive interplay as each research objective is addressed. In fact, this thesis employs the methodological device of presenting the evidence from the interviews, not on its own, but in the relevant sections of argumentation. The field research is thus included, not as a separate object, but as a key element of a synthetic argumentative strategy. As far as the evidence from the field surveys goes, it will suffice to report here that one of the most striking findings is the apparent contradiction, among the majority of informally housed respondents, between feelings of mistrust, suspicion and resentment towards local politicians and public servants, which are normally expected to lead to alienation and disengagement of the poor if not social unrest, and a strong desire to be involved in the local government policy-making. It is the opinion of the researcher that what, at first look, may seem like a contradiction, it should rather be regarded as the logical result of understanding the power of participation as well as the result of positive thinking, especially common among the respondents from the community leadership, about what could be accomplished if only they were given a meaningful opportunity to be involved. Regrettably, it seems that a meaningful opportunity for participation is not to be expected to be made available to the poorest communities of South Africa any time soon. In this respect, it is worth recalling a striking difference of opinion between the two groups of respondents on how well (or rather how poorly) the existing

government–community liaison efforts are performing. On the one hand, there are various local government respondents (especially the ward councillors) who proudly regard current community participation tools (e.g., ward committees and local *imbizos*) as totally satisfactory ways to be answerable to the poorest of the poor. On the other hand, the great majority of informally housed respondents not only point to the under-representation and blatant disregard for their voices in the ward committee but also more or less explicitly refer to the practice of *Imbizo* (government–community liaison initiatives) as a ‘political game’ orchestrated by politicians to bring to public notice that they are accountable to the poor as prescribed by constitutional and legislative provisions.

Chapter **2**

Informal Settlements: A Hard Life for Hundreds of Millions

How many years can some people exist before they're allowed to be free? How many times can a man turn his head pretending he just doesn't see?

Bob Dylan

American Poet and Singer
Blowin' in the Wind, 1962

In the developing world, about one billion people live in indecorous, normally overcrowded and unhygienic areas known as informal settlements, which feature the worst in physical infrastructure, socio-economic conditions and environmental degradation. A striking number of citizens in urban and rural regions have no choice but to settle in corrugated iron shacks or mud-and-thatched huts without indoor plumbing, electricity and other conveniences, with little or no access to education, healthcare and other community services, and doomed to poverty-stricken lives because of unemployment or precarious and unprofitable job opportunities. Each informal settlement, however, is unique in that it has its particular history, community and identity, and it is therefore not easy to generalize about an issue that concerns all developing countries almost without exception.

Given the complexity of the subject, this chapter intends to focus on selected topics relating to the composite reality of informal settlements by drawing, among other sources that are mentioned in the sequel of the chapter, on the UN-Habitat's *Survey*

of Slums and Squatter Settlements of 1982, which contains many insights that remain useful today, and on the reports entitled *Cities in a Globalizing World: Global Report on Human Settlements* and *The State of the World's Cities*, which were compiled by the same agency of the United Nations in 2001. While it is not claimed to be exhaustive, it is hoped that this chapter would provide a useful, albeit general, understanding of the hard reality that hundreds of millions of fellow human beings continue to suffer at the beginning of the third millennium. The chapter starts with an explanation of the term informal settlement. It is followed by an overview of the origins of the phenomenon together with data on the distribution of informal settlements around the world. Housing conditions, security of tenure, infrastructure and social amenities, household structure and women's status, community organization and the employment situation are then considered before drawing attention to the policies that can be employed to address the challenges posed by sprawling informal settlements and ultimately reverse the causes of this misery. It should be noted that this chapter serves as a background reading for the following one, which deals with the specificities of South Africa's informal settlements. Despite differences across regions and countries, there is, in fact, a link between informal settlements across the South, which the researcher hopes to shed light upon through the present chapter.

Definition

Informal settlements are dilapidated residential areas where living conditions are uncomfortable, unhealthy or downright hazardous to residents. Within these settlements, most families live in shacks of corrugated iron, in decrepit buildings with crumbling ceilings or in thatched huts with walls of poles and mud. They have limited or no access to basic utilities such as running water, indoor sanitation, electricity, sewerage and garbage collection. The same is true of essential services such as clinics, schools and crèches. Each informal settlement is, however, unique in respect of a variety of matters including location, layout, environmental hazards, residential density and shelter consolidation. Other differences relate to the level of servicing, which may be limited to basics such as communal water standpipes and pit latrines, or include relatively more sophisticated facilities and services such as sewerage, drains, electricity and paved roads. There are also differences of great significance if one looks at issues such as the social arrangements and relationships found in the settlement and the socio-economic links with the rest of the city or the rural areas where relatives and friends of residents of urban informal settlements continue to reside. Last but not least, while in the developing world the large number of slums has become synonymous with rapid urban growth, it is important to mention two relevant points regarding informal housing and homelessness worldwide. The first point is that severe shelter deprivation exists in most rural areas across the South and can be as bad as in the worst inner-city slums. The second point is that informal or substandard housing is by no means limited to free-standing informal settlements: prevalently but not only in developing countries. There are, in fact, many people who sleep in unsympathetic buildings or outbuildings such as backyard shacks, garages or sheds that are adjacent to formal houses along with many others who have no place to spend their nights except on benches, pavements, parks, graveyards, old trains, under a bridge or on somebody's doorway.

A further contrast drawn by the literature is between informal settlements and squatter camps, the latter relating to the illegal occupation of buildings or land on which

structures are erected without building permission. In this respect, it is worth noting that while there is no doubt about the importance of defining the legal status of occupancy—for example, as regards the subject matter of this research, it is evident that any attempt to liaise with local governments and informally housed communities would be seriously affected by a tense history of conflict between landowners (whether state or non-state) and residents over the land—the distinction between legal and illegal occupation is frequently blurred. To begin with, it is often difficult to establish whether or not the occupation is illegal, given the fact that tenure rights are unclear or in dispute due to a variety of informal agreements between owners, renters and subrenters, not to mention situations such as silent acceptance of occupation by the state or traditional (communal) patterns of tenure which may pose quite a complicated legal puzzle. Second, and most importantly, this distinction loses its usefulness if one looks at a number of real problems (e.g., environmental decay, social marginalization and the dearth of job opportunities) that frequently confront non-squatter citizens no less than their squatter fellows. From a development perspective, I therefore prefer to use the term informal settlement (also referred to as shanty-town, slum, very low-quality human settlement and the like) to describe both legal/authorized and illegal/unauthorized human settlements, which are in need of radical improvements or community relocation to a more suitable residence.

Origins

Poor housing conditions and homelessness have a very long history, which has affected countless people from time immemorial. It is, for the most part, the history of unequal development between and within regions and communities of the world, which, as per the World Bank statistics of 2001, has resulted in over one billion people living on less than one dollar per day (at 1993 purchasing power parity)—the vast majority of whom live in the South, where the socio-economic conditions of most countries are lagging very much behind those in the North. Despite problems with international comparison of poverty data, living with as little as one dollar a day clearly entails a lack of means to acquire minimum material comfort, which, among other things, is likely to result in people staying in shacks, huts or on the streets, barely surviving. Why are the poor poor and the homeless homeless? Since it is necessary to have a practical understanding of a problem before engaging in the analysis of its causes, the researcher draws on Wratten (1995) and others quoted in the sequel of the paragraph to discuss briefly the meaning of the term poverty before trying to see what lies behind it. Broadly speaking, the state of being poor relates to having less of what is needed to achieve a minimum level of material well-being. Although what actually it is that people need to attain some minimum comforts in the material sphere may be questionable and the answer usually varies according to one's experience of living and mindset, it seems unreasonable to regard as free from poverty a life that does not assure safe and proper access to water, food, health-care, housing, schooling and social security. Besides, it is worth mentioning that poverty can be considered anything but a good thing for the advancement of humanity at either individual or community level: at individual level, the lack of opportunity to satisfy basic human needs inhibits the full development of the human nature—notwithstanding the fact that many poor people reveal a miraculous richness of human feelings lost to many others; at community level, poverty is not only the primary enemy to the realization of equitable social development but also one of the most pernicious obstacles to peace and democracy—despite the fact that freedom from poverty does not necessarily entail reconciliation and equity within and between nations. When it is

acknowledged that fighting poverty must be central to the progress of humankind, one should start to think over what it is that has to be fought against or, in other words, consider the causes of poverty. Whereas the exact origins of poverty should be studied at country level and, within each country, at grassroots level, it is possible to recount two general explanations of poverty, which are part of the debate on whether it is the poor themselves who should be held most responsible for their being poor, or rather whether the rich and the mighty should be blamed for the perpetration of poverty. Scholars such as Lewis (1966:23) point a finger at cultural and psychological forces, which would produce attitudes of 'fatalism, helplessness, dependence and inferiority' that dispirit the individual's ability to strive for and achieve self-improvement. Other scholars such as Fanon (1967), Hayter (1981), Rodney (1981) and Castells (2000)—whose views on the matter are to a greater extent in line with the researcher's—suggest that poverty is rather the result of external forces, or 'structures and processes of the total system' as Valentine (1968:142) puts it, which, stressing the logic of competition over co-operation and individualism over community, are apt to benefit the usual suspects at local, national and international level to the detriment of the people in general. Whether poverty is understood as individual responsibility due to apathy or collective responsibility bred by the system, the crude fact that its alleviation is one of the greatest unfinished tasks of humanity cannot be belied. As a matter of fact, hundreds of millions of fellow humans continue to have limited or no access to nutrition, housing, health-care, schooling and non-precarious jobs, coverage in the event of being without a job, sick, disabled, aged or subjected to violence as well as protection against natural disasters, wars or epidemics—an unfortunate situation that, if reversed, would raise their living standards to decent levels.

As mentioned earlier, many people in the South live without a roof over their head or reside in informal dwellings erected in both urban and rural areas, each of them with an interesting story that could be told. Yet, as the field surveys supporting this research are conducted on urban soil, and because the range of problems related to urban informal settlements is exceptionally serious, the researcher intends to put particular emphasis on the analysis of the origins of informal settlements located in

the cities or their peripheries. Again, while it is important to bear in mind that the circumstances leading up to the formation of an informal settlement are somehow unique and deserving of special attention, it is possible to examine the typical background conditions responsible for adding fuel to the flames of poverty in most urban centres of the developing world, that is, vast migration of people from rural areas and intense population growth. As Litvin (1998:5) puts it, 'country-dwellers in developing countries are moving to the cities . . . pushed by a scarcity of farm jobs and . . . pulled by the hope of better jobs and a better life'. Besides the insufficiency of job opportunities, the fact that so many rural villages present a dilapidated appearance is also part of the cause that wins the people over to leave. As a result, if governments want to keep the people in the rural areas, not only must they develop the rural economy but also service the villages with utilities and amenities that increase the attractiveness of the place. To put it differently, it is necessary to reverse the urban bias in governments' development strategies and genuinely converge development efforts towards a two-pronged policy capable of addressing urban as well as rural priorities. Rural development would then not only stand for meeting the legitimate needs and aspirations of the rural population but would also cut off a great deal of rural-urban migration, which is one of the major sources of the continued sprawling of informal settlements in the urban fabric. Apart from the economic reasons and the lack of services mentioned above, which are of primary importance, it is also worth pointing out that another factor contributing to this population drift from the countryside is the desperation of some people, mostly women, who are willing to accept almost any cost to escape the discrimination and oppression they suffer in their rural home. Migration routes to the cities of the developing countries, however, are not limited to those from the rural areas: they also comprise international migration and resettlement from other urban districts within the same country. Once again, most people move for economic reasons: real and perceived national and international unevenness in job opportunities and standards of living urges people from the least-developed regions to migrate to more prosperous ones, holding the view that things will improve. Others, instead, migrate to escape political or religious persecution at home. That being said about migration patterns, it is important to stress that urban development is more likely to end up being unsatisfactory in a situation where the

natural growth rate of the population is above what is considered acceptable and not expected to fall back into line in the immediate future. In this respect, it is worth mentioning that although in the developing world the population growth rate has come down a little since the 1990s, it is estimated (Litvin, 1998:5) that it 'remains fast enough to push the world's population above 9 billion by 2050, from around 6 billion today'. Most of that growth will be in the urban areas of developing countries. Particularly when combined with inconsiderate city planning, intense population growth results in a much greater difficulty if not complete inability of the municipal administrations to provide quality services to the people. As a result, if governments are concerned about the welfare of all their citizens, they should take further steps to curtail excessive growth of the population, especially as far as the poor communities are concerned. The researcher holds the opinion that the use of a long-term strategy based on enhanced awareness and distribution of family planning methods such as contraceptive pills, condoms or diaphragms—rather than activities promoting abortion services, which should remain the last resort—and the assurance that these methods are of the highest quality would not only be wise but decisive. Failing to promote rural development and to take care of rampant population growth will continue to account for the fast-growing increase in size of urban agglomerations and for a great deal of the enormous difficulties displayed by most cities in the developing countries 'to cope economically, environmentally and politically with such acute concentrations of people', as argued by Todaro and Smith (2003:311), which, while worsening the well-being of all city-dwellers have a particular negative impact on that of poor urban dwellers. Apart from that, it is worth adding that the problems of the poor sections of the urban population are also generated by the 'bias in public policies, investments and services [which] is largely only in favour of the better-off inhabitants and more powerful industrial, commercial and financial concerns', Hardoy and Satterthwaite (1989:310) contend. All things considered, without sorting out the problems of growing city congestion and reversing government's bias leaning in favour of the more affluent parts of the population, the miserable living conditions of the most deprived section of the urban community will persist indefinitely. Among other things, the poor do not have adequate housing opportunities: because the cost of housing is out of proportion to poor people's earnings and access to housing subsidies and other forms of finance

for the poor normally prove to be defective, they have to go for the cheapest and most uncomfortable housing option, thus leading to the proliferation of slums and squatter settlements in so many cities throughout the South.

Distribution

Starting from the 1950s and 1960s up to the present time, informal settlements have been growing very rapidly in most cities of Africa, Asia and Latin America: from the *favelas* in Brazil to the *bidonvilles* in francophone Africa and the *bustees* in India to name but a few of the local names, informal settlements 'have been doubling in size every 5 to 10 years', Todaro and Smith (2003:313) report. As a result, in several developing world cities, more than half of the population is informally housed or without a roof over their head (Table 2.1). Although owing to possible inaccurate estimations and divergences in the definition of the term informal housing these figures are reliable only to a certain extent, the researcher believes they do not overestimate the problem. However, the relative figures for the cities of developed countries are comparatively very low but not non-existent: in spite of their wealth, every Northern metropolis leaves some of its people with little option but to squat on pavements, greens and the like, or residing in squalid neighbourhoods, which are frequently inhabited by ethnic minorities and referred to as ghettos,.

As regards the location of informal settlements within a country, there are three basic possibilities: inner-city, suburban and rural. What follows is a brief overview of how the location of an informal settlement would affect its characteristics. Informal settlements located within the city are usually smaller in size due to the scarce availability of land for low-income housing. Many informally housed people settle in pockets of land and interstices, thus resulting in rather high population density. Urban informal settlements are very common in Latin America and India. Overcrowding is particularly high in such settlements owing to the additional fact that informal dwellings are often multi-storey structures (especially in Latin America) or are very close one to the other (especially in India) rather than being primarily single-storey and detached, as it happens to be in Africa. Despite being located within the city, it is a characteristic of many Indian informal settlements to be extensive in size. Urban informal settlements have some location-related advantages and disadvantages: advantages consist in being near to clinics, schools, social amenities and job opportunities created by the city economy—

although access to them is potential rather than consequent; disadvantages lie in possible geological instabilities or steepness of the land, which, along with high residential density, do not make for an easy upgrading of the site and every now and again turn out to be quite harmful to the residents. Informal settlements

Table 2.1 Informal Housing in Developing World Cities

| City | As a % of City Population |
|---|------------------------------|
| Africa and Middle East | |
| Addis Ababa, Ethiopia | 79 |
| Casablanca, Morocco | 70 |
| Ankara, Turkey | 60 |
| Cairo, Egypt | 60 |
| Dar es Salaam, Tanzania | 53 |
| Asia | |
| Calcutta, India | 67 |
| Karachi, Pakistan | 44 |
| Manila, Philippines | 35 |
| Jakarta, Indonesia | 26 |
| Latin America | |
| Bogotá, Colombia | 60 |
| Caracas, Venezuela | 54 |
| Mexico City, Mexico | 46 |
| Rio de Janeiro, Brazil | 20 |
| <i>Source: Todaro and Smith, Economic Development, 2003:294</i> | |

located on the outskirts of the cities, instead, are usually more extensive in size and lower in population density. Owing to the larger available space, suburban informal

settlements are on the whole technically easier to upgrade—although higher infrastructural investments may be required to integrate the settlements, especially those erected on the hillsides, with the rest of the city. Some suburban informal settlements are situated next to railway stations, some near industrial areas and others where landless people meet the least resistance from authorities and landowners. They are prevalent in Africa where most informally housed people get to settle in the peripheries of the urban centres. There are also a number of informal settlements that are located in the countryside. While access to social amenities and public utilities depends on local circumstances, still too many rural villages continue to be marginalized into very poor living conditions: many traditional dwellings have not changed much over the centuries and access to primary schools, clinics or general stores are missing or quite difficult. Furthermore, the indispensable water needed for farming, cooking and washing has to be fetched from watercourses and carried (usually by women) in buckets on their heads as water pipelines are hardly extended to reach remote (and sometimes even less remote) rural settlements. Most rural villages are generally small in size, housing as little as a few hundred people or fewer and are close to maize fields or other farming or grazing lands, which are the heart of the rural economy. Rural villages exist everywhere in the developing world where about 50% of the population live in rural areas. This is not to say that all villages of the South are substandard human settlements but it is important to note that the living conditions in many of them definitively call upon governments to refocus their development policies.

Housing Conditions

The most apparent aspect of informal settlements is the ramshackle conditions of houses. Because residents cannot afford the necessary tools, materials and know-how to build appropriate foundations, walls, roof and all other housing components, not only do most informal dwellings have erratic structures but they also fail to form a stable whole providing adequate protection from the elements. Within the urban setting, most informally housed families live in small shacks made of corrugated iron sheets interspersed with plywood, plastic and cardboard. Some spend their lives in tents of nylon and plastic and, especially inside inner-city slums, quite a few get to reside in decrepit brick structures. In the rural areas, instead, most informally housed people shelter their families in round, thatched-roof huts made of brushwood daubed with dried mud or cow dung. The problem with these dwellings is clearly not only aesthetic. Especially in the case of houses purposely built with quickly removable materials so that the settler can rapidly take them up and relocate to other sites in the event of abrupt eviction, informal dwellings could also cause harm to the residents: while the integrity of the houses is compromised by a faulty building process, the frequent use of inflammable building materials poses a constant risk of fire, which, in the case of high-density settlements, would be likely to spread to the whole neighbourhood. Additional problems result from poor lighting and ventilation: where lighting happens to be meagre or improper at night as well as daytime due to little or no access to electricity and minimal window openings, people are likely to suffer from eye strain and headache while doing their homework; where ventilation is inadequate, there is a risk of air toxification. Notwithstanding their being constructed out of disparate materials and containing just a small number of essential possessions, most informal dwellings openly reveal the resident's desire for respect: it is amazing to see how many people do all the chores in and around their homes with tireless zeal and manage to live in a clean and tidy place. It is also worth noting that housing conditions may vary a lot among settlements and within a settlement. Factors that weigh on the structural consolidation of the houses and betterment of the interiors include the perception of the risk of eviction, household income and how long a family has been

residing in the settlement. Housing improvements appear to occur over time and are related to a significant reduction of the risk of eviction and greater sources of income. As a matter of fact, some houses—usually those of the initial settlers—are in better condition and on a larger plot; others—usually those of the last families to arrive—are, instead, huddled together in terrible conditions.

Security of Tenure

Because of its being directly linked to housing improvements (whether state- or individually funded), one of the most important factors that should be carefully considered in addressing the dire housing conditions facing the informally housed population is security of tenure, that is, the right of settlers over the house and land they occupy. The reason being that despite the fact that most shack dwellers would be eager to upgrade their houses, lack or uncertainty of tenure rights leave them unprepared to invest in something that might one day be demolished, to say nothing of the fact that governments offer housing subsidies only to applicants who meet qualifying criteria, one of which is usually the demonstration of the legal tenure of their plot. The major theoretical problem with the definition of the tenure status of informal settlers resides in the conflict of rights involved in the matter, namely the right of landowners to use their property versus the right of landless people to a piece of habitable land. Especially if enshrined in national legislation, what would then spark hot debate over the notion of tenure and thereby challenge the concept of squatting relates to the human right of every individual to gain access to an adequate living environment. In this respect, if a radical interpretation of those constitutional provisions that grant housing rights to all citizens (such as those entrenched in the South African Bill of Rights) was adopted and the right of landless people to adequate housing was emphasised rather than the right of landowners (whether state or private) to dispose of their property, it would then turn out to be difficult to attest with absolute confidence that unauthorized informal settlers cannot claim any legal right to the occupation of the land and can thus be labelled squatters.

Additional debate over security of tenure or the lack thereof occurs in the event of traditional (communal) patterns of tenure and silent acceptance of occupation by the landowner. Traditional forms of occupation of land mostly occur in the rural areas of sub-Saharan Africa where traditional leaders (councils) allocate land to individuals and families in accordance with traditional land rights. Disputes over land that is traditionally occupied may arise especially when the legislation of the country

concerned does not make it clear what role, rights and responsibilities (most notably, in the area of land allocation and administration) are to be accorded to traditional leadership institutions within the national and local governance systems. As regards the silent acceptance of the landowner (usually the state) to the occupation of the land, a debate may develop over the terms and conditions for the acquisition of the legal right of the settlers to reside permanently in that particular place (usucaption). It is important to mention that tenure rights or the lack thereof not only affect shack owners but also, and sometimes more dramatically, shack tenants owing to the informal nature of most of the renting arrangements that may easily lead to abuses perpetrated by landlords against unprotected tenants.

Because of the above controversy over the interpretation of the tenure status of informal settlers, the researcher believes that evictions should be kept to a minimum and always subject to a judicial review. Tenure regularization, instead, would not only ensure that anyone can exert the right to a secure place in which to live but, because the risk of eviction is removed, it would also encourage the mobilization of people's resources for housing development that complies with minimum building standards. Obviously, tenure regularization must not necessarily come in the form of outright ownership of the plot of land if one is to avoid being in a situation where the poorest beneficiaries sell their newly granted freehold titles to higher income households and go squatting somewhere else. In these cases, it may be desirable to put in place some forms of conditional ownership that spell out what it is expected and not expected from the beneficiaries. Similarly, it is imperative to refrain from the theoretical 'fear that granting any form of security of tenure . . . will be tantamount to legitimizing an illegal act and will encourage further squatting and continued migration to the cities' (UN-Habitat, 1981:38) and focus instead on a thoughtful prevention of, and response to, further land invasion. Having said that, it is not a remote possibility that the granting of tenure rights with respect to a particular place that has been occupied may not be prudent (environmentally acceptable) or reasonable (economically acceptable). In this event, it would be important that governments set the criteria for eligibility to receive some relocation assistance prior to any eviction notice being served on a family. Finally, it has to be noted that prior to the granting of

any tenure, it is crucial from a practical standpoint that government officials engage in an official numbering of existing shacks followed by an orderly compilation and administration of a register of informally housed families entitled to remain where they are or be assisted in relocating their home, which needs to include all relevant information regarding the occupants.

Infrastructure and Social Amenities

The United Nations Conference on Human Settlements (UNCHS) held in Istanbul, Turkey in 1996 adopted a document called the Habitat Agenda which, among other things, outlines a list of infrastructure and social amenities to which everyone, everywhere, should have access. The UNCHS guidelines can be grouped into five principal sections, which add to the needs for adequate housing and tenure security discussed in the previous paragraphs: clean water; waste management; energy, telecommunications and transportation; streets and open spaces; health-care centres, schools, police precincts and other social or recreational facilities. Sadly, each one of these desiderata is deficient or absent in informal settlements, thus causing tremendous problems to residents and, in some cases, to neighbouring areas.

The first entry of the list concerns the provision of clean water, which is a basic right of every person in that it is essential to safeguard the health of the people. Although a good proportion of residents of informal settlements have access to potable water, there is usually no running water piped into their houses but for a minority of families: many people share a few public standpipes or road tankers for their daily cooking, cleaning and washing, which is likely to result in endless queues at public taps or residents being compelled to spend their meagre savings on buying water from street hawkers.

The next entry relates to waste management, which consists of facilities and services for both liquid and solid waste management. The ideal processing of sewage should start with in-house flush toilets connected to sewers flowing to wastewater treatment plants. Storm drains are then needed to take away rainwater, which otherwise accumulates in stagnant pools turning into swampy places that are naturally attractive to insects likely to spread diseases to humans. Solid waste disposal, instead, involves regular and efficient collection of both organic and non-organic garbage—for example, food refuses, glass bottles, newspapers, aluminium cans or plastic bags—otherwise uncollected waste will clog drains and sewers. The reality of waste management in

informal residential areas is generally deficient and sometimes dramatically so. To start with, only a small number of informally housed families have private toilet facilities: many residents use communal (pit) latrines that are not connected to city sewers, the consequence of which is that the stench of raw sewage permeates the houses near the public latrines and more often than not the entire neighbourhood. Even worse than the unpleasant smell is the fact that open drains running through several informal settlements facilitate the spread of diseases, especially in high-density areas. Garbage disposal is also irregular and inappropriately handled, thus resulting in solid waste being burnt, buried or piled up, causing serious health risks to the residents.

The third entry refers to the provision of electric power, telephone services and transportation. In most informal settlements, access to electricity is minimal and often clandestine: as many residents cannot afford to pay for electricity, they install a pole of bamboo on which a metal hook is raised and attached to the electricity line—provided that the network is within reach. Not only makeshift electrification results in lower quality of electricity, which, in turn, results in feeble lighting and the imperfect working of electric appliances such as refrigerators but can also produce harmful consequences for the residents—sometimes even lethal as in the case of electrocution. Some families equip themselves with stand-alone power generators, which would enable them to watch television or listen to the radio. As for cooking and heating, most—if not almost all—families make use of paraffin or bottled gas heaters or employ traditional methods such as burning firewood and charcoal, which are linked to an increased risk of explosion, fire and respiratory problems. Access to telecommunications services tends, instead, to be modest: private telephones are a luxury for the majority of informal settlers, while public telephones (usually wireless) are generally a long walking distance away. As far as transportation is concerned, one cannot help noting that public transport services rarely reach peripheral informal settlements. As most informal settlers cannot afford their own vehicle, private minibus taxis, mototaxis, rickshaws and the like are there to help people get on with their daily lives—although for many it is much more common to walk long distances rather than spend the little money that they have on transport fares.

The fourth entry has to do with the circulation network and open spaces for which little or no room is usually left by the chaotic sprawl of shanties. Public ways within informal settlements are frequently no more than trails on which people can only walk or ride. The few streets are normally unpaved and without drains, lighting or safe walkways along the edge. As a result, residents get about with great discomfort, especially during or after rains, and access of emergency and service vehicles such as ambulances, fire trucks and patrol cars is prevented or quite difficult. Correspondingly, open spaces such as squares, green areas or parks are generally quite modest on account of the unplanned growth and congestion of houses, which, among other things, carries part of the responsibility for exacerbating the risk of ill-health for the residents through an increased chance of contracting hygiene-related and communicable diseases.

The last entry has to do with various issues including health-care services, education, assistance to special interest groups, security, shopping and leisure opportunities. As regards the issue of health-care, it is first of all worth recalling that informally housed communities have normally higher levels of ill-health and premature death compared to the general picture. While it is true that part of the poor level of health is connected with dire housing and living conditions—for example, scarce protection from the elements, overcrowding, filth around the house, malnutrition and limited access to safe water—whose improvement would require considerable capital investments, Cairncross et al. (1990:xxiii) maintain that a 'substantial proportion of such ill-health and premature death can be prevented by relatively inexpensive healthcare services combined with other projects and programmes, whose initiation and running is not necessarily the responsibility of trained medical personnel'. The lack or limited availability of clinics and emergency services for informal settlers is even more distressing in the light of the HIV/AIDS pandemic, which not only is at its highest ever but also not expected to decrease among the poorest communities in the years ahead. In this respect, without playing down some social and medical victories as well as recent seemingly concrete political commitments in a few developing countries, it seems that the world is still a long way from holding back the problem of HIV/AIDS—

especially as far as poor people are concerned. With regard to education, there is a good amount of documentation describing the levels of literacy among informal settlers as considerably lower than the general average. This is partly due to the lack of schools located in the proximity of informal settlements but also to the more decisive fact that many parents are compelled to stop or never start their children's education, as they need their offspring at the workplace to do the chores or look after their younger siblings. Lack of formal education becomes a vicious circle that affects the chances of future generations of escaping from poverty. The fact that many children of educational age do not attend schools is also likely to lead to juvenile delinquency as street children have to develop survival strategies at an early age and one of the ways to survive is through crime. With regard to the issue of assistance to special-interest groups, it is worth first of all remembering that while life in informal settlements is generally hard for everyone, for some people it is harder than for others. Children and the elderly, for example, are among the most vulnerable sections of the population and run a constant risk of being left behind as crèches and centres for the elderly are frequently missing, unreachable or unaffordable. Notwithstanding the fact that at individual level there would on the whole be more dramatic problems for the aged than for the youth, at the level of society the future of the latter is always of greater concern because of the large numbers of infants and children living in informal settlements. As Jaeckel (2002:17) remembers, children's life is habitually spent in non-stop danger as a consequence of the fact that when kinship networks are overloaded or non-existent and crèches are a long distance from parents' house, 'children are often let alone to play in the streets or at home' or parents 'take their toddlers with them to their work in the informal market'—both cases posing accident hazards especially for the little ones. With regard to the issue of security, or the lack thereof, it usually falls into one of these three typologies: tenure, environmental or crime-related insecurity. Insecurity of tenure is connected to the risk of eviction, which may occur either in the form of mass eviction by local authorities or individual eviction by the landlord for not paying rent or other reasons. Environmental insecurity relates to the risk of living in places subject to heavy rains, river floods or landslides or being situated near decaying garbage dumps whose gas emissions become a serious fire hazards. Crime-related insecurity is associated with the risk of suffering from crime,

which is usually increased not only by the fact that the police are less capable of accomplishing their task of keeping up order because of access difficulties caused by poor road infrastructure but also by the fact that sometimes the police are just less interested in doing what they are supposed to do in order to prevent and respond to crime. As a result of insecure conditions, numerous informally housed communities live with immediate dangers, which sometimes results in death. While one may imagine the psychological stress of living under such conditions, hazardous situations alone are not sufficient to persuade informal settlers to move out, even if better alternatives are available, Fadare and Mills-Tettey (1992) suggest—sadly, it can be argued that among desperate people in need of a roof over their heads, the personal reasons and hopes that brought them to live in a particular informal settlement continue to prevail despite the awareness of living with the risks of natural disaster, health hazards and general conditions of insecurity that endanger their lives. As regards the issue of shopping and leisure opportunities, there is a shortage (if not complete absence) of market areas and playgrounds in almost all informal settlements. This is linked to the scarcity of available land that precludes their physical construction besides the relatively lower priority given to flea-market, sports and recreational areas by most of the residents. As a result, residents of informal settlements have developed a number of alternative ways for trading and amusement as witnessed in the number of small tuckshops, shebeens and street hawkers as well as the simple indoor and outdoor amusements of the children and less young people.

As mentioned throughout the present paragraph, all the infrastructure and social amenities enumerated by the UNCHS generally fall short of demand and this is often true regardless of the tenure status of the settlement. Residents typically try to do something to make up for it by providing their own community facilities and services they lack. Initiative and tenacity of the inhabitants of slum and squatter settlements help improve the living conditions of the area and are evidence of the fertility of informally housed communities. In this respect, it is worth remembering that informal settlements are definitively deprived areas but also vibrant places where most people are anything but apathetic as they are seriously compelled to struggle for basic needs every day. But as it is quite difficult for the poor to manage to initiate and maintain a

number of important housing-related infrastructure and social services all on their own, they are on the whole compelled to rely on the government for meeting their basic human needs.

Household Structure and Women's Status

Defining the word household in the context of informal settlements is a particularly tricky task as a result of its variability depending on factors such as socio-cultural traditions, economic possibilities and spatial restrictions of the people involved: some shacks are occupied by a couple or a single parent (usually a woman) with his or her children, whereas others accommodate three-generation households; sometimes two or more families share the same structure or a room can be rented out to strangers to help offset some of the costs of living; also bachelor men and women, widows and widowers live on their own in shanty-towns although it seems they are usually in the minority. Among the last-mentioned group, and in particular among men living on their own or sharing accommodation with friends or colleagues, it is worth noting that it is not unusual to find foreign immigrants who have left their blood relatives behind. These people normally come from the least developed countries desperately seeking for whatever job and a bit of security that was lacking in their lives. The presence of many foreign immigrants competing for scarce labour can sometimes be a serious problem, as it can easily create social tensions within the settlement that may degenerate into ethnic violence. Besides, some of these foreigners are legal and some illegal: bearing in mind the objectives of this thesis, it is relevant to point out how much more complex any attempt to start a process of co-operation between the local government and informally housed communities of foreigners would be—especially if they are without any official permit to reside in the country—also in view of the fact that the question of illegal immigration goes far beyond the power and responsibility of the local tier of government and requires the coordination and co-operation of national and international institutions and policies. Coming back to the analysis of the household structure, one can safely affirm that, on average, informally housed families are relatively large in size, thus resulting in many residents of informal settlements compelled to live life packed like sardines in a small shelter. As far as family ties are concerned, although it is not possible to generalize without the support of a comprehensive survey, it seems that they are still very much alive and valued among the poorest families, thus helping to ease the problems of cohabitation regarding large

and extended families. In these cases where the whole family cannot group together under the same roof, or perhaps decide not to, there is often confirmation that the family members carry on maintaining tight relations with one another.

Numerous examples of bonding and caring within the family, however, do not preclude intra-family inequality and although life is usually hard for all members of the family, for some of them it is harder than others. In particular, it is recognized that women living in poor residential areas usually bear the brunt of a number of problems. This happens not only because more and more women living in informal settlements are single heads of households and therefore solely in charge of providing for their families but also because, in male-headed households, women are usually undemocratically assigned the full responsibility for most unpleasant chores such as fetching water when there is no tap in the house and maintaining the hygiene and health of the family environment. Warah (2002:16), for example, gives an account of women walking many hundreds of metres if not kilometres to a water tank everyday since no water tap is located in or near their houses. Besides, dealing with water and sanitation issues in the context of informal settlements results in increased exposure to 'water-borne and sanitation-related diseases as well as less time for women for leisure, personal improvement or engagement in economic and political activities', Seaforth (2002:3) argues. Even sadder, the poverty of women living in formal settlements seems trapped in a vicious circle: mothers often share their heavy domestic duties with their daughters, thus resulting in young girls who do not attend school which prejudices their chances of improving their lives. It is not surprising, therefore, that women are the majority of those living below the poverty line in the developing world and that their numbers generally exceed those of men in informal residential areas.

Community Organization

Not only family but also community ties seem to be strong within most informal settlements. This can perhaps be ascribed to the fact that a life of hardships and privation is more often than not a vehicle of enhanced humanity and solidarity among those who experience it. Benefits resulting from tight family and community relations include the fact that more people are prone to care for their neighbours and to develop informal networks of mutual aid. Other benefits may come in the form of resident involvement in community action groups, especially in the presence of community activists within the settlement or community promoters who are capable of building on local knowledge and initiative from outside. In this regard, it is worth mentioning that a great number of informal settlements—especially that have been in existence for a long time—present representative structures that administer the settlement or a part of it, try to defend the settlement against the threats of eviction, lobby for common necessities and liaise with concerned outside parties. In most settlements, however, these structures are informal and it is not often that one finds councils, committees or other community-based organizations that decide to establish themselves formally as legal entities. Community leadership roles are generally filled by those who are heads of religious or kinship groups; by those who have some kind of backing from local authorities and development agencies; or by people who are able to mobilize the community and defend the common interests of the inhabitants. The leadership style adopted by the community representatives plays an important role in the involvement of the community in general: hierarchical leaderships tend to concentrate the decision-making in the hands of a few leaders, whereas more inclusive styles of leadership have the power to encourage the community to act collectively for their mutual benefit. Community-based organizations and action groups look to the local authorities or private development agencies for questions of aid and development. As Hardoy and Satterthwaite (1989:169-70) put it, 'joint programmes can be set up, for example to drain stagnant pools, to reblock existing settlements so pipes, drains and access roads can be installed and space made for schools and clinics, to locate and destroy disease vectors within homes and their surrounds, to design educational programmes

on health prevention and personal hygiene, to set up emergency life-saving systems through which first aid can be provided immediately in each neighbourhood and through which seriously ill or injured persons can be rapidly transported to a hospital'. While potential for co-operation between private or public development agencies and organizations representing informally housed communities exists, other outsiders such as the police or the judiciary are accepted with difficulty. Especially when it comes to solving conflict among members of the community, residents of informal settlements seem more inclined to develop and make use of their own mechanisms for settling disputes, which, to a certain extent, can be seen as another sign of the relatively high level of social cohesiveness pertaining to poor communities.

Yet, the community living in informal settlements is rarely one: people of common background (e.g., those belonging to the same ethnic, linguistic, religious or cultural groups) tend to cluster together and perhaps join some and not other community action groups so as to look after their particular interests. What is more, the long-term expectations of many or perhaps most informal settlers may be more individual or family-orientated than community-orientated. As maintained by Oldfield (2002), when the physical and socio-economic conditions within an informal settlement or a part thereof should improve, collective goals and the associated sense of community cohesiveness may fade, thus suggesting that it is important not to be too optimistic about the degree of intra-community harmony and community-government co-operation achievable during the various stages of the upgrading process and that it is crucial to pay close attention at every stage not only to the interests of the community as a whole, but also, as far as it is practical, to those of specific groups, families and individuals. As a matter of fact, community concerns evolve over time according to the temporary priorities of the inhabitants. For example, security of tenure can initially be the key priority shared by the vast majority of, if not the whole, community. When the settlement becomes more secure, however, the residents turn to address other collective problems (e.g., running water, waste disposal, lighting, access to clinics and the betterment of their house) whose prioritization is a matter of individual preference. Later, the goals of the inhabitants tend to differentiate, and pressure groups are likely to appear in defence of the interests of specific subcommunities or groups that have

different values, priorities and their own trade-offs. Similarly, the relations between residents of informal settlements and local government authorities would evolve over time. Such relations, however, are often threatened by lack of communication between the two parties, thus leading to groundless fears, a sense of hopelessness and negative or even hostile attitudes from both sides. But if and when mutual understanding becomes clearer through the weapons of dialogue and co-operation, perceptions would then tend to improve from both sides, thus reducing the occurrence of destructive mistrust and conflicts.

Employment Situation

It is claimed by Amis (1995:151) that 'labour status is the single most important factor for explaining poverty', thus implying that the higher the unemployment figures and the more unprofitable, irregular and unprotected the jobs available to the people, the higher the incidence of poverty. From this perspective, it is apparent that the dismal levels of poverty that plague the largest part of the developing world are above all linked to a sluggish employment situation which leaves much of the labour force unemployed or unsatisfactorily employed. One of the most common distinctions made in respect of types of employment is between formal and informal employment—the central difference between the two is that the latter escapes certain legislative requirements such as enterprise registration, trade licence, tax and social security payments or the observance of health, safety and environmental regulations, either partly or altogether. Referring to the preparatory documentation of the International Labour Organization (ILO) for the 2002 International Labour Conference, Devey et al. (2004:46) point out that there are two kinds of informal employment: informal employment in informal enterprises and informal employment in formal enterprises and households. While the same authors (Devey et al., 2004:46) highlight that 'some workers classified in the informal economy display characteristics of work which are considered to be formal, and large numbers of workers classified in the formal economy display characteristics of work commonly associated with informal work'—which implies that informal activities disguise widely divergent levels of profitability ranging from that of survivalists to well-off entrepreneurs—it seems evident that 'most of the individuals engaged in informal economic activities are poor, particularly in the Third World', as Castells and Portes (1989:12) maintain, and are left with the only option of working unprofitably, precariously and more often than not irregularly if they want to avoid being unemployed for a long time or even forever. The informal economy (also known as shadow economy or underground market) plays a significant role in the economies of developing countries where it absorbs the greater part of informally housed people who manage to have a job. It represents a heterogeneous reality that encompasses different employment situations (i.e., the self-employed,

disguised employees and family workers) and different economic actors (e.g., hawkers, tailors, domestic workers, hairdressers, carpenters and motor mechanics). Although informal activities disobey legislative requirements and are therefore conducted illegally, it seems reasonable to claim that they exhibit a substantial degree of similarity with formal ones in terms of social utility as long as they do not have illegal ends, do not produce hazardous situations nor a deterioration in the social order as it happens, for example, with exploitation of prostitution, drug trafficking, manufacturing of fireworks in residential areas or child labour and other forms of labour exploitation—thus implying that the state should selectively uphold, and not punish, such activities on the assumption that informal employment is ‘a better alternative than total destitution’, as Portes et al. (1989:301) put it. In particular, informal entrepreneurship in the developing world is, for the most part, characterised by little or no access to business information, training programmes, marketing assistance and credit facilities. This calls for governments to be more responsive to the needs of millions of informal businessmen and businesswomen whose livelihood depends, not only on the existence of entrepreneurial spirit, but also on targeted assistance necessary to spark and fuel that spirit.

It is also worth noting that, especially within the poorest households, many if not all family members are expected to participate in informal income-generation activities so as to help scrape together some money. While the head of the household contributes a large portion of the family’s income, his or her efforts may not be enough to fulfil the basic necessities of the family—thus resulting in the need for secondary incomes that may be generated either by the partner, children of almost every age, the elderly who can still make it, various uncles, aunts or cousins. In fact, although a good deal of the people working in the informal sector happen sometimes not to be reflected in the employment statistics, for some of them the problem is not unemployment nor underemployment but overemployment, which happens to be largely unprofitable or underpaid, as Hardoy and Satterthwaite (1989:138) suggest. It is also important to mention that although the bulk of informally housed workers can only engage themselves in non-remunerative, insecure or sporadic occupations in the informal sector and some might now and again manage to be formally employed but receive

scanty remuneration for their labour, it would be a mistake to assume that all residents of informal settlements are on the bread line. At one extreme there are some of the poorest people who earn, at best, subsistence wages and, at worse, survive on charity and scavenging. At the other extreme, however, it is argued (Amis, 1984:93) that 'there are some who hold down middle-ranking clerical jobs who may choose to live in such areas to minimize their expenditure on housing', or (Asiama, 1985:357-61) that there are relatively better-off families who reside in shacks against their will because they lack access to land grants for a building plot or bank loans for the construction of a house.

Policy Options

At the beginning of the third millennium, informal settlements are sprawling throughout the developing world and constitute the unpropitious setting that shackles the right of hundreds of millions of people to be free to live a dignified life. Informal settlements are one of the most serious policy concerns for many developing cities not only because they are a constant reminder of the fact that there is something very wrong with the way society is organized, but also because they frequently produce 'tremendous public costs [e.g., in the form of environmental damage, health-care spending or as shields protecting criminal enclaves], particularly once they make up a large part of the city', Ferguson (1996:171) argues. In view of this, it is necessary to discuss the policy options that have been and may be adopted to try to eradicate informal settlements once and for all.

The story of the way in which governments in most developing countries have tried to deal with informal settlements can be made start in the 1950s and 1960s when the dominant policy was one of demolition of shacks and subsequent replacement with public housing programmes. These government-financed housing projects, which were all at government's expense with almost no contribution on the part of the beneficiaries, turned out to be unsuccessful or at least unable to accommodate a large share of the target population as increasing rates of population growth and urbanization made the replication of the projects financially unsustainable. Actually, alongside this paternalistic role of the state, at its opposite extreme, very repressive policies consisting of eradicating squatter settlements through bulldozing without offering any housing alternative or compensation to the evacuees would also exist. In the 1970s the World Bank started to advocate two alternative options, namely, greenfield development (also known as site-and-service schemes) and brownfield redevelopment (also known as in situ upgrading). Contrary to what was happening in the case of all government-funded housing programmes, the World Bank-conceived housing schemes usually require receivers to contribute with labour or funds to the implementation and maintenance of the projects. As long as these programmes seek

to find ways and means of either putting emphasis on people's self-help potential or of taking into account people's needs and views, they seem to have greater chances of success than their predecessors. In fact, today, the international policy debate revolves around the two options initiated by the World Bank—although this does not imply that governments find it convenient at all times to refrain from self-defeating measures such as clearance or forced community resettlement to remote and unserviced lands, which inevitably result in 'transferring the problem to another area', as Mulwanda (1989:254) reminds us.

What follows is a brief discussion what the two basic policy options, namely greenfield development and brownfield redevelopment. Greenfield development is the building of housing-related infrastructure and services on a piece of open land that has not been built on. Once the land has been serviced, the households who have previously been identified as eligible for housing assistance are granted a plot of land on which they have the right to build their shelter. Site-and-service projects could also involve the delivery of finished or partially finished houses (top structures) as well as subsidies or soft loans to support eligible families in making or completing the construction of their houses. Security of tenure is granted either in the form of rights of ownership (with or without prohibiting the beneficiaries from selling their house or plot for a few years, unless they sell it back to the state), tenancy (with or without ruling out the possibility of subrenting for a few years) or leasehold with an option to buy the lease after a few years (with or without the possibility of subleasing) depending on which would be most suitable to the beneficiaries. One of the main advantages associated with greenfield development is that it is more economical and less constrained than in situ upgrading. One of the main disadvantages is that it implies the relocation of households and communities to a more or less distant site, which may have negative consequences in terms of job opportunities besides being a traumatic experience. Another critical disadvantage occurs whenever the land (greenfields) on which housing development would take place is in the hands of private owners: in these circumstances, 'when governments try to scale up site-and-service projects into a continuous programme, they run into problems in implementing and financing this because they cannot acquire the land they need and [although governments have the power to expropriate

land] they are not prepared to challenge the power of private land owners', Hardoy and Satterthwaite (1989:129) maintain. Unlike greenfield development, in situ upgrading is the enhancement of a community's living conditions on the site where it is settled. If substantial improvements are to be addressed, however, brownfield development can hardly avoid temporary relocation of at least some families—especially in the case of high-population density. Once these families have been moved to temporary shelters, the settlement is supplied with housing-related infrastructure and services they lack before they are reinstated on their upgraded plots. In situ upgrading programmes could also make provision for finished or partially finished houses along with incentives such as conditional grants or soft loans to encourage housing-related investment on the part of the residents. The granting of tenure in one form or another is also an integral part of the process. Brownfield development has merit in that it makes people resettlement only temporary, if at all. It may, however, be open to abuse, as the upgrading leads to higher land and rent prices which would also benefit non-resident landlords who are not really people in need. It is also worth mentioning that because of the advantages and disadvantages associated with both site-and-service and in situ upgrading programmes, combined planning can be worked out with a view to delivering tailored solutions that are more likely to benefit the housing needs of the poorest communities and are sustainable in the long run—not to mention the fact that a combination of both policies may be required whenever dedensification is to be achieved. Comparison and choice among the alternatives presented represent the basic question in the policy-making aimed at improving an informally housed community's living conditions which needs to be answered before other equally important, but logically subsequent, aspects regarding the quality and sustainability of housing development are examined.

Having said that, it is also important to point out that no sustainable policy response to the right of informally housed communities to live more decorous lives would be found if policy-makers take their eyes away from the following three fundamental activities, as implied by a number of scholars including Amis (1995), Borgman and Wegelin (1995) and Moser (1995): first, undertaking of background studies; second, preparation of integrated (cross-sectoral) development plans; and third, involvement

of the affected population in the decision-making process. All of the aforementioned needs to be made first and foremost at settlement and ward level, and not only aggregated at the level of the city. Although these three themes are closely interrelated, it is worth outlining them one by one. The first key element of a policy aimed at improving the living conditions of an informally housed community should be undertaking all background studies that are needed to get the picture, not only of the spatial arrangements of the settlement, but also, and most importantly, of the social and economic conditions of the community, that is, what physical assets the place includes or lacks and how the residents live and work. Background studies are expected to add to the capacity of policy-makers and planners to design responsive and responsible solutions to area and community development. The second fundamental factor should be working out integrated development strategies not only to address the physical upgrading but also the social, economic and environmental uplifting of the conditions in which an informally housed community finds itself. Integrated development planning reflects the awareness that the simple provision of more decent housing opportunities and social amenities to informally housed communities would only make a partial contribution to the sustainable eradication of informal settlements. Accordingly, it is essential that 'shelter policies' be combined with 'economic measures' (e.g., creation of new and better job opportunities) and 'social initiatives' (e.g., assistance in gaining access to clinics, schools and vocational training) for the target communities, and take into account the 'ecological impact' of the development strategy. It is also essential that integrated development planning does not fail to address the causes behind the formation and perpetuation of informal settlements (most notably, underdevelopment of rural areas, rapid population growth, gender discrimination and economic exploitation at all levels), which requires concerted efforts between all levels of government. In a nutshell, integrated development planning is expected to reach beyond planning for physical renewal of informal settlements to incorporate aspects of environmental responsibility and a courageous and multifaceted set of socio-economic measures, which is the extra-mile that will make all the difference for people living in abject poverty. The third building-block of a policy aimed at enhancing the living conditions of an informally housed community should be to engage the affected population and its democratically

designated representatives in the decision-making process that affects their lives. The involvement of the community represents a crucial challenge to development projects that not only treat the people as passive recipients of externally defined interventions, but may also not be conceived as being in the interest of the residents: although participatory decision-making is likely to slow down the work of planners and policy-makers in some way or another, precisely because it is concerned with the views and interests of the people, it is expected to be greatly relevant to the further enhancement of the quality and sustainability of the project over and above the professional value of background studies and integrated planning.

Equivalent principles, norms and guidelines are also reflected in a number of international conferences and declarations committing governments and aid agencies to the eradication of informal settlements—most notably and in reversed chronological order, the Congress of United Cities and Local Governments of 2004, the World Summit on Sustainable Development of 2002, the United Nations Conference on Human Settlements of 1996 and the United Nations Conference on Environment and Development of 1992. The funding congress of the largest international local government association named United Cities and Local Governments (UCLG) took place from 2 to 5 May 2004 in Paris, France. The participants in the congress entitled *Cities, Local Governments: The Future for Development* released an official declaration which affirms, among other things, that the implementation of a multidimensional participatory approach embracing economic, social, political and cultural dimensions is one of the indispensable elements of the 21st century local democracy and forms the basis for fighting social discrimination and social exclusion. The World Summit on Sustainable Development (WSSD) took place in Johannesburg, South Africa, from 26 August to 4 September 2002. The governments of the countries attending the WSSD agreed on two negotiated documents: the *Johannesburg Declaration on Sustainable Development* and the *Plan of Implementation*. These papers reaffirm principles and action plans set out in the major United Nations conferences and international agreements since 1992 and discuss the conditions for sustainable development. Particular emphasis was placed on the urgent need to redress the bias in development strategies that inhibits balanced development of both

urban and rural areas if decent and sustainable livelihood is to be gained by hundreds of millions of people who are currently living in hundreds of thousands of urban and rural informal settlements across the developing world. The United Nations Conference on Human Settlements (UNCHS) held in Istanbul, Turkey from 3 to 14 June 1996 (also referred to as Habitat II) was the second United Nations conference purposely arranged to find answer to the question of human settlements in general and informal settlements in particular—the first took place in Vancouver, Canada in 1976. The governments of the 180 countries that were present at the UNCHS adopted two negotiated documents: the *Istanbul Declaration on Human Settlements* and the *Habitat Agenda*. These documents recognize the imperative need to improve the quality of cities, towns and villages worldwide and address, among others, three fundamental themes: adequate shelter for all; sustainable development of both urban and rural human settlements; and participation of all key actors in development. As to the first theme, the accent was put on the fact that people's physical, psychological and economic well-being depends on their access to a safe and healthy shelter as well as on the fundamental role of local governments and local communities in the success or failure of development projects aimed at improving the living conditions of the poor. As to the second theme, it was recommended that policy-makers engage actively in the integration of shelter policies with social and economic measures responsive to the poorest sections of the population living in both urban and rural areas in the framework of environmentally friendly development practices. As regards the third theme, the signatories agreed on the importance of empowering all key actors in the public, private and civil society sectors to play an effective role in developing adequate human settlements for all and to institutionalize a purposeful political dialogue among all stakeholders involved in local development. The United Nations Conference on Environment and Development (UNCED) took place in Rio de Janeiro, Brazil, from 3 to 14 June 1992. The countries represented at UNCED agreed upon two far-reaching papers: the *Rio Declaration on Environment and Development* and the well-known *Agenda 21*. As far as informal settlements are concerned, it is worth hinting at the principle set out in chapter 7 of Agenda 21, which confirms that meaningful involvement of the poor in the formulation of government agendas is to be

regarded as a crucial contributor to higher levels of programme and project sustainability.

Chapter **3**

South Africa's Informal Settlements: A Hard Life for Almost One-Third of the Population

Motho ke motho ka batho ba bangwe'

A person is a person through other people or, in other words, one's humanity is tied up with the humanity of all others.

Tswana Proverb

The previous chapter tells of the hard life of hundreds of millions of informally-housed people predominantly living in the developing world. The present chapter concentrates on the distinctiveness of informal housing in South Africa which, like most developing countries, has witnessed the mushrooming of informal settlements all over the country. According to the latest nationwide census conducted by Statistics South Africa in 2001, the number of urban or rural informally housed families amounts to almost 3,5 million or more than 31% of all households living in South Africa. In view of other census data disaggregated by family size, population group and income, it can be said that more than 14,3 million people out of a total population of 44,8 million spend their lives in informal dwellings in South Africa. This figure is almost evenly distributed between urban and rural areas: the number of families living in either free-standing informal settlements, backyard shacks or similar structures in urban areas amounts to more than 1,8 millions (an estimated 7,5 million people) or more than 16% of all South African families; the number of those residing in traditional dwellings or

huts situated in rural areas amounts to more than 1,6 million (an estimated 6,8 million people) or almost 15% of all South African families.

This chapter provides an overview of South Africa's informal settlements by focusing on three main issues: first, their origins, which, to a large extent, can be traced back to the apartheid and pre-apartheid rule; second, their distribution around the country with regard to both urban and rural areas; and third, the set of government policies specifically targeted at trying, with limited success despite the good intention of the housing policy, to reach out to the needs of the informally housed population. Besides, in order to enhance the understanding of the context in which the field surveys are conducted, some of the matters covered in this chapter are not only discussed with a national perspective but also with reference to the City of Tshwane (Pretoria) Metropolitan Municipality. This chapter and the previous one provide background information to better understand the advantages and disadvantages of having the poorest segments of the population involved in shaping government policies, which are discussed in the following chapter.

Chronicles

The history of informal settlements in South Africa has been particularly bitter compared with that of other developing countries, as it was also the result of systematic racialism, segregation and repressive law enforcements spanning over three-and-a-half centuries and culminating in the advent of the apartheid regime, which despotically ruled the country from 1948 to the beginning of the 1990s. While the current situation of South Africa's poverty-stricken and informally housed millions has surely been brought about by the same processes that have played an important role in today's poverty levels in most of the developing world—which include exploitative colonial rule, demographic explosion, rural underdevelopment and global relations between the North and the South—it has also been the inevitable consequence of the notorious apartheid policies, which were aimed at consolidating racially discriminated communities and separated residential areas. For about four decades in the second half of the last century, the apartheid government kept on perpetrating racial restrictions on where African people could live and work, thus broadening long-standing inequalities based on race and contributing significantly to present-day South Africa's situation as regards poverty and informal settlements, which affects so many families in the country today. That is why Abbott et al. (2001:75) maintain that informal houses, and above, all large-scale informal settlements surrounding the major cities of South Africa have normally 'strong negative connotations, with echoes of apartheid'—although, especially in the light of the international scenario which is characterized by spreading slums and homelessness affecting about one billion people around the world, this perception can only partly be shared, as remembered by the same scholars.

The role played by the apartheid state in contributing to the large number of informal dwellings found in rural and urban South Africa today is considered in the light of the works done by Pillay (1995), Mabin (1992), Lemon (1991) and Mashabela (1990), among others. History relates that the idea of apartheid (Afrikaans for 'the state of being apart') was the leading principle of the National Party, which came to power in

the all-white election of 1948 with Daniel Malan as prime minister. Shortly after the establishment of the apartheid government, the legal apparatus that had discriminated especially against blacks but also against coloureds and Indians for centuries was reinforced and enforced rapidly and with greater heartlessness across the country. The regime began with the *Prohibition of Mixed Marriages Act* of 1949 and the *Immorality Amendment Act* of 1950, which outlawed marriage and sexual relations between whites and members of other population groups so as to preserve the supposed racial purity of the white people. In compliance with the *Population Registration Act* of 1950, every individual was in effect classified by race, that is, 'white', 'black' or 'coloured' and further subdivisions—paving the way for making race a decisive criterion in every possible sphere. Complementarily, the *Suppression of Communism Act* of 1950 was intended to ban any opposition party or protest that the regime chose to brand as communist. Profound effects on the day-to-day lives of the people were further created by the *Reservation of Separate Amenities Act* of 1953, which allocated different hospitals, schools, parks, hotels, buses, beaches, sports grounds, benches, lifts, toilets and counters, among other things, to the two principal groups that counted for the apartheid regime, that is, whites and non-whites, with the by-product of the notorious 'Whites Only' signs emerging in every imaginable place. In the same year, the *Bantu Education Act* was passed to make the apartheid government taking over most of the private schools that had remained outside the control of the state, thus securing that education remained separated and specific to the supposedly different needs of whites, blacks and other population groups. '[U]nder the new government Blacks were not to aspire to certain positions in society and so education for such positions was not deemed necessary,' Christopher (1994:150) comments. But perhaps the most important measures to preserve a state of apartheid, not counting the continued ban of the right to democratic political representation, consisted in the promulgation of the *Group Areas Act* of 1950 and subsequent laws such as the *Prevention of Illegal Squatting Act* of 1951, the *Natives Laws Amendment Act* of 1952, the *Natives (Abolition of Passes and Coordination of Documents) Act* of 1952, the *Natives Resettlement Act* of 1954, the *Promotion of Bantu Self-Government Act* of 1959 and the *Bantu Homelands Citizenship Act* of 1970, which, by some means or other, were aimed at consolidating earlier regulations

on spatial separation and influx control of the various population groups. Much of this legislation was specifically intended to affect the black population by giving white authorities extensive powers: first, to expropriate black-owned property, especially land and livestock (so-called black spots), which were located in white-designated areas in both urban and rural South Africa; second, to confine a great share of the urban black workforce, who was serving the needs of the white economic apparatus, in ethnic locations (so-called townships) built on the peripheries of cities or adjacent to industrial sites and provided with minimal housing, infrastructure and social amenities by the apartheid government; and third, to top it all, to displace the remainder of the urban black labour force that could not be accommodated in the townships, along with the black population living in both urban and rural areas who were considered surplus to the economic welfare of the white community, in the Bantustans (so-called native reserves or homelands). These reserves, for the most part located in economically depressed rural areas, were cunningly claimed to permit Africans to preserve their traditional cultures and lifestyles but were actually meant deliberately to fragment the black population into linguistically defined territories that would finally have to become African independent statelets whose citizens would be deprived of their South African nationality and be prohibited from entering South Africa, if not commuting workers of the industries of the white state.

At the expense of unspeakable suffering by millions of people—predominantly blacks and to a lesser extent coloureds and Indians—who were ruthlessly dispossessed and resettled in sprawling townships or dumped in impoverished homelands through either individual or large-scale displacements, the apartheid regime was devoted to engineering and executing a programme of brutal social control across South Africa. As Christopher (1994:105) puts it, ‘the result was to be total segregation (apartheid), not the piecemeal results of colonial and Union segregationism’. It thus comes as no surprise that in the context of this programme of total segregation and social control, informal settlements were perceived (Harrison, 1992:16) ‘as a visible manifestation of a lack of such control’. As a result, at the same time as minimal housing units were being constructed by the apartheid government for those who were to be resettled in townships like Soweto (Johannesburg), Gugulethu (Cape Town), Mamelodi (Pretoria)

or Umlazi (Durban) and nothing more than 'tents or other improvised shelters [frequently] awaited those displaced [to the homelands]' (Christopher, 1994:81), inner-city ethnic ghettos and slums, which had emerged in the late nineteenth and early twentieth centuries as a result of expanding mining and manufacturing industries, were virtually wiped from white South Africa's cities, whereas peripheral informal settlements were razed or minimized and on the whole limited to those stretching along the frontiers with the Bantustans in just about two decades of apartheid rule, that is, by the mid-1960s. Later on, just before the end of the 1960s, with a view to sharpening the 'whitening' of the country's population, the apartheid government policies on low-income housing construction took a sharp turn towards redirecting all black township development within the boundaries of the Bantustans. But the new stubbornness of the apartheid regime was destined to be remarkably ineffective: throughout the 1970s, as a result of the combination of heavy pressure from urban overspill, relentless migration from the reserves in the face of the harsh imposition of influx-control legislations and growing resistance to removals, the arrest of township construction caused hundreds of thousands of black people to re-establish free-standing informal settlements on vacant land adjacent to formal townships or on unsupervised farmlands. Acknowledging that the existing policies for black housing had clearly failed in their objectives, the apartheid regime shifted its strategy again in the early 1980s: even though the government continued to take no further responsibility for the construction of houses for the African population within white South Africa, it started to embark on site-and-service schemes that provided serviced land on which informal housing could be built conditional on certain minimum standards. As Harrison (1992:16) comments, this more pragmatic approach to informal settlements was also the result of the influential views of liberal academics and development professionals expressed in works such as Turner (1976), who started to challenge the mainstream perceptions on informal settlements by arguing that they were 'not part of the problem but . . . part of the solution to the housing crisis and that . . . represent[ed] the creativity and energy of the poor'. By the end of the 1980s, major adjustments to the apartheid design in general and black urbanization policies in particular became conspicuous: not only was the freezing of black township development relaxed but, more importantly, racial zoning and influx-control laws were

eventually repealed through new legislative measures such as the *Abolition of Influx Control Act* of 1986, the *Restoration of South African Citizenship Act* of 1986 and the *Free Settlement Areas Act* of 1988. That being so, larger numbers of mainly unskilled and poor people started to pour, above all from the marginalized countryside, into the cities and towns of a changing South Africa with hopes and dreams of a better tomorrow. As Parnell and Pirie (1991:145) put it, these new greater tides of urbanization were to bring ‘to the cities much of the poverty that [had] hitherto been hidden in the Bantustans’—a phenomenon that exploded at the beginning of the 1990s when apartheid was completely dismantled through additional legislative actions such as the [Interim] *Constitution of the Republic of South Africa* of 1993, which paved the way to the South Africa’s first non-racial election in 1994. During and after the transition to the long-awaited freedom, waves of previously disadvantaged South Africans living in miserable conditions in former Bantustans, former townships or in white-owned farmlands—as well as immigrants from neighbouring states attracted by the real and perceived opportunities of a more prosperous economy—did not have to be asked twice to move to unlikeable urban hostels or put up their makeshift shelters of hopes and dreams on whatever piece of land they could find, especially on the outskirts of previously white-only cities or former townships. As a result of the accelerated migration of poor people to the urban areas, unprotected unemployment affecting large portions of a naturally expanding population and the chronic shortage of housing, lots of free-standing informal settlements mushroomed on various state-owned or privately owned land or farmland. At the same time, a sprawl of new shack structures arose in the backyards of formal houses.

That having been said about the apartheid legacy on informal housing, it must be also remembered that racialism and segregation in South Africa did not start in 1948 with the official advent of the apartheid regime. As the former South African President Nelson Mandela (1994:104) puts it, ‘apartheid was a new term but an old idea . . . it represented the codification in one oppressive system of all the laws and regulations that had kept Africans in an inferior position to whites for centuries’. In fact, the removal of Natives and seizure of land occupied by the African population in favour of European settlers started as soon as the Dutch East Indian Company, led by the

merchant Jan van Riebeeck, landed at Table Bay at the Cape of Good Hope in 1652 and set up the first permanent, non-native settlement in what is now South Africa. The land acquisition strategy adopted by the Dutch company settlers and later on by the European freeholders (the early Trekboers, or travelling farmers, the ancestry of present-day Afrikaners or Boers) as well as relations in general with the Africans they bumped into were in the main antagonistic, and irrespective of the interests of the earlier indigenous African settlers—thus laying the basis for centuries of servitude, displacement and segregation, not only experienced by the black population, but also, though to a lesser extent, by generations of people of Indian, Malaysian and Indonesian descent who were originally imported to work in the sugar plantations. An even more vicious story was indeed to continue about 150 years after the arrival of the first Dutch settlers, when the British seized the Cape in 1806 signing the beginning of nearly one century of British colonization of what is now South Africa. Despite some positive changes to institutionalized racialism of the Boers (e.g., slavery was abolished by the British Parliament across the empire in 1833) white control of the region was strengthened by two new, complementary and far-reaching reforms: the demarcation of the boundaries of the first native reserves and the introduction of the pass laws. The establishment of the reserves was the measure that heralded the ‘repatriation’ of large numbers of supposedly unproductive or economically redundant Africans, such as the sick and the elderly, whereas the promulgation of the notorious pass laws made it no longer possible for the African population to travel throughout South Africa without a permit. The advent of the British also revealed a clash of cultures between the cattle-grazing Boers and the urbanized British settlers: the inevitable confrontations between the two peoples resulted in an attempt by the rulers to unfold a comprehensive assimilation programme on the Boers. This caused the earlier settlers to embark on the Great Trek (1835-1843) and establish a few Boer republics in the mid-nineteenth century—most notably the South African Republic of Transvaal (established in 1852) and the Orange Free State (created in 1854). The republics marked out the spirit of fierce independence of the Boers but were also grounded on racist precepts that excluded Africans from the principle of equality before the law and the right to vote or own land. A further exacerbation of interracial relations came from the discovery of vast mineral riches in the late nineteenth century,

which initiated a process of industrialization and fast urbanization. From that moment, the supply of cheap labour became essential to suit the needs, and most of all the ravenous appetite for profit, of the emerging white mines—and after World War I also of the rising manufacturing industry—besides remaining one of the economic pillars of the largely Boer-owned farms. As a result, migrant workers began to overflow especially into the Witwatersrand, that is, Johannesburg and the surrounding gold-mining areas, to become earners of meagre wages and inhabitants of the first large-scale urban ghettos.

The discovery of gold and diamonds was also central to the outburst of the Anglo-Boer War of 1899-1902 further to which the Boer republics became temporary British colonies before regaining the status of semi-independent states within the newly established Union of South Africa in 1910. While it remained under the formal rule of the British Crown, the self-governed Union of South Africa was to mark the beginning of the end of British imperialism and the rise of Afrikaner domination in the country. The semi-independent government of the union rapidly passed a series of repressive, apartheid-like legislations based on the principles of racial discrimination and segregation, which were in part an elaboration of earlier ordinances passed by the British administration against 'non-Europeans', and especially against Africans, and in part were evidence of rise in racialism. Among the most important of these instruments was the *Mines and Works Act* of 1911 and the *Native Labour Regulation Act* of the same year, which relegated non-white workers to a cheap and powerless workforce whose right to strike was considered illegal. Shortly after, a further worsening of interracial relations was reached through the introduction of the *Natives Land Act* of 1913: as argued by Christopher (1983:374), while 'racially restrictive clauses in title deeds and statutes [had become more and] more common [under British rule] and Africans [had already been] effectively restrained from acquiring land outside the native reserves before legislative barriers were erected in South Africa in 1913', the new law was specially designed to prohibit Africans totally from owning or hiring additional land outside the boundaries of the reservations of British imprint, which at that moment constituted about 7% of South Africa's landmass (extended to 13% with the *Native Trust and Land Act* of 1936)—primarily in present-day Limpopo,

Mpumalanga, KwaZulu-Natal and Eastern Cape. Although it did not immediately transform the countryside, it is argued (Beinart et al. 1986:15) that the new land legislation played a decisive role in 'ending both rent tenancy and sharecropping and installing labour tenancy as the dominant relationship of exploitation of the land'. Even more bitterly, it should also be remembered that one of the by-products of the law was that thousands of rural Africans who did not find employment as farmworkers or labour tenants in the white farms were evicted from their homes, deprived of the cattle and, if not absorbed by the urban labour market, sent off to their so-called homelands. In perfect unison with what was being done in rural South Africa, physical separation of black and white residential quarters in urban areas was feverishly worked out: as a result of the long-standing idea (Dubow, 1995:155) that 'presented white supremacy as part of the natural order of things' combined with increasingly chaotic societal life, obsession with miscegenation and the popular (Swanson, 1995:26) 'imagery of infectious disease', the *Natives (Urban Areas) Act* of 1923 and the subsequent *Slums Act* of 1934 were promulgated to provide local authorities with the power to clear inner-city slums and establish (Parnell, 1993:479) 'supervised municipal locations'. This opened the way to the distinctive city–township relations of the apartheid era in which the locations served for the residential segregation of urban blacks as well as creating a 'fish pond' of near and cheap workforce for the white industry, commerce and households. At a later stage the *Representation of Natives Act* of 1936 was promulgated to deprive Africans of any residual chance of no-nonsense political representation: African voters had to sign on separate electoral rolls with the right to elect representatives of European ancestry in the Union Parliament or Africans delegates in a Native Representative Council which could only have advisory powers. Finally, in the 1948 general elections, the Afrikaner nationalist political movement called the National Party, whose popularity had grown considerably in the previous 30 years, came to power capitalizing on the mounting resentment felt by a large portion of Afrikaans-speaking people against the blacks who represented nearly 70% of the population and the British business class who kept a hold over most of South Africa's economy. As solemnly promised during the election campaign, the new government quickly imposed a system of complete segregation (apartheid) that went on refining and expanding previous racial laws right up until President Frederik de Klerk came

into office in 1989. The new president providentially declared that apartheid had failed, re-legalized the African National Congress (ANC), which had played a central role in four decades of liberation struggle, and the other banned opposition parties, released the leader of the ANC and future President Nelson Mandela (after 27 years of prison) and started a course of action that would reverse the political blueprint of the previous three-and-a-half centuries of South African history. After about five years of tormented discussions and high levels of violence—it is reported (Beinart, 2001:277) that ‘between 1990 and 1994, about 14,000 died in political violence within South Africa’—South Africa’s first democratic elections were finally held in April 1994 and assigned to the ANC the majority of the parliamentary seats and thereby the leading role in the Government of National Unity of a re-united, non-racial ‘rainbow nation’ under an interim constitution with Nelson Mandela as President.

However, while it was soon possible to entrench one of the most progressive constitutions of the world and bed ‘it down through . . . national, provincial and local elections which have been manifestly peaceful and fair’ (Sparks, 2003:3), the legacy of a long-standing racial divide created by apartheid and pre-apartheid administrations could not be prevented nor it would be easily overcome for years to come. At the beginning of the twenty-first century, South Africa is in fact one of the most unequal countries in the world where striking inequalities based on socio-economic status—which are above all reflected in an estimated 7,5 million people who, for the most part, live in corrugated iron shacks on the fringes of urban nodes and an additional 6,8 million people who, for the most part, live in mud and thatched huts in the rural areas—have replaced a long-lasting racial gulf to which, however, they remain extensively linked.

Mapping

As explained in the previous paragraph, informal housing—in all its various outward appearances—has become, especially since the mid-1980s, a major element of South Africa's landscape. Mainly drawing on the national Census conducted by Statistics South Africa in 2001, this chapter provides some information on the location and scale of the phenomenon with reference to informal dwellings located in both urban and rural South Africa.

As regards cities, it is first of all important to point out that the process of urbanization that is currently under-way in South Africa is expected to continue to exert formidable pressure on the containment and management of informal settlements and homelessness in several years to come. This prediction can be worked out from the 2001 Census data that show that South Africa's population living in urban areas amounts to only 58% of the total, which, on the basis of international urbanization trends, would suggest that the relentless expansion experienced in particular by the largest cities of the country would carry on for the next 15 years at least. With all the limits of international comparisons and generalizations, it would therefore not be unsafe to assert that informal settlements—as a product of rapid and concentrated urbanization—are expected to continue to exist and perhaps expand especially around the largest cities of South Africa into the foreseeable future unless substantial measures are prescribed and implemented. As set out in Table 3.1, the present state of affairs of urban informal housing is already lamentable: the Census shows that over 1,8 million urban families reside in informal dwellings—almost 35% of which are found in or in the proximity of the four largest cities of the country (i.e., Johannesburg, Durban, Cape Town and Pretoria). To understand the proportion of the number of informally housed families in urban South Africa better, it is important to realize that it exceeds 16% (slightly more than one out of six) of all families living in the country. Besides, taking into account other Census data on average family size and distribution of families by population group and province, it can also be inferred that

more than 7,5 million people out of the total South African population of 44,8 million are currently believed to spend their lives in urban informal dwellings.

Table 3.1 Informal Housing in Urban South Africa

| Province/ Municipality | Informally Housed Families (000) | As a % of All Families (in the Same Area) |
|---|--|---|
| Gauteng | 634 | 23,9 |
| Johannesburg | 212 | 21,1 |
| Tshwane (Pretoria) | 130 | 23,0 |
| KwaZulu-Natal | 226 | 10,8 |
| EThekweni (Durban) | 150 | 19,1 |
| North-West | 207 | 22,3 |
| Free State | 191 | 26,1 |
| Mangaung (Bloemfontein) | 44 | 23,7 |
| Western Cape | 190 | 16,2 |
| Cape Town | 143 | 18,8 |
| Eastern Cape | 167 | 11,0 |
| Nelson Mandela (Port Elizabeth) | 60 | 22,9 |
| Buffalo City (East London) | 55 | 28,6 |
| Mpumalanga | 117 | 16,0 |
| Limpopo | 78 | 6,6 |
| Northern Cape | 26 | 12,5 |
| SOUTH AFRICA | 1.836 | 16,4 |
| Backyard shacks | 459 | 4,1 |
| Free-Standing Informal Settlements | 1.377 | 12,3 |

Source: Census 2001, Statistics South Africa

Perhaps the only positive thing that can be said about this unacceptable situation is that in spite of a population growing at a rate of almost 2% annually and continued migration from the countryside, it seems that the number of informal dwellers in urban South Africa has stabilized since 1990 when the Urban Foundation (1991:4) estimated that 'over 7 million people live[d] in urban informal housing'—thus implying that the relative scale of the problem is moderately declining. As one could assume by the previous paragraph on the origins of informal settlements in South Africa, the overwhelming majority (almost 96%) of the households living in urban informal housing are classified by the Census as 'black African' whose population group is instead estimated to amount to a relatively lower 77% of all South African families. Almost all of the remaining part (about 3,5%) is classified as 'coloured', while fewer than ten thousand families (about 0,5%) are labelled as 'white' or 'Indian or Asian'. As mentioned in chapter one, informal dwellings occur in different forms. On this point, the Census provides an interesting breakdown by dwelling type, which reveals the predominance of free-standing informal settlements as opposed to backyard shacks and other inadequate outhouses. For the most part located on the periphery of ex-townships, free-standing informal areas account for 75% of the informally housed families in urban South Africa, that is, nearly 1,4 million families or more than 5,6 million people—although this number includes people who experience diverse living conditions in that they reside in such different places as serviced (or semi-serviced) land or land devoid of any significant housing-related infrastructure. Backyard shacks, on the contrary, accommodate one-fourth of the urban families without adequate housing, that is, more than some 0,4 million families or almost 1,9 people. This information by dwelling type is quite relevant to this research on account of the fact that free-standing informal settlements may by their nature encourage the building of a greater sense of community and unity of purpose among settlers, which is considered crucial in the process of public participation in government decision-making.

Regrettably, these data on urban informal housing show but one side of the problem that stands in the way of 'everyone[']s . . . right to have access to adequate housing', which happens to be one of the fundamental claims of the South African Constitution

(Bill of Rights, section 26(1)). Rural informal housing is the other side of the problem, which, quantitatively speaking, is just a little less remarkable—as shown in Table 3.2.

Table 3.2 Informal Housing in Rural South Africa

| Province/ Municipality | Informally Housed Families (000) | As a % of All Families (in the Same Area) |
|---------------------------------|--|---|
| Gauteng | 35 | 1,3 |
| Johannesburg | 12 | 1,2 |
| Tshwane (Pretoria) | 8 | 1,5 |
| KwaZulu-Natal | 581 | 27,9 |
| Ethekwini (Durban) | 60 | 7,6 |
| North-West | 49 | 5,3 |
| Free State | 53 | 7,2 |
| Mangaung (Bloemfontein) | 8 | 4,3 |
| Western Cape | 26 | 2,2 |
| Cape Town | 15 | 1,9 |
| Eastern Cape | 577 | 38,1 |
| Nelson Mandela (Port Elizabeth) | 4 | 1,6 |
| Buffalo City (East London) | 15 | 8,1 |
| Mpumalanga | 95 | 12,9 |
| Limpopo | 232 | 19,7 |
| Northern Cape | 7 | 3,5 |
| SOUTH AFRICA | 1.655 | 14,8 |

Source: Census 2001, Statistics South Africa

In this respect, the 2001 Census reveals that more than 1,6 million families live in rural informal dwellings (i.e., huts and other traditional dwellings mostly made of clay, mud

and thatch) facing a number of difficulties similar to those being encountered by urban informal settlers. In proportional terms, this number amounts to almost 15% (slightly less than one out of seven) of all South African families. Again, taking into account other Census data, it can be also inferred that almost 6,8 million people are currently believed to live in informal dwellings found as single units or in clusters (villages) in rural South Africa—for the most part situated in the provinces of KwaZulu-Natal, Eastern Cape and Limpopo. As already seen with regard to urban South Africa, almost all families living in rural informal housing (over 97%) are classified by the Census as 'black African'. If these figures regarding informal dwellings situated in rural South Africa are added to those concerning urban informal dwellings, the total informally housed population of South Africa would amount to almost 3,5 million families (an estimated more than 14,3 million people) or more than 31% of all South Africa's families!

It is relevant to the present study to provide some details of the scale of the problem of informal housing within the City of Tshwane (Pretoria) Metropolitan Municipality (CTMM), which is where the field surveys took place. In this respect, it is worth noting that the CTMM not only comprises the city of Pretoria but also several former townships that are spatially aloof from the capital city of the country. The geographical area of the CTMM therefore stretches over 2 200 square kilometres and has a population of nearly 2 million people or slightly more than 560 thousand families (Census 2001)—a great deal of whom are living in former townships that were established to accommodate those who were forcibly removed during the apartheid era. As far as informal housing is concerned, the Census data show that 138 thousand families live in informal dwellings within the boundaries of the CTMM, over three-quarters of whom reside in about 80 free-standing areas ranging in size from a few hundred to several thousand families, for the most part located on the peripheries of former townships such as Temba, Hammanskraal, Soshanguve, Mabopane, Ga-Rankuwa, Atteridgeville and Mamelodi—the first five located within the boundaries or very close to the border of the former Bantustan of Bophuthatswana. Proportionally, almost one out of four families of the CTMM is informally housed but this fraction would be much higher if the proportion had to exclude the population of Pretoria (only

a negligible number of whom are estimated to live in informal dwellings) and consider only the population of the former townships. Again, taking into account other Census data, the derived number of people who are believed to live in informal houses within the CTMM should not be less than 500 thousand—the overwhelming majority of whom are classified as ‘black African’.

Table 3.3 Informal Housing in the City of Tshwane (Pretoria) Metropolitan Municipality

| Dwelling Type | Informally Housed Families (000) | As a % of All Families |
|------------------------------------|---|-------------------------------|
| Metropolitan area | 138 | 24,5 |
| Free-standing informal Settlements | 106 | 18,8 |
| Backyard shacks | 24 | 4,2 |
| Rural informal dwellings | 8 | 1,5 |

Source: Census 2001, Statistics South Africa

Regrettably, the most recent count (April 2005) of the CTMM, which is based on the official marking of shacks, aerial photographs and some estimations on those informal dwellings that have not yet been numbered or counted in precisely, does not reveal a substantially better picture. Notwithstanding more or less serious problems in the identification, counting and recording of shacks and other informal dwellings (a few regional government officials are not even familiar with the use of computers!) and despite local differences among the various municipal regions (and wards) in the way things have been handled in the last years, it is possible to affirm that the total number of informally housed families has hardly decreased since 2001. This unexciting result has mainly been determined by the balance of two contrasting factors: the building of about 5 000 houses a year to accommodate informally housed families whose

housing subsidy was finally approved by the provincial government (Gauteng) and a handful of massive land invasions, which curiously all took place in the span of a few weeks between the end of 2003 and the beginning of 2004 during a delay in the renewal of the contract with the private security company (Joint Venture Security) responsible for patrolling and safeguarding all areas at risk of squatting—land invasions that allegedly occurred with the approval and encouragement of interested ward councillors in search of new votes. Having said that, it is also worth noting that the CTMM has a good, although far from excellent, record in the creation of so-called ‘housing opportunities’ (i.e., serviced or semi-serviced plots equipped with a few basic utilities such as water supply, sewers and drains on which informally housed families are entitled to set up their informal dwelling), which is reported to be about 15 000 a year and have improved the residential conditions of the people who were used to residing on land devoid of any significant public utility—despite the fact that they are still living in a shack. Besides, in order to prevent opportunistic behaviour that would be detrimental to the efforts of the CTMM to eradicate informal settlements, various private security companies have been appointed with the mandate to put a stop to further shack construction on both serviced and non-serviced settlements—it seems that the move has so far gone pretty well, not only because no further substantial land invasion has been registered since those that occurred between the end of 2003 and the beginning of 2004, but also because most of the people living in informal settlements appear, in principle, to welcome something that is perceived as protecting their own interests.

Government Policies

Post-apartheid South Africa was officially ushered in by the first all-race elections held in the country from 26 to 29 April 1994, which permitted the convening of the first democratically elected Parliament on 5 May 1994, followed by the appointment of the new President of the Republic (Nelson Mandela) and the transitional Government of National Unity on 10 May 1994. Since the new South Africa came into being, the African National Congress (ANC)-led government, which is a coalition between the ANC, the South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU), has piloted an ambitious plan to seek to redress the imbalances of the past. Especially in an effort to achieve basic levels of social justice for all, a new trend in the treatment of socio-economic rights was entrenched in the supreme law of the country—the South African Constitution of 1996—which ‘encapsulates an entirely new set of rights not foreshadowed in the interim Constitution’ of 1993, Devenish (1999:357) remarks. These relate to the right to health care services, food and water, social security and social assistance contained in section 27, the right to education set out in section 29 as well as housing rights. In respect of the last-mentioned, section 26(1) of the South Africa’s Constitution provides everyone with the ‘right to have access to adequate housing’ and section 26(2) casts upon the state the obligation to ‘take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right’. Furthermore, section 26(3) establishes 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’. The duty of the state to fulfil people’s right to have access to adequate shelter applies to national, provincial and local tiers of government: in terms of schedule 4A of the Constitution, national and provincial legislatures are concurrently charged with the responsibility for housing the nation, whereas, in terms of schedule 4B, municipalities are instructed to see to building regulations, electricity and gas reticulation, storm water management, and water and sanitation services.

Appropriate common law and public-policy developments were also required to serve the national housing vision enshrined in the new charter of 'We, the people of South Africa'. In this regard, the newly installed National Department of Housing soon proposed a completely new housing policy in the *White Paper on Housing* of 1994; a few years later, in 1997, Parliament passed the *Housing Act* and, in 2000, the National Department of Housing published a recapitulatory document called the *National Housing Code*, which is due to be revised promptly in case of policy or legislative amendments—all of the above with the intention of providing a framework within which the constitutional right to housing is to be realized. Without doubt, the South African framework for housing development has been able to set an international precedent to the extent that it 'led to the delivery of more subsidised houses than in any other country in the world', Rust (2003:7) observes; by June 2004, the number of subsidized houses completed or under way amounted to more than 1,6 million (GCIS, 2005:369). Besides the fact that there are still millions of informally housed people living in urban and rural South Africa, it seems only fair to express some reservations about the government's efforts to house the nation so far—reservations that are not only based on a variety of critical appraisals made by Rust (2004), Baumann (2003a), Hassen (2003), Khan (2003), Khan and Ambert (2003), Marx (2003), Napier (2003), Porteous and Naicker (2003), Royston (2003), Todes et al. (2003), Zack and Charlton (2003), Diamond (2002), Huchzermeyer (1999), Jenkins (1999) and Laloo (1999) but also on the persisting criticism coming from inside the Tripartite Alliance itself (especially from COSATU and the SACP) as well as on anecdotal evidence from informally housed respondents living in the City of Tshwane (Pretoria) Metropolitan Municipality (CTMM) who were invited by the researcher to convey their impressions on government-funded housing projects, if any, being delivered to their community. Major concerns relate to the following long-term self-defeating trends: first, insistence on placing disproportionate stress on quantitative rather than qualitative housing outputs; second, relatively little emphasis placed on the mobilization of resources from non-state players to improve the size and quality of subsidized housing—above all, savings or voluntary labour from housing beneficiaries and flexible soft-loan finance from housing lenders; third, minimal attention given to the development of holistic and integrated living environments that go beyond mere

housing provision; fourth, resistance to the meaningful (not token) involvement of all interested parties—first and foremost, informally housed communities—in the definition of goals and strategies to address local housing shortages; and fifth, more disturbingly, the apparent failure to properly fight a range of alleged corrupt dealings involving public officials at different levels and contractors responsible for the execution of housing and housing-related projects. All of the above result in a less enjoyable picture of the housing being supplied as evidenced by several state-funded houses (also referred to as ‘RDP’ houses because of the ANC’s pledge to ‘build over one million houses’ for low-income families contained in the *Reconstruction and Development Programme*—the electoral manifesto of the ANC and its allies for the elections that brought Nelson Mandela to the presidency of the country), which, by being faulty in one way or another, extremely standardized, virtually devoid of market value and a long way away from social and economic amenities, are said (Rust, 2003:7) to shape ‘images of dormitory suburbs in peri-urban wastelands’.

In the last few years, government’s attempts to house the nation have gingerly begun to take steps that would promise to accelerate the ability of the state to serve larger numbers of informally housed people in a shorter period of time without placing additional burdens on the state budget—needless to say, provided that the new course is mainstreamed into the national housing strategy and all the aforementioned concerns are adequately addressed. As per the new approach, housing development is meant to occur in phases: in the first phase, the state devotes resources to service a suitable portion of land with housing-related infrastructure—land which can be either unoccupied (greenfield development) or already occupied by the target community (brownfield development); in the next phase, informally housed families, and whenever possible an entire community, are entitled either to relocate their informal dwelling to their new serviced-and-secured plots (site-and-service project) or keep it where it is, or maybe nearby to allow for a better layout or densification of the site, and benefit from the infrastructural improvements and security of tenure provided to their settlement (in situ upgrading); in the third and last phase (also known as consolidation), subsidized houses are finally put up to replace the informal top structures of those families who are eligible for housing subsidies while non-qualifiers

(i.e., applicants who do not comply with the following criteria: being a South African citizen or in possession of a permanent residence permit; having a monthly household income not in excess of R3 500; being married, living with a long-term partner or single with dependants; being 21 years of age or older; being first-time property owner; and, either the applicant or anyone else in the household, not having received previous housing assistance from the government) will have to wait until they are eligible for a housing subsidy or build their house out of their own resources. On top of that, in order to preclude opportunistic actions that are prejudicial to the gradual efforts of the government to house the nation, it is becoming increasingly common among municipalities to employ private security companies that are given the official mandate to prevent further construction of shacks either within the settlements to be upgraded or, and most importantly, on the land made vacant by the relocation of the community to a new site. Despite its merits and increasing use and despite a series of studies demonstrating that, 'for many communities, the provision of a house is not an immediate priority' and may thus be considered at a later time (Engelbrecht, 2003:276), the phased housing programme is still not mainstreamed into standard practice, most notably because of the following: first, enervating disputes between various levels of government and some informally housed communities over the basic route to be followed in housing development—namely, community relocation to more or less distant serviced sites, which is normally favoured by the government because of its different plans for the use of the occupied land or the excessive cost to upgrade geologically sensitive areas, versus the community's usually preferred option of in situ upgrading of well-located settlements; second, political disinterest or even fear in taking any steps in favour of those informal settlements where the local leadership (rather than the ward councillor) is expected to take credit for the project's eventual success and thus grow as a potentially threatening political contender for the following elections; third, considerable incidence, in a few informal areas, of illegal immigrants (especially from Zimbabwe, Mozambique and Nigeria), which implies that delicate foreign policy stands and law enforcement coordination between all levels of government would be needed prior to any housing development taking place; and fourth, in some particular cases, delay imposed on the symbolic handing-over ceremonies of new houses, which is interpreted by some politicians as politically

disadvantageous. All of the above is suggested by the field surveys undertaken in the CTMM.

Another potentially-significant shift in housing policy that is worth mentioning relates to the People's Housing Process (PHP)—a legislative provision contained in chapter 8 of part 3 of the *National Housing Code* which would allow the beneficiaries to assume part of the responsibility for the design and implementation of their subsidized houses as well as for the planning of housing-related infrastructure and social amenities. In order to take part in the PHP, a support organization must be established or contracted: beneficiaries may either form themselves into legal entities such as companies incorporated in terms of section 21 of the Companies Act of 1973, trusts, voluntary associations or co-operatives under the Cooperatives Act of 1981 or enter into a contract with an existing organization such as an NGO, a private sector organization, a parastatal or the municipality. Once established, the support organization is to perform a variety of technical and administrative duties on behalf of, and at no cost to, the beneficiaries—most notably, to draw up a project proposal that would include the layout of the settlement and the design of the houses, housing-related services and social amenities to be built; to apply to the Provincial Housing Development Board (PHDP) for the approval of the project proposal; to establish a Housing Support Centre (HSC) for training the beneficiaries on how to help build their houses and monitor the building work they do; to certify the progress the beneficiaries make in constructing their houses (this is to be done through an independent certifier); and to operate a trust bank account into which subsidies are to be paid (this is to be done through an independent account administrator). Funding for all the above activities is made available to the support organization by the provincial government on application to the PHDP over and above the subsidies awarded to individual households for the building of the top structures—namely, a facilitation grant for covering the costs of preparing a detailed project proposal would be made available on the basis of the merits and resource needs of the project application and an establishment grant for covering the costs of setting up and running an HSP and all the other functions carried out by the support organization would be made available in an amount not to exceed R570 per beneficiary. Despite the potency of the PHP in

speeding up the housing delivery and better its outcomes, which is associated with the involvement of the beneficiary communities in the government-funded housing projects, only a minute percentage of subsidised houses built to date have been delivered via the PHP. While it is true that the PHP policy framework is, to some extent, unclear and incongruous and gives rise to practical problems at the implementation stage (e.g., the heavy burden cast on the beneficiaries to find some way to bridge-finance government subsidies, which would be only released on application of the project proposal, and bear the risk of the application being rejected or delayed for a long time), it is the lack of political will at national and local level that seems to constitute the greatest stumbling block to the PHP mainstreaming. In this respect, it is worth pointing out that not only 'the institutional home of the PHP in government, the People's Housing Partnership Trust (PHPT) is underresourced and politically marginalised' but also, and more distressingly, it is not rare to find municipal councillors who are inclined to regard the PHP as a 'threat to their political role of 'delivering' housing', Baumann (2003b:7,34) argues. The CTMM is no exception in this regard: first, the number of PHP projects can currently be counted on the fingers of one hand—the biggest being run by a Support Organization called Benevolence Project Trust in Block TT, Soshanguve (Ward 39)—and would jointly benefit just a few thousand informally housed families; second, and more importantly, no one is currently making use of the PHP to support the various communities that face the most severe living conditions as a result of the fact that the support organizations operating within the CTMM have so far been given no actual chance to assist informally housed communities in any aspect other than house construction, which, where not even essential services are installed, is unlikely to be placed by the residents at the top of their priority list.

Speaking of the housing policies of the CTMM, it is important to mention that it has recently drafted, but not yet enacted, *By-Laws Relating to the Management and Control of Informal Settlements* within its geographical boundaries. These draft by-laws can conceptually be divided in two major parts: one dealing with the upgrading of informal settlements acknowledged as authorized; the other with the termination of those labelled as unauthorized. As stated under the chapter headed 'Definitions', any

informal settlement which is authorized by the municipality 'will be legalized and upgraded as a formal township', while those that are unauthorized 'will, on the contrary, be demolished and removed' with no resettlement option or whatsoever being contemplated. The basic problem with this otherwise reasonable classification between authorized and unauthorized informal settlements is that the draft by-laws do not set out the criteria which should be used to determine it, which would leave discretionary power to the municipality to determine the status of an informal settlement. When the researcher raised this issue during one of the public meetings held to discuss the contents of these draft by-laws—for the record, that meeting was assembled in Atteridgeville on 14 October 2004—he was supplied with a list of criteria that included the age of the settlement, reasons for occupation (e.g., if it happened as a result of flooding or other natural disasters, the settlers and their problems would be treated with particular sensitivity) and alternative uses of the occupied land, which all sounded fair enough. One is left to wonder why the draft text of the by-laws reproduced none of these criteria! Another issue that was raised during the public debate was about the role of the informal settlement manager (ISM) to be appointed by the CTMM to manage and control all informal settlements within the municipal boundaries. In this regard, it is prescribed by the draft by-laws that the ISM must perform all necessary steps to ensure that further incidents of land invasion will not occur or be promptly terminated, which certainly sounds like a logical way to go. However, while these policing-type responsibilities are plainly asserted in the draft by-laws, the role of the ISM as development manager is marginal at best. From the provisions stated under the chapter 'Duties of the Informal Settlement Manager', it is clear that the ISM has not been provided with the critical responsibility to come up with proposals for upgrading an informal settlement (brownfield development) or for relocating an informally housed community (greenfield development) nor has provision been made in the text for liaising with those who have to perform these duties within the municipal and provincial administrations. Besides taking all necessary steps to prevent land invasion, the responsibilities of the ISM are in essence limited to the following: 'conduct regular surveys to determine the location, origin, extent and conditions prevailing in each informal settlement'; 'undertake and promote liaison and communication with local communities'; allocate to each stand 'a

unique number as its temporary address'; 'keep a register of all residents'; and ensure they 'are registered in the Municipality's Housing Waiting List'. When the researcher raised the issue of a limited developmental role assigned by the draft by-laws to the ISM, the municipal representatives responded with an epigrammatic 'point taken'. A final issue raised by the researcher was about the liaison process between the municipality and residents of informal settlements. With regard to this, it is stated under the chapter entitled 'Residents' Committee' that the ISM 'shall meet on a regular monthly basis . . . and consult the said Committee on all matters . . . of general concern to the residents'. It would have been very important, however, to explain in a detailed way what the municipality means by the term consult, with a particular view to removing doubts on the exact role of the community and their committees in the design of the upgrading of project proposals or alternative plans, whatever the case may be, and in the prevention of further land invasion. With respect to the vague provisions regarding the liaison process between the ISM and informally housed communities, the representatives of the municipality (a few officials and a ward councillor) presiding at the meeting limited themselves to nodding emphatically!

The discussion thus far has concentrated on the government's housing policies. Housing, however, cannot be seen in isolation but rather as part of a much broader and integrated policy effort towards the constitutional vision of a country without people living in shacks, huts or other inadequate accommodation—lack of adequate housing is in effect just the tip of an iceberg called 'poverty', which implies that holistic and integrated development planning over and above national, provincial and local housing projects will be required over many years to realize the government's promise to establish habitable and sustainable residential environments for all South Africans. In fact, chapter 4 of part 1 of the *National Housing Code* establishes that 'housing cannot operate [but] within an institutional, macro-economic, and broad social framework'. As regards the 'institutional framework', reference is made to the intent to put governments at all levels, the private sector and civil society all in a position to play a positive role in national development; as regards the 'macro-economic framework', attention is drawn to the goal of growing the economy, employing the nation and redistributing the benefits of economic growth more equitably; and as

regards the 'social framework', emphasis is placed on the double need to enhance the role of women at all levels and in all aspects of national development, and decelerate the population growth trends if sustainable solutions towards the alleviation and ultimately eradication of poverty in the country are to be found. Regrettably, despite a seemingly sound awareness of its integrated responsibilities, which is not only revealed in the *National Housing Code* but also in numerous other policy and legislative measures such as the *Local Government: Municipal Systems Act* (2000: section 25) which expects local governments to prepare, implement and revise annually 'a single, inclusive and strategic plan for the development of the municipality' (alias Integrated Development Plan—IDP), government's attempts to bring integrated development to the poor are not going well so far: 'the creation of sterile housing environments attests to a failure to implement the stated intentions of housing policy to promote integrated development and co-ordinate state investment to achieve holistic living environments', Zack and Charlton (2003:61) lament. This is largely confirmed by the officials working for the IDP Office of the CTMM who spoke to the researcher during the field surveys undertaken for this study.

Chapter **4**

Arguments and Experiences regarding the Involvement of Informally Housed Communities

Be not arrogant because of your knowledge. Take counsel with the unlearned as well as with the wise. For the limits of knowledge have never been set and no one has ever reached them. Wisdom is rarer than emeralds and yet it is found among the women who gather at the grindstone.

Ptah-hotep
Ancient Egyptian Sage
Moral Teachings, XXIV Century BC

The essential idea underlying the concept of democracy is that ‘political power comes from the people and . . . government is legal only when the governed consent’ (Baradat, 2000:64). If this is so, engaging the people in shaping government policies relevant to their collective life would be the cornerstone of the democratization of politics. And for the full legality of governments, it is important that all interested citizens, regardless of their socio-economic status, should be given a chance to express their consent not only through elections held every four or five years but also in such a way that their voices are heard and reflected in government agenda. Besides being needed for democratic legitimization of government action, it seems that the involvement of the poor in government policy-making would also be beneficial to social and economic development, as succinctly pointed out by the old saying: ‘two heads think better than one!’ For a number of experts, however, engaging the poor in

the formulation of government policies is not all positive as it is expected to slow down the process of governance and downgrade its outcome, to name a few drawbacks.

Considering that there are different viewpoints on the issue of popular participation, this chapter first of all deals with the objections to, and appeals for, the involvement of the poor in shaping government policies relevant to their community. It then presents a short history of the principal trends with regard to popular participation from ancient Greece to modern times before giving a brief account of three contemporary experiences in engaging the poorest of the poor in the developing world. It should be noted that the present chapter serves as a complementary work to the achievement of the research objectives stated in the introduction. While this thesis focuses on discussing enabling conditions (Chapter 5) and practical issues (Chapter 6) that would ensure that the engagement of the poor is a feasible option and would work in practice, it would, in fact, be logically unsound to ignore the arguments that have been raised for and against it as well as some historical and contemporary practices regarding popular participation.

Risks to Development

The purpose of this paragraph is to examine the negative side or possible disadvantages of having the poorest segments of the population involved in shaping government policies that affect their lives. The various analyses made by Yahie (1996), Clayton (1995), Leftwich (1993), Conyers (1982), Banovetz (1972) and others quoted in the course of the paragraph are used to summarize the main arguments against the participation of the poor before the researcher's own point of view on the subject is explained. The following paragraph looks at the positive side or possible benefits of engaging the poor in the government decision-making.

The main reasons against engaging people living in poverty, or risks to development, revolve around three main groups:

- (1) The risk of slowing down the decision-making process along with the dangers of downgrading its outcome and wasting money that could be more fruitfully spent by the government on service delivery to the poor. Because of the complexity of public management, 'lay citizens may not possess the competence required to judge adequately the technical aspects of plans and programs, and major delays may result from attempts by government officials to explain subtle nuances,' Zimmerman (1986:4) argues.
- (2) The risk of overrepresentation of the interests of active and insistent minorities over those of the quiescent majority, which might result in corruption, nepotism and the politics of privilege. As Brynard (1996:47) puts it, 'participation may evolve into a situation where public dictation of policy that enhances the vested interests of pressure groups may occur'.
- (3) The risk of frustration and disillusionment for citizen participants whose expectations for change remain unfulfilled by the participation process, which might foster mistrust towards government institutions and lead to further alienation of the poor. This is linked to inexperience in participative management on the part

of government officials who are 'not able to create the necessary forums to resolve conflicts, nor are they able to discover and take into account the needs of diffuse communities of interest' and to the even more serious fact that government bureaucrats 'do not want to relinquish what little authority they happen to have and fear that their professional autonomy will be challenged,' Benveniste (1989:47) maintains.

As far as I am concerned, I have no problem acknowledging that all the above pitfalls cast some serious doubt on the reliability of the outcome of the participation process. Yet, it is my opinion that they are not inevitable and it is my intention to encourage anyone to see that they could be remedied if sufficient efforts are expended by those who retain the greatest degree of responsibility for ensuring that poor communities are cost-efficiently and effectively involved in the government planning process relevant to them, namely, government decision-makers and community leaders. My view seems in principle to be shared by the majority of government officials of the City of Tshwane (Pretoria) Metropolitan Municipality who were interviewed for the present study: while they conceded that liaising with informally housed communities on all aspects of settlement upgrading, relocation and land invasion would be liable to have negative side-effects on the efficiency of the service delivery because of the time spent on trying to accommodate different viewpoints, and may sometimes cause frustration to all who embark on the process, they claimed that they had rarely experienced or heard of a situation in which community participants had colluded with government officials or unfairly benefited otherwise from their involvement in the process. Most of them also shared the principle that it is the responsibility of both government officials and community representatives to minimize risks and prevent problems that may come out of the participation process. However, three out of four ward councillors and a few other respondents were rather explicit in raising strong concerns that an extensive involvement of informally housed communities would result in an unacceptable diminution and delay of the planning process. To them, the downsides associated with the engagement of the poor are not simply regarded as an eye-opener to the risks of participation but as the basis to belittle the involvement of poor individuals and communities as disproportionately burdensome if not totally ineffectual

or even harmful. According to this standpoint, the poor would thus be expected to play the part of the silent and grateful beneficiaries of the fruits of the work of those 'experts' who, among other things, would not quite see how less-fortunate people—who are not as well-off and perhaps educated as they are—can wisely help the government solve intricate problems of social and economic development.

Opportunities for Development

As a complement to the previous paragraph, the present one examines the positive side or possible benefits of involving the poor in the formulation of government policies that impact on their lives. A variety of studies made by Brynard (1996), Yahie (1996), Clayton (1995), Stiefel and Wolfe (1994), Bauzon (1992), Conyers (1982), Davidhoff (1965) and others are quoted to recap the main reasons put forward by scholars to justify the engagement of the poor, before conveying the researcher's viewpoint on the matter.

There is, first of all, a matter of principle, which relates to the concept of democracy. According to this principle, if democracy is to be the instrument towards greater equality and integration of the people in society, every citizen should not only have an equal right to vote but also an equal right to be considered by their governments. Put differently, it is fundamental to democratic development that everyone, regardless of his or her status or background, be endowed with the right to voice his or her needs and priorities, and seek to influence what the policy-makers decide—unless an unequal distribution of such a right would benefit the whole community and in particular the poor. This principle is connected to the idea of popular sovereignty, which 'denotes that government is a creation of the citizenry rather than a separate entity standing about it,' Rosenbaum (1978:46) maintains. There are then practical reasons, or questions of efficiency, in support of the participation of the poor in the planning process, which ultimately arise from respect for the human dignity of all people and the belief in the capacity of all citizens—as individuals and, in particular, as groups or communities—to contribute to the public good regardless of how much they have in financial resources. In this regard, the main stances, or opportunities for development, which are associated with the participation of the have-nots in public management revolve around four significant groups:

- (1) The opportunity to ensure government responsiveness to all citizens: participation as a means to awake the government to the local conditions and priorities of the people in need and appreciate their perspectives on how to remedy the situation.

Reawakening of governments to their responsibilities towards the less fortunate represents an important opportunity for executive and legislative authorities 'to achieve informed and implementable decisions,' Bryson (1993:3) maintains.

- (2) The opportunity to reduce social exclusion and dependency: participation as a means to reinforce a sense of community among the poor and change their status from passive receivers of government services to active agents of physical, social, economic and environmental development of the area in which they live. This change of status enhances the quality of citizenship in that the citizen becomes 'well able to perform his democratic role in society: exercising judgement, contributing to debate about policy, being aware both of societal problems and of the difficulties of finding solutions to them', Boaden et al. (1982:167) argue.
- (3) The opportunity to secure community support for government policies: participation as a means to educate the people on and make them more concerned with and committed to government projects. This is based on the fact that 'citizens sharing with elected officers the responsibility for decision making may have the third advantage of facilitating the implementation of plans and programs as residents will be more willing to accept and work for the successful completion of projects if they helped to plan the projects since they will understand better the reasons for the projects', Zimmerman (1986:3) contends.
- (4) The opportunity to create a corruption-free government: participation as a means to foster transparency and accountability in the exercise of power and thus prevent corrupt dealings, cronyism, nepotism and other abusive utilization of power and public funds on the part of government officials. As Benveniste (1989:43) points out, 'openness and participation tend to reduce corruption and help maintain high standard of behaviour'.

The above arguments for the participation of the poor in the making of government policies indicate a variety of reasons for which their involvement would be important. It is on the basis of these opportunities for development that methods and procedures for the engagement of poor communities in policy-making should be properly devised so as to set limits on the liberty of government officials and assisting professionals such as architects, engineers and lawyers in making decisions without bothering to

liaise with the affected communities. However, it is quite important to weight potential benefits against potential harms in a real-world situation before a final assessment can be made. In view of that, it would be quite unsafe to contend that the participation of the poor would by itself and at all times create room for the birth of real democracy, that is, for a situation in which government agendas are set from below by people who have the power and capacity of making decisions about their collective life on behalf of the whole community—or, if it does do so, it remains to be seen if and where participative planning involving the poor can really be a way to help generate positive development effects. The consequence of this is that the soundness of the idea of popular participation would stand or fall on its contribution to achieving development in a specific context. Put differently, without a discussion on the enabling conditions that need to be met and on the various ways in which participation can be implemented in a specific environment, which is conducted in Chapter 5 and Chapter 6 with particular reference to the South African context, it is quite hard to put forward sound arguments for one or the other side of the dispute. Based on intuition more than argument, the researcher nonetheless would like to suggest in this paragraph that ruling out the possibility of engaging poor people and communities in the shaping of government policies without a serious and sustained attempt to investigate and reflect upon the circumstances that affect its practicability and performance is always a missed opportunity. Although it is not possible to determine unequivocally whether or not the arguments in favour of the participation of the poor may outweigh those against it without the support of accurate field surveys, the researcher subscribes to the general principle that all citizens and communities can contribute to a better world and that governments should accordingly be challenged to do their best to draw on the wisdom inherent in all humans regardless of their economic and social means.

A Concise History

As an addendum to the previous discussion on the merits and pitfalls of engaging the poor, it is worth remembering that centuries of history have produced an alternation of affection and rejection to popular participation, which weights heavily in the present-day debate over the involvement of the poor in the governing process. The work of Baradat (2000), Stiefel and Wolfe (1994) and Bauzon (1992) are used in an attempt to draw a concise history of the major trends related to popular participation, especially as they developed in the Western world.

To start with, the ancient Greeks regarded public participation as a valuable method of governance and allowed thousands of citizens to attend the meetings of their *polis*, that is, the city-state in ancient Greece. Although only men were considered citizens and had the right to vote, women and slaves could sometimes be granted special permission to participate in the assemblies and voice their concerns and opinions. These protodemocratic tendencies, however, did not occur unopposed: some illustrious Greeks welcomed popular participation as snow on the harvest—or, at least, they were not really overjoyed with such a form of governance. To the philosopher Plato (427-347 BC), democracy was nothing but mob rule, that is, the tyranny of the angry majority that called for the death of his beloved teacher Socrates (469-399 BC). To Plato's disciple, Aristotle (384-322 BC), both monarchy and aristocracy appeared preferable to democracy: while acknowledging that the first political constitution may deviate into tyranny and the second into oligarchy, he deemed monarchy and aristocracy to be more capable of looking after the interests of all citizens. Quite contrary to the governance rules of the Greek *polis*, during the Middle Ages, it was largely seen as an aberration of politics that public policy was to be democratized. As Baradat (2000:2) puts it, ordinary people 'were expected to do what they were told by their spiritual and temporal superiors [and] were not allowed to participate in the political system [as] politics was reserved for kings heading a small ruling class'. Out of the Medieval Ages, the scientific discoveries that challenged religious doctrines stimulated an inquiring spirit and inspired new confidence in the

ability of the people in general to make use of their reason to solve problems. The new cultural platform led to the Age of Enlightenment, which created the conditions for a democratic renaissance. For that matter, the Age of Reason gave birth to the doctrine of the social contract and political theorists such as Thomas Hobbes (England, 1588-1679), John Locke (England, 1632-1704) and Jean Jacque Rousseau (Switzerland, 1712-1778) started to reveal how the democratic principles of popular sovereignty could take place in practice. Since the time of the groundbreaking social contract thinkers, most of the emphasis has been put on the extension of the vote to traditionally disfranchised groups such as women or native people—especially ever since the time of the resistance movements to the oppressive and exploitative colonial rule of the European powers, which made democratization ‘highly appealing and, as a process, . . . difficult to reverse,’ Bauzon (1992:xvi) maintains. Following World War II, and in particular starting from the 1960s, various development circles have begun to recognize that something was still lacking, which resulted in a growing call for a ground-up approach to public policies or, in other words, for the involvement of the people—regardless of their means or background—in shaping government decisions relevant to their collective life. Nowadays, even though terms such as popular participation, community involvement and participative governance form an essential part of the vocabulary of many activists, politicians, development professionals and educators, and are enshrined in numerous United Nations declarations and covenants, they continue to prove to be extremely sensitive issues, especially in developing nations. In fact, it seems that virtually any call for greater public involvement in government decision-making—and in particular for a greater involvement of communities living in poverty—would be likely to be somehow resisted by defenders of different views.

Contemporary Practices

Over the past 20 years, opportunities for broader public participation in the shaping of government policies have by and large improved in many developing countries at both national and local level—partly on account of a more pervasive belief in the values of democracy, which tends to impact on the styles of governance propounded by the political leaderships and partly as a reflection of an increasing loss of faith in the institutions of government, which tends to impact on the methods of governance expected by larger sections of the population. It is maintained (Seaforth, 2002:1) that although the ‘situation is by no means perfect, it is now quite normal to talk about such concepts as participatory governance, participatory budgeting, planning with the communities . . .’. When it comes to involving the poorest sections of the population, however, the picture turns out to be quite different—partly because of a lingering ideological reluctance to involve the less fortunate segments of society in government decision-making and partly as a result of a shortage of organized interests that would gain access to power on behalf of the poorest. This notwithstanding, there is evidence of an increasing number of cities in Africa, Asia and Latin America that are busy regenerating particularly deprived areas such as informal settlements via the participation of the affected communities in the selection, design and implementation of projects. Relying on Paixo Bretas (1996), Hardoy et al. (1991) and Silas (1992:37), it is hoped that the following account of three examples of participation in practice can be of use to the objectives of this study. Reference is made to the experience of Brazil (Belo Horizonte), Argentina (Buenos Aires) and Indonesia (Surabaya) in involving residents of informal settlements in the decisions and activities for a government-funded upgrading of the area in which they live. Before proceeding with the account, it is worth anticipating that from the reported cases emerge that both the appointment of a residents’ committee through which the community can represent its needs and priorities to the municipality and the fact that the latter has set up an agency or management unit responsible for a comprehensive range of services and solutions for informal settlements within its municipal boundaries have turned out to be decisive catalysts in the success experienced by the projects. As regards the chances for

replication of these successes elsewhere, it is, however, worth being prudent as results would vary with local conditions and practices. While these successful experiences can constitute a template and source of inspiration, the question of whether they are transferable to South Africa cannot then be answered without examining circumstances and practices that would come into play in the South African context, which are discussed under Chapter 5 and Chapter 6, respectively.

The Brazilian Experience: Alvorada Programme, Belo Horizonte

Belo Horizonte is the third largest city in Brazil after Rio de Janeiro and São Paulo. The metropolitan area of Belo Horizonte comprises 20 local municipalities. The most important is the City of Belo Horizonte, which has a population of about 2,1 million people and houses about 160 *favelas* (informal settlements). The informally housed population amounts to more than 500 000—almost 25% of the population—but occupy less than 3% of the municipal area. The city is administratively divided into nine regions, so as to form a decentralized structure for the provision of services. Half of the city's annual budget is allocated through a participative process, which enables the residents to claim their rights and influence decisions over intervention priorities during meetings held in each of the nine regions between May and September. As stated by Paixo Bretas (1996:214), 'Belo Horizonte is one among a number of Brazilian cities in which participative budgeting is under-way, a practice which began in Porto Alegre during the administration of Mayor Olivio Dutra (1989-1992)'. Within this favourable climate for democratic participation, residents of informal settlements also get their chance to voice their priorities and take part in the decision-making. In this respect, one of the most interesting programmes for improving *favelas* in metropolitan Belo Horizonte is the Alvorada Programme which started in 1994. Alvorada's goal is to integrate inner-city *favelas* with the surrounding formal city through a combination of physical and socio-economic interventions. The cornerstone of the programme is the 1983 municipal law for the regulation of *favelas* (*Programa Municipal de Regularisacao de Favelas*), which was the first law in Brazil that recognized the legal right of informal settlers to ownership of the land on which they

live. A direct consequence of the law is the removal of the risk of eviction, thus leading to the mobilization of the community's self-help potential along with improved mutual confidence between informal settlers and the municipal government. The programme is managed by URBEL (*Companhia urbanizadora de Belo Horizonte*), which is a municipal non-profit company whose staffs include an interdisciplinary team of about 26 professionals working only on the Alvorada Programme. The basic strategy of the programme is to involve the community in all stages of the process from pre-feasibility studies to maintenance of the projects. Community participation primarily takes place through resident social workers and community leaders who are respected and trusted by the community. They have permanent access to municipal offices, act as community representatives and are accountable to the whole community. Besides, the community is also involved in the programme through home visits, individual consultations, neighbourhood meetings, meetings with specific groups on demand, capacity-building workshops for selected groups of people and meetings and seminars open to all residents. One of the most important results of the ongoing Alvorada Programme, along with the betterment of the living conditions and the creation of economic opportunities for the residents, is the significant increase in the level of community participation and credibility of the local authorities. These factors are expected to facilitate the replication of the programme in other areas of Belo Horizonte.

The Argentinean Experience: Barrio San Jorge, Buenos Aires

Buenos Aires is the capital and largest city of Argentina. The metropolitan area has a population of about 11 million inhabitants and is divided into a number of local municipalities. One of the municipalities on the periphery of Buenos Aires is San Fernando—about 150 000 inhabitants—where the depressed suburb of Barrio San Jorge is located. The political history of Argentina in the last decades of the twentieth century has been anything but stable: military coups have afflicted the country and slow down the process of social development. As far as the engagement of the poor is concerned, it is maintained (Hardoy et al., 1991:105) that 'local and provincial

governments mistrust community organizations and the non-governmental organizations', with the result that paternalistic, top-down programmes with no or little consultation with the community have been predominating. Despite this adverse climate for popular participation, it is possible to give account of a change in attitude that took place in the upgrading process of the Barrio San Jorge. Barrio San Jorge covers less than ten hectares and houses about 3 000 people according to a 1990 survey undertaken by an NGO named IIED-America Latina. The location of the Barrio is unhappy: it was built on a piece of land prone to flooding. Housing conditions are very poor also due to insecurity of land tenure which has disheartened residents and prevents them from investing in home improvements. The quality of infrastructure and community services is very meagre resulting, among other things, in a poor state of health among the residents. In the early 1990s, a participative programme for the integrated development of the Barrio (*Programa de Mejoramiento Integral del Barrio San Jorge*) was initiated. The programme was backed by a quadripartite working group composed of representatives of the Province of Buenos Aires, Municipality of San Fernando, IIED-America Latina and a commission made up of 16 democratically elected spokespersons acting on behalf of the Barrio's community. The start-up of the participative process was quite difficult mostly because people in general and the Barrio's commission in particular felt intimidated by government representatives and inhibited from doing their duty. A series of workshops and continuous discussions was therefore required to gain people's confidence and make participation meaningful. Eventually, the commission of the Barrio was able to make itself heard and direct the programme towards the stated community's priorities: emphasis was placed on obtaining security of tenure for the residents and providing all houses with such basic infrastructure and services as potable water, household sanitation, link to public sewers and regular garbage collection. The major lesson taught by the programme was that 'time, patience and continuity [are needed] to allow the inhabitants to develop and express their thoughts', Hardoy et al. (1991:119) comment.

The Indonesian Experience: Kampung Improvement Programme, Surabaya

Surabaya is the second-largest city in Indonesia—the first being Jakarta—with about 4 million inhabitants, a considerable portion of whom are living in informal settlements called *kampungs*. One of the characteristics of Indonesian informal settlements is that quite a few of them are erected on land which is very poorly suited to residential settling, including cemeteries. High residential densities are also a major concern because of increased health hazards and greater difficulty in providing improvements. The Kampung Improvement Programme is a national development strategy, funded by local, provincial and central governments, which concerns cities throughout Indonesia. It started in 1969 and has gradually reached a fair percentage of *kampungs* also thanks to external assistance received from the World Bank since 1979. Most of the poor-quality settlements not yet reached by the programme are, in fact, either newly erected areas or are located on the very outskirts of the city where the programme implementation that is moving from inner city areas to the urban fringe has not yet started. The programme in Surabaya is managed by a government agency named *Badan Perencanaan Pembangunan Kampung Improvement Programme* (BAPPEM KIP). The agency is responsible for drafting project proposals on the basis of feasibility studies that collect data and provide analyses of problems and opportunities, and take into account community's specifications of their own needs and priorities. Given the fact that residents are required to contribute resources in the form of labour or funds, project drafts are then examined and subject to change and integration by the affected community. The consent seeking process goes so far that 'only when the residents of a particular *kampung* agree on how to share the costs of improving their own living environment will the proposal for *kampung* improvement be finalized and implementation begin', Silas (1992:37) remarks. This mutual commitment to regular consultations between local authorities and representative groups of *kampung* residents have enabled the mobilization of people's own resources, which is has been one of the key determinants of the success of the programme.

Chapter **5**

Conditions for Involving Informally Housed Communities

*Ma intanto corre corre corre la locomotiva e sibila il
vapore, sembra quasi cosa viva e sembra dire ai
contadini curvi quel fischio che si spande in aria:
Fratello, non temere, che corro al mio dovere!
Trionfi la giustizia proletaria!*

Meanwhile the locomotive runs runs runs and the steam whistles, it looks like a living being and that whistle spreading in the air seems to tell to the stooping peasants: Brother, do not be afraid, as I'm running to my duty! May the proletarian justice triumph!

Francesco Guccini
Italian Poet and Singer
La Locomotiva, 1972

What if governments faced sweeping hostility from large sections of the population over the fundamental values and institutions that sustain the social and economic fabric of society and anyone who disagreed with the ruling power were stripped of free speech, freedom of assembly or other civil liberties? Would that be a favourable political setting for public participation? Needless to say, the answer to this question is: no. And what if all civil liberties were granted and a basic consensus on the foundations of society were in place instead? Would that be a political environment capable of ensuring popular participation and, in particular, the involvement of underprivileged communities such as those living in informal settlements? Needless to say, the answer to this other question can only be: maybe. The thing is that if a constructive dialogue between government and informally housed communities is to

be opened and maintained, not only is it important that non-racist, non-oppressive, non-military regimes be present but certain critical factors or conditions of feasibility and efficacy also need to be in place. These enabling conditions for the involvement of the poor can be grouped into two categories. The first category relates to certain characteristics of governments (political context), which would make a difference in their willingness, capacity and obligation to hear out and consider the views of informally housed communities. The logical relation the researcher tries to develop here can be simplified as follows: if policy-makers and government officials at any relevant level were willing and able to, and responsible for, working in partnership with the poorest segments of the population, then the involvement of communities living in informal settlements in shaping government policies would be politically feasible and likely to be implemented effectively. The second category is related to certain characteristics of the communities living in poverty (social context), which would have a bearing on their motivation, ability and power to be an active part of the governing process. The second logical relation the researcher attempts to elaborate in this chapter can be simplified as follows: if informally housed communities were willing, and possessed the ability and organizational force to assure their involvement in government policy-making, then not only would they be more easily induced to participate but their participation would likely be beneficial. Of course, the dividing line between these two sets of conditions for the involvement of the poor may be very thin, especially considering that governments can play an important role in easing, encouraging and capacitating poor communities to get involved in public affairs and that the poor, particularly if well organized, can transform the attitudes of policy-makers and government officials as regards assigning the people a meaningful role in the decision-making process that affects their lives.

In detail, this investigation into the political and social context in which the participation of poor communities would take place is carried out by placing particular emphasis on the following set of issues. As regards the political context, this chapter first discusses the value of leftist ideologies in boosting government's willingness to be open to the challenges posed by the direct participation of communities living in poverty; second, it examines the importance of decentralization in improving government's capacity to

arrange for the involvement of informally housed communities; and, third, it reflects on the role of open-government laws in ensuring that policy-makers and government officials would be responsible for promoting the engagement of the poorest of the poor in shaping the policies that affect their lives. As regards the social context, the chapter addresses what would prompt people living in informal settlements to play an active role in shaping government policies before dealing with individual abilities and organizational effectiveness required on the part of informal settlers to ensure that the potential benefits of the participation process accrue to their community.

It should finally be noted that in compliance with the efforts to achieve the first objective of the present thesis, the analysis presented in this chapter focuses on the South African context. In view of this, the present chapter draws on the viewpoints of a sample of respondents—both government officials and informal settlers working for or living within the boundaries of the City of Tshwane (Pretoria) Metropolitan Municipality—who were asked to tell whether or not and why they would feel motivated to establish liaison with each other and whether or not and what they think they should have, or lack, in resources such as skills, time, organization or finances, which would be advantageous to the participation process. In a nutshell, the outcome of the present chapter is the identification of a six-factor framework representing the critical conditions that would benefit the democratic participation of South Africa's informally-housed communities in the policy-making of their local government. This important outcome is supplemented by an examination of the practical steps (forms of participation) necessary to proceed with the involvement of the poor, which is carried out in the following chapter.

Local Government's Willpower: Ideological Resources

Without claiming to give a full account of the root causes of politics, it is possible to state that the political ends and means chosen by autonomous governments at every level could ultimately be traced back to the tenets that form the basis of their art of governing or, in other words, to the government's ideology. A variety of ideologies have been or are in existence, and the terms indicating these different ways of looking at domestic and international issues are usually formed by the suffix '-ism': from left to right of the political spectrum, the following are included: communism, socialism, liberalism, moderatism, conservatism, nationalism, localism, fascism and nazism together with anarchism, ethnic separatism, racism, religious fundamentalism, environmentalism and feminism. A broad literature is available on ideologies and their political implications but it is beyond the scope of this study to recount them all. Instead, the focus is on a pair of ideological values that are thought to be the most powerful yet produced when it comes to championing the cause of the poor—and that I happen to share: the first is the belief in the principle of proletarian justice alias social justice or distributive justice; the second is the belief in the principle that all people count regardless of their financial means and should therefore be seen as the sole legitimate source of political power. While examining these two beliefs one by one, the key point made in this paragraph is that local governments—if guided by both beliefs (or ideological resources)—would not only more consistently realize a course of action aimed at combating poverty (within the limits of their responsibilities and budget) but, in so doing, would also be more prone to liaise with the poorest section of the population and involve them in the relevant decision-making processes—ideological resources that with regard to the supposedly leftist ANC-led government of South Africa too often seem to be honoured more in rhetoric than in reality.

Before proceeding with a discussion of the principle of proletarian justice, seeing that the feeling and sometimes the steadfast belief to be right and therefore in conformity

with some principles of justice is one of the places where supporters of most ideologies regularly converge, let me first of all attempt to shed some light on the meaning of the term justice as regards the political arena. In this regard, let me start by saying that the word justice is commonly associated with two general concepts, namely legality (or observance of the law) and equality (or treating like as like and unlike as unlike). But while adherence to the law should normally be seen as a just endeavour, what is the righteousness in continuing to obey faulty laws that do little but promote the reverse of justice? And while treating like as like and unlike as unlike seems an indisputable principle, how does one actually define likeness and unlikeness and 'render to each one his [or her] own', as Thomas Aquinas (1225-1274) puts it in the *Summa Theologica* (Westphal, 1996:112)? Given the dubiousness surrounding the sense of the word justice, it is not surprising that different societies and political systems have emerged on the basis of their own prevailing ideas of right and wrong, and perceptions of good and evil, which are ultimately related to the perpetual search for some state of happiness for the self and the collectivity. It could hardly be otherwise, if one also considers that the political implementation of certain ideas of justice is likely to diminish, if not rule out, the possibility of realizing certain others: for example, the accomplishment of important political goals such as individual prosperity, perpetuation of tradition and maintenance of social order can in the main be achieved at the partial expense of other equally important goals such as social equity, innovation and freedom of expression and association. Considering all of the above, it seems as if there is a strong case for bearing in mind that the only sense of justice is probably the justice that one senses: one's preference for a certain ideology has, in fact, essentially emotive roots grounded on one's materialistic, humanistic or spiritual basis, which arises within the particular context of relationships, family, culture and society. While I make no secret of my political passion, I thus have no problem in acknowledging that no political belief would prove to be a product of unchallengeable superiority and that different ideologies would in principle make equivalent sense insofar as their aims and tactics are not too imaginary, foolish or ignoble fascinations. Besides, even though people might consider themselves generally linked to a certain view of the desired society, they may sometimes find

themselves also embracing other perspectives in relation to particular issues, particular contexts or particular times.

Within the need to prioritise or balance competing political values, governments at any level are particularly faced with the challenge of determining a just distribution of resources and opportunities among the members of the society. Again, given the variety of political ideas, feelings or interests on the present state and future of the society or, in other words, different ideologies, a just distribution of wealth, income and power will mean different things to different governments. A similar proposition on the differences in what political rulers would call a just distribution of resources and opportunities was made by the Greek philosopher Aristotle (422–384 BC) in the *Nicomachean Ethics* (Westphal, 1996:78) who pointed out that ‘everyone agrees that what is just in distribution must fit some sort of worth, but what they call worth is not the same’. Given different meanings and nuances of what should constitute a just distribution of resources and opportunities in society, the researcher does not expect that everyone agrees with my opinion on the matter of distributive justice, which, influenced among many others by Laclau and Mouffe (1985) and Bobbio (1996), is that of a political system committed to, and actively involved in, the welfare of all without exception—succinctly referred to as a system derived from, and guided by, the idea of proletarian justice. For the avoidance of possible confusion, let me firstly point out that the use of the term proletarian is meant here to transcend the Marxist notion of ‘proletariat’, which refers to the oppressed workers of the world. According to its etymology (the term proletarian derives from the Latin word *proletarius*, which meant member of the lowest class of citizens in ancient Rome, as distinct from plebeian who was a member of the common people and patrician who was a member of the ruling class). The word proletarian is used to refer to anyone who is living below acceptable standards or, in other words, to the world’s poor who are compelled to struggle just to survive. Besides, it is perhaps worth making it clear that this notion of proletarian justice is not intended to suggest perfect equality of economic conditions among the members of the society. Actually, a certain level of economic inequality is not only tolerable but may be seen as positive when it creates the conditions for the necessary concentration of money needed to foster private capital investments, which

may then translate into increased productivity, employment and development of the society as a whole. Some of the differences in material status among individuals can also be worthy insofar as they reflect the inalienable right of each person to fulfil his or her individual nature, his or her particular humanity. But people are unlike and alike at the same time: unlike in relation to physical and intellectual characteristics (e.g., some are more hard-working or gifted than others) and alike in relation to inalienable rights, which include that of living a dignified life without being poor. It is maintained (Bobbio, 1996:66) that the 'apparent contradiction between the two postulates 'All men [and women] are equal' and 'All men [and women] are unequal' depends exclusively on the fact that . . . we put the accent on either what they have in common or what makes them different'. The consequence is that valuing the ideology of social justice above all others is ultimately a reflection of the belief that what people have in common 'has greater value in the formation of a good community' than their differences, as argued by the Italian political philosopher Bobbio (1996:66). It is also worth explaining that the notion of proletarian justice I have in mind does not represent an argument in favour of the dissolution of the capitalist systems and the advent of Marxism–Leninism and other forms of radical socialism that cherish, among other things, state ownership of the major means of production, distribution and finance along with centrally planned economy and political domination of one party. Instead, it is my intention to use the term proletarian justice to describe the political call for poverty eradication, and for reasonably narrowing the gaps between the haves and have-nots, in the context of more equitable, democratic and humane patterns of reformed capitalism. It is, in other words, the endorsement of the principles of progressive, not revolutionary, leftist ethics and democratic political reform so as to work towards what Terreblanche (2002:419) calls 'a social democratic version of democratic capitalism'. Indeed, it may be argued that centre-left rather than centre-right governments would be more committed to act upon the principle of proletarian justice—at least on paper. The reason being that governing on the basis of the values of social justice implies a reorganization of the structures and processes of the society in such a way that the protection of the weak, which is in principle on top of a leftist rather than rightist agenda, is ensured. Rightists, on the other hand, would be more apt to stand up for

liberal systems regulated by market forces under limited government interference in the economy.

Some scholars have endeavoured to give a rationale for demanding a society based on, and guided by, the principle of proletarian justice. For instance, the British philosopher and socio-political theorist John Stuart Mill (1806-1873) affirmed in *Utilitarianism* that 'actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness' (Westphal, 1996:157). Mill's proposition suggests that people's happiness ought to be the ultimate goal of any polity that claims to be just and that giving all people the economic freedom to make basic choices, or, in other words, allow everyone to be free from poverty, is perhaps the most sensible way not to be prejudicial to people's happiness. Mill's theory's greatest merit is therefore that of siding in a logical way with the political struggle against patterns of human conduct that lead to unfair accumulation of wealth into the hands of some of the more fortunate while forcing many others to very unhappy existences. Further rational support for the idea of proletarian justice is provided by the Harvard political philosopher John Rawls (1921-2002) whose conception of justice expressed in *A theory of justice* is that 'all social values [including income and wealth] are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage' (Westphal, 1996:33). The rationale behind this proposition arises from a purely hypothetical initial agreement that would be entered into, before any social order, by rational persons who do not know, and therefore are not biased by, their actual social position, wealth, class, abilities, psychological inclinations, religious or political beliefs and the like. That being assumed, the argument goes that if one does not know, say, whether they are a penniless squatter or an affluent industrialist, it is reasonable to believe that they would choose a social order that would regulate the relations among people in such a way that no one should be forced to, or have little opportunity to free oneself from, a life full of hardships. All in all, while it is important to bear in mind at all times what has been mentioned at the beginning of this paragraph with regard to the questionability surrounding the meaning of the word 'justice', it seems as if the logic of the arguments

used by Mill and Rawls would make the aspirations of a society firmly grounded in the principle of proletarian justice rationally defensible.

Having so far suggested that the ethics of proletarian justice would act as an impetus for political action towards redressing social inequities, let me now turn attention to whether or not it would also play a role in motivating governments at any level to liaise with the poorest sections of the population and consent to their participation in the decision-making process that affects their lives. In this respect, it is first of all worth noting that while it is true that if there was no political interest to do anything for the poor but close one's eyes, there would be no decision to make on how to alleviate poverty and therefore no need to involve the community in any decision-making regarding the matter, it is also true that even sincere political commitment to poverty alleviation programmes does not automatically imply government's willingness to engage the poor in the resulting decision-making process—let alone building on their participation. Assuming, then, that the central place on the value ladder of national and local governments belongs to the principle of proletarian justice, what additional political values, or ideological resources, would be necessary to foster a shift from genuine but top-down poverty alleviation programmes to development strategies formulated by the government with—and not only for—the poor? I attempt to answer this question by pointing to the need for a spirit of openness to, and acceptance of, the opinions of others, irrespective of their financial means or, in other words, to the need for cherishing the principle that all people count regardless of their economic status. Let me explain without delay what I mean by the expression all people count before tracing back the importance of this value in the context of governance. A belief in the principle that all people count is the reflection of a sincere respect and anticipation for the knowledge and human resources existing in people of all classes, genders and races. It is, in other words, the consideration and appreciation of alternative or complementary ways of interpreting and proposing development, which should translate in all interested voices being heard and brought to the decision-making table. Its significance can be traced back to both ancient and more recent philosophies: in particular, it can be traced back to the age-old African philosophy of ubuntu—a Xhosa term which means that 'a person only becomes a person through

other people', as the Anglican Archbishop Emeritus of South Africa, Desmond M. Tutu, puts it (Burger, 1996: preface)—which proclaims the values of human dignity, solidarity, interdependence and respect for the wisdom and sensitivity of all; and to the twentieth-century philosophy of postmodernism—whose exponents include the world-renowned French philosophers Jean-François Lyotard (1924-1998) and Michel Foucault (1926-1984)—which, while laying emphasis on the permanent partiality of knowledge, it urges everyone, especially political leaders, to treasure the values of plurality and diversity, as discussed, among others, by Thiele (1997). When one looks at the political spectrum, it may once again be said that centre-left rather than centre-right governments would be more dedicated to act upon the principle that all people count and therefore do their best to involve the poor in the decision-making process that impacts on their lives—at least in principle. Governing in accordance with this belief presupposes, in fact, a good deal of optimism about the nature and potential of people generally, which is more of leftist than rightist political leaders. Rightists, on the other hand, would theoretically be inclined to advocate more elitist forms of government and hierarchical societies in which 'superiors command and subordinates obey', as Baradat (2000:33) puts it.

That being said, let me now focus on the South Africa's political context so as to gauge the degree to which the supposedly centre-left ANC-led government coalition, which at present administers the country, all provinces and all major municipalities, appears to be prepared to act upon both the principle of proletarian justice and the principle that all people count for the benefit of the millions of poor that are still living throughout South Africa more than a decade into democracy. To start with, it has to be acknowledged without equivocation that the moving away from apartheid to democracy is not only South Africa's most precious political event of the twentieth century but also an irreversible process, worthy of celebratory accounts in more than one respect, for which the African National Congress (ANC) and its political allies must take most of the credit. Among other things, the country can now pride itself on one of the most progressive constitutions in the world, which, besides providing everyone with a broad set of socio-economic rights such as the right to housing (section 26), the right to health-care, nutrition, social security and social assistance

(section 27) and the right to education (section 29), enshrines in section 195(1)(e) the idea of a public policy-making process that has to be participatory in character. A forward-thinking Constitution which, combined with the earlier, progressively grounded official policy and electoral manifesto of the ANC and its alliance partners for the 1994 elections—the *Reconstruction and Development Programme* (RDP)—the fundamental objective of which was to reorient government resources towards, inter alia, ‘meeting the basic needs’ of all South Africans (chapter 2) and ‘democratizing the state and society’ (chapter 5)—‘held the promise of a relatively rapid structural transformation of the post-apartheid economy and society, at least for some time’, Hendricks (2003:5) maintains. In fact, the optimism generated around the RDP lasted only for some time before turning to disappointment and scepticism as a result of the fact that ‘its progressive sections simply were not adopted as government policy and, indeed, were actually contradicted in large measure, beginning with the *RDP White Paper* and continuing through all the major intersectoral policy documents, as well as through most of the new government’s social policies’, Bond (2000a:89) claims. It may even be argued (Hendricks, 2003:8) that ‘as much as South Africa has changed politically, it has remained virtually the same economically’—a statement that is most poignantly evidenced by the fact that almost one-third of the population are still spending their lives in unpleasant or downright miserable informal dwellings in both urban and rural South Africa, as reported in Chapter 3. Certainly, there are some practical justifications for this state of affairs. For example, it must be acknowledged that the legacy of about three-and-a-half centuries of apartheid, colonialism and slavery is a deep one and that there is then no way that it can disappear in the span of one decade or so. Besides, it is possible to argue (Macozoma, 2003:14) that today’s globalization processes reduce ‘the policy options available to a state that wanted to adopt a development agenda’ a lot. On top of that, one should not overlook all the technical complexities involved in poverty reduction efforts. Yet, it must also be stressed with some vigour that the generally non-insubstantial achievements registered so far by the new government in the provision of houses, education, health care and other services to the poorest of the poor seem to ‘dwarf the monumental problems of unemployment, illiteracy, ill-health and homelessness which together

embrace the grinding poverty of the mass of the population', Hendricks (2003:13) contends.

From this perspective, post-apartheid transition is, to say the least, an unfinished process that needs a serious makeover. If democracy is to mean something more than making rhetorical speeches, it has to make the mass of the people materially better off. At present, this is happening on a very limited scale and often controversially. What do the numbers on the status of poverty, unemployment and inequality reveal? The Department of Social Development (2002:59) reckons that just about half of the South African population falls below the poverty line (about 22 million people)—an impressive figure with definite racial, gender and spatial dimensions (the worst affected by poverty being blacks, women and rural communities) that is nonetheless regarded as 'somewhat optimistic', though it reflects the 'full take-up of all social security programmes'. And according to the national Census conducted by Statistics South Africa in 2001, there are an estimated 28,4 million people of working age (15-65 years) out of which 16,4 millions are classified as economically active. Applying the official or strict definition of unemployment (Statistics South Africa's official definition is that the unemployed are those within the economically active population who (a) did not work in the seven days prior to census night, (b) wanted to work and were available to start work within a week of census night, and (c) had taken active steps to look for work or to start some form of self-employment in the four weeks prior to census night), South Africa's rate of unemployment is 41.6% (about 6,8 millions of unemployed)—an already dismal number that would be even worse if the expanded definition of unemployment, which excludes the last criterion (c), were adopted. What is more, South Africa is among the most unequal societies on earth and things are not getting any better. As reported by Everatt (2003:79), '[i]nequalities in income distribution saw the Gini coefficient [a measure of income inequality ranging from 0 to 1, where 0 corresponds with perfect equality where everyone has the same income and 1 corresponds with perfect inequality where one person has all the income and everyone else has no income at all] continue to rise in the 1990s despite the ANC's avowed commitment to redistribution'. The level of inequality is also sharpening amongst blacks as a consequence of the emergence of a rich black elite

whereas 'the vast majority of blacks remain excluded from the benefits of black [economic] empowerment, and marginalized in the ownership structure of the society', Hendricks (2003:12) contends. As a matter of fact, the Gini coefficient for 'African households is not much lower' than it is for all South African households—the latter varying according to different estimates 'from about 0,58 to 0,68', Simkins (1998:2) informs. Altogether, it seems as though an extreme class-based inequality has come to take the place of the extreme race-based inequality of apartheid as a new defining characteristic of the democratic South Africa—although the lowest class in the South Africa economy continues to be composed almost exclusively of black citizens, with 'just the odd pinched face of a poor white here and there', Sparks (2003:333) notes.

In the eyes of numerous critics who align themselves with the political left as well as left-leaning ANC members and political allies—most notably the South African Communist Party (SACP) and Congress of South African Trade Unions (COSATU)—the government's adoption of the *Growth, Employment and Redistribution: a Macroeconomic Strategy* (GEAR), which was published by the then Department of Finance (now National Treasury) in 1996, is the emblem of the market-driven neo-liberal shift in government policy on poverty alleviation. As maintained by Everatt (2003:83), GEAR is 'a classic neo-liberal formulation, reflecting the assumption that market forces freed of external restraint would maximise not merely growth but also the welfare of citizens'. To begin with the title itself, GEAR spells out that economic growth (and fiscal stringency) must come first and other considerations such as redistribution (and poverty alleviation) are subordinate and incidental, which is the classic neo-liberal 'trickle-down' economic theory to lift nations out of poverty. This represented nothing less than a volte face from the original RDP document, which prided itself on 'breaking decisively' with an approach that regards economic 'growth as the priority that must precede development' as stated in section 1.3.6. Of course, it is not desirable to downplay the importance of economic growth: as it represents an increase in the output of a national economy and therefore a rise in the total national income, economic growth must clearly be an objective of government action. But growth by itself is not an automatic panacea for poverty because a higher average

income 'could be associated with myriad disaggregated patterns of distributional and poverty change', Kanbur (2004:25) argues, and 'may well occur at the same time as large groups of people are being increasingly impoverished', Heltberg (2004:81) points up. Put another way, it is essential to reflect carefully on the pattern of distribution of any given growth of the economy (as well as on the time frame required for this distribution) because economic growth will only result in a reduction in poverty levels if the poor share in it. Furthermore, it can be held that South Africa's persistent dual economy that is both highly developed and underdeveloped cannot be effectively handled by the neo-liberal economic paradigm alone. While it may, to some extent, be good for the skilled sector of the economy, 'the unskilled sector, which is far larger, needs a different set of strategies, not only for humanitarian reasons, though those are important enough, but to draw [the poor] into the economy from which they are now excluded so that they can begin to contribute their huge numbers to its growth', Sparks (2003:333) maintains—a perspective that points to the virtue of a 'trickle-up' (as opposed to 'trickle-down') approach to development in which a stronger developmental role for the state is required to redirect development investments to produce what can be referred to as 'redistribution for growth' (or 'growth through redistribution') rather than 'growth for redistribution'. In any case, GEAR has failed to trigger either redistribution or as much growth as expected: not only poverty, unemployment and inequality, as noted earlier, continue to be extremely severe but instead of 'a growth rate of 6 per cent per annum . . . by the year 2000', which was confidently predicted by GEAR (1996:1), 'South Africa's gross national income in real (1995) terms rose every year at an average of 2.5 per cent between 1993 and 2000', Davis (2003:48) informs.

Yet, it is noted (Everatt, 2003:84) that growth 'remains a holy grail for which the ANC government searches far and wide', as evidenced most recently by President Thabo Mbeki's announcement of the 'formation of a new government task force to ramp up SA's growth rate above 6%, in a new bid to create jobs and boost investment', Mde and Brown (2005:1) write in the *Business Day*. But as noted above, even though a higher economic growth rate could be attained, there is no guarantee that it would benefit the millions of poor people living in urban and rural South Africa because it is

still to be proven that the ANC-led government is disposed to doing something about it besides the proclamation, repeated in various ways, that 'attacking poverty and deprivation' is 'the first priority of the democratic government' (National Executive Committee of the ANC, 2002). In this regard, Terreblanche (2002:436) seems to have little doubt and goes so far as to claim that 'a new "distributive coalition" has been forged over the past decade between the old white elite and the new black elite' in order to make sure that 'a comprehensive redistribution programme on behalf of the poor is not possible'. Perhaps less arguably, it may be claimed that the ANC's neo-liberal wing has so far exercised a position of high authority and influence within both the party and the Tripartite Alliance, which can ultimately be traced back to the persistent—although internally controversial and criticized—decision of the trade union and communist allies of the ANC not to run on their own in the elections and the resulting missed opportunity to have an official representation under their own name in Parliament, in the Cabinet, as well as in provincial and municipal legislatures and executives. Consequently, millions of South African poor have hardly any other electoral choice today but to vote for a party that, considering the aforesaid levels of poverty, unemployment and inequality, has not yet done enough (despite a lot of political rhetoric to the contrary, which is portrayed by Bond (2000a:195) as the 'tendency to "talk left, act right"') to escape the impression of serving national and local interests of new and old business elites and corruption-prone cronies a lot more than the needs and aspirations of the masses of the underprivileged—an absence of intra-alliance electoral competition that is also lamented by several informally housed respondents interviewed by the researcher during the field surveys undertaken for this study. In fact, following the recent ANC's decision to call on the members of the disbanded New National Party (NNP) led by Marthinus van Schalkwyk to join the ruling party and the government, which took place in the immediate aftermath of the 2004 national and provincial elections which virtually wiped out the NNP, one is left to wonder how a variegated coalition of government that comprises such divergent political forces as conservatives, liberals, trade unionists and communists can manage to work together without radically compromising their respective ideological beliefs and political agendas. In view of that, it seems pertinent to ask whether the Tripartite Alliance should split anytime in the future to lay the foundation for a more

vibrant political competition and an electorally imposed alternation of power between a centre-left and a centre-right coalition in the new South Africa—a democratic alternation of power that from the perspective of the South African left would not only be worthwhile at national level but also at provincial and municipal level, given that a substantial degree of convergence between national and local politics seems inevitable due to the ANC's doctrine of 'democratic centralism' (National Executive Committee of the ANC, 2000), which not only binds lower party structures but also lower tiers of government under the control of the party to do as they are told by their national party leadership. Of course, the electoral potential of a new centre-left coalition in South Africa depends to a great extent on the positive reception of its programme among black African voters who comprise some 70% of the electorate. In this respect, based on a nation-wide study on the political and policy choices of the black electorate, 'there would appear to be ample scope in the African electorate for appeals by parties both to the "right" and to the "left" of the ANC', Schlemmer (1999:284) informs. By the way, it can also be observed that a shift in South Africa's politics from a dominant-party system to a balanced two-coalition system would not only create a political opportunity for the progressive wing of the Alliance and other centre-left-leaning political organizations to form a labour-backed mass party that can enthuse lower-income working- and middle-class, poor rural and unemployed voters but also for the neo-liberal wing of the Alliance and other centre-right leaning parties to put up a united electoral front to oppose, inter alia, anything that is perceived (Innes, 2004:11) as a 'shift away from Gear's emphasis on the need to privatise state assets, including the parastatals, in order to promote economic efficiency and market-driven economy'.

For the time being, the electoral success of the ANC is not only very robust but it has also increased inexorably since 1994. In the 1994 national and provincial elections nearly 63% of the electorate voted for the ANC. Five years later this figure rose to 66% and in 2004 it grew again to almost 70%, which has resulted in the ruling party winning more than the two-thirds parliamentary majority needed to adjust the Constitution unilaterally. The ANC has also won the majority of the popular vote in the 2000 local elections but this result (nearly 60%) seems to represent a partial setback

for the governing party. As far as the future is concerned, it seems unlikely that the ANC's electoral supremacy may soon be challenged without a radical transformation of today's political landscape in terms of party alliances and government coalitions. A complete recomposition of the South Africa's party system is therefore a central challenge in creating a mature democracy that would make possible an alternation in government between competing coalitions, which is generally regarded as healthier than dominant-party rule, especially to rein in the corruption and mismanagement that are supposed to accompany long periods of electorally unchallenged power both in central, provincial and municipal government—whatever the dominant party in office may be as implied by the historian Lord Acton's (1834-1902) frequently quoted warning that 'power tends to corrupt and absolute power corrupts absolutely'. The same view is echoed by Friedman (1999:104) who holds that '[d]ominant parties may be more prone to corruption and maladministration, since they are partly insulated from voter rejection'. Certainly, the switch from a dominant to a competitive party system cannot be expected, by itself, to liberate the country from corruption and mismanagement but it may discourage such behaviours or make them easier to detect. In fact, the prospect that an elected politician could more easily be defeated in the next elections by the opposition's candidate (referred to by Giliomee et al. (2001:161) as the 'uncertainty of electoral outcomes') may reasonably be regarded as one effective deterrent for him or her to engage in corrupt practices or other conduct contrary to public expectations. From this viewpoint, it comes as little surprise that the electoral success of the new South Africa's dominant party has so far increased steadily at the same time as public perception of government corruption (commonly understood as the abuse of public resources for private gain by politicians and civil servants) is reported to be on the rise. In line with the findings of other independent surveys conducted on the subject of corruption in government, the annual Public Opinion Surveys of the Institute for Democracy in South Africa (IDASA) 'indicate that perceptions that government corruption is widespread have increased among all races groups', Lodge (2002:138) reports. And in a recent telephone study conducted by Research Surveys for Dennis Davis's weekly discussion programme on e-tv called 'Judge for Yourself' in June 2005, it was found that 83% (blacks 81%, whites 87%, Indians and coloureds 86%) of those polled felt that corruption was becoming a way of

life in South Africa. Even more disturbingly, the feeling that there is corruption in senior levels of government was given by 86% of the interviewees (blacks 82%, whites 90%, Indians and coloureds 90%)—though this figure may have partly been boosted by the still-fresh memory of President Thabo Mbeki's sacking of Vice President Jacob Zuma for alleged corruption.

The fact that there is little prospect of the ANC losing political power is also expected to lower the motivation of its elected officials at all levels to be accountable to the voters and involve the public in government decision-making. The argument goes that since a good majority of the electorate can be taken for granted, incumbent elected representatives of the dominant party may actually decide to disregard accountability to, and participation from, their constituencies without the risk of not being re-elected. This point seems to have particular validity with respect to ward representation in municipal councils in poor areas, as suggested, though with different nuances, by 50 out of 52 informally housed respondents who were interviewed by the researcher during the field surveys conducted for this thesis. It was, in fact, observed with a sense of frustration, especially by informally housed community leaders, that it is so arduous even to arrange a briefing with their ward councillor and that the sporadic meetings that eventually happen to take place end up being substantially fruitless. But riding on the wave of its electoral success, the ruling party, beginning with its President Thabo Mbeki, not only rejects any accusation of having 'lost contact with the people' (Guy, 2004:1) but also 'prides itself in being the standard bearer of democracy' (Giliomee et al., 2001:161)—a claim that is uncritically echoed by the great majority of elected and non-elected government officials of the City of Tshwane (Pretoria) Metropolitan Municipality who were interviewed for this study. In the words of one respondent (a ward councillor), the ANC is nothing less than 'the best government party in the world because it has created an extraordinary level of democracy higher than in Europe or the United States'. Not a few critics, however, express concern about what bears a resemblance to Joseph's (1999:61) 'virtual', rather than 'real', democracy, which has a 'formal basis in citizen rule, but with key decision-making (especially economic) insulated from popular involvement'. Lodge (2002:167), for example, cites a specialised study of public participation in policy-

making that suggests that ‘too often the opportunities for “stakeholder inputs” are organized with the chief intention of “affirming existing policy directions”, or to provide legitimisation for already fixed decisions’. A similar stance is taken by Southall (2003:74-5) who argues that ‘South Africa’s dominant party system seems embarked on the road to ‘low intensity’ democracy, [which] implies that the formal requirements of democracy are met, yet under conditions of decreasing competition and declining popular participation’. The government’s well-advertised *Imbizo* programme seems to be a case in point of ‘virtual democracy’, particularly when it comes to involving destitute communities. Whereas described by the large majority of government respondents as a praiseworthy initiative that provides space for unmediated public participation in all spheres of government (i.e., national, provincial and local), 45 out of 52 informally housed interviewees referred more or less explicitly to the *Imbizo* process as a ‘political game’ orchestrated to serve the electoral interests of those who hold it but with little or no impact on the decisions (made elsewhere) that affect their community. In this respect, it turns out to be particularly unfortunate the reportedly widespread practice among government-elected and non-elected officials at various levels who come to meet with ordinary people to reply politely: ‘point taken’ to different community concerns but then forget to follow up with the community about it as if it had never been raised—a situation that is particularly disturbing because it affects people living in abject poverty. If this trend is not reversed—which seems unlikely until the majority of the incumbent members of the ruling party (especially local councillors who are elected in the poorest constituencies) remain electorally unchallenged and therefore with little or no electoral incentive to ensure that the community is meaningfully involved in the relevant decision-making—the overall effect is destined to be a purely symbolic realization of the democratic ideals on which the new South Africa was founded, which would hardly leave any choice for informally housed communities but ‘to be at the receiving end of government delivery of a standardized product’, as argued by Huchzermeyer (1999:220).

Local Government's Capacity: Decentralization of Powers and Functions

Even if it could be assumed that there is political willingness to some type of participatory-governance arrangement involving the poorest section of the population, it still needs to be seen whether or not the local government has the capacity to set it up and manage it. As a result, in addition to considering the motivational context that would emerge from the ideological proximity of the political leaders and government officials to the values of the left, which has been done in the previous paragraph, it is necessary to draw attention to the organizational capacity of local governments, which entails an examination of what decentralized structure of both the national state and local administration is in place and whether or not it would operate effectively with regard to the involvement of the poor in local governance matters. Drawing on Olowu and Wunsch (2003), de Valk (1990), Pitt and Smith (1981) and other studies that are quoted in the course of the paragraph, the key point made here is that it is through the reinforcement of democratic local administrations in terms of powers and functions that it would be possible to enhance the prospects of engaging residents of informal settlements in a meaningful and constructive dialogue with their local government—a condition that, for historical and political reasons that are examined below, is scarcely noticeable in South Africa despite a new municipal government system with powers and functions entrenched in the Constitution of the country.

Generally speaking, I am aware of no country in the world that operates in the logic of complete state centralization, that is, the practice of retaining legislative and executive control over political, economic and social affairs of the state under central institutions. The need for some degree of decentralization seems to be universal and not questionable in itself: 'whatever its ideological foundation or level of intervention, the contemporary state must localize its governmental apparatus . . . [a] . . . necessary condition for social, economic and political development', Smith (1985:3) argues. As a matter of fact, despite different political ideologies, types of regime and levels of state

control over the economy and society, every nation of the world has found it necessary to institute some territorial distribution of power, which entails 'the subdivision of the state's territory into smaller areas and the creation of political and administrative institutions in those areas', as Smith puts it (1985:1). But while it is largely agreed that the decentralization of government is a global necessity and it is expected by some (Castells, 1989:352) that local administrations may be moving towards a new renaissance in the face of 'the current process of total internationalization of the economy', there are considerable discrepancies between the modes and degrees of decentralization that have so far been developed around the world. Building on Smith (1985), Manor (1999) and Baradat (2000), let me run through the main differences in decentralization patterns—starting by referring to the issue of the number of tiers of government. In this respect, there are countries—mostly the small ones—that have opted for a single-tier of subnational government, which is made up of municipalities or local units of government that are responsible for the provision of a large range of public services to the community living in their jurisdiction and that co-operate with each other to organize the delivery of cross-boundary services and capital projects. Other countries—actually the great majority—have instead opted for a multi-tier system of governance, which divides and then further divides and perhaps subdivides again and again the national territory into smaller areas so as to create upper, intermediate and lower tiers of government each one responsible for the delivery of a definite range of services and capital projects to the community within their boundaries. Besides the number of tiers of government, another important distinction in decentralization practices relates to the methods for recruiting local legislative and executive leaders, which, for example, may be directly elected by the voters in the respective local constituencies or appointed by higher-level government authorities. The recruitment process of local legislatures and executive authorities is very much connected to another important difference in decentralization patterns, which relates to the level of power and functions vested in subnational government bodies in relation to such issues as finance, appointment of staff, terms and conditions of employment, range of duties and intergovernmental relationships. In relation to the above, the most decentralized system of governance would be the one that ensures maximum, although never complete, political,

operational and fiscal autonomy to the various tiers of subnational government—this is usually referred to as federalism. The least decentralized system of governance would instead be the one that enables central government authorities to distribute their officers over different zones within the national territory, thus reducing subnational institutions, or prefectures, to field administrations, which can only act along with the stipulations of the central government bureaucrats—this can be referred to as the prefectural model. In between these two limits would lie a system of governance that results in some form of local democratization and in the bestowal of some local autonomy in terms of powers and functions to, say, provincial, district and municipal government authorities and that therefore entails elements of both the federal and prefectural models (autonomy and dependency) in various combinations—this is generally referred to as devolution. Having said that, it is also worth pointing out that this succinct outline of different practices of decentralization serves as nothing but a small clue to the broad variety of models of decentralization found worldwide. It is just a sketch intended to suggest that while decentralization principles have universal appeal, patterns of decentralization may differ considerably in practice, thus making each version of local government a little distinctive and therefore deserving of being understood in its own right and context.

In all nations of the world, the level of powers and functions granted to the local tier of government is ultimately the result of a political process in which actors with different ideologies and interests at both national and local level seek to impose their particular values or to maximize their profit. Bearing in mind local circumstances, advantages and disadvantages need to be weighted against each other in order to see whether decentralization is worth minimizing or maximizing. For example, the mere existence of local authorities does not imply by itself the realization of development and democracy for all since local government are, generally speaking, as much at risk of corruption, nepotism and mismanagement as national institutions. Actually, it is maintained (Smith, 1985:6-7) that the proliferation of territorial subdivisions of the state 'can bring about a deterioration in the quality of administration as larger numbers of officials with less education, narrower outlooks and hardly any experience are employed', especially where social and political forces such as the press, trade

unions, civil society organizations, religious leaders and political opposition groups are unable to exert sufficient control over government power. Additionally, inconsiderate decentralization can be criticized for its propensity to be 'anti-egalitarian through its support for regional variation in the provision of public goods', as Smith (1985:5) observes. In contrast, decentralization is, at the least, viewed as a way to lessen congestion at the central level of government, thereby securing greater speed and flexibility in the decision-making process otherwise smothered by over-centralization. Besides, decentralization is seen as an indispensable means towards the achievement of both government's transparency in the use of public funds, government's responsiveness in meeting local needs and government's responsibility in the case of wrongdoing.

More relevant to the scope of this study, decentralization is regarded as a necessary condition to further opportunities for public participation. Bringing governments closer to the people would reinvigorate democratic practices for two principal reasons: one has to do with the population and territorial size of local administrations; the other with the empowerment of local authorities. As far as population and territorial size are concerned, it does make sense to maintain that the smaller the political subdivision of the territory of the state and the community living in it, the higher in theory the proportion of individuals, community organizations and interest groups that would have a chance to liaise with the government and take part in the decision-making process. As far as local government empowerment is concerned, it seems right to argue that the more the powers and functions vested in local government authorities, the more meaningful and productive in principle the opportunities for local communities to be drawn into consultations and decisions about development. All in all, while it is worth bearing in mind that democracy and development for all are not secured by the mere existence of decentralized institutions whose powers and functions may simply benefit already powerful and wealthy members of the local community, it is also important to point out that it would be quite hard to seek to build meaningful citizen participation—especially if aimed at involving the lower strata of the society—lacking local governing bodies provided with a consistent level of powers and functions within their territorial boundaries. With particular reference to Sub-Saharan

Africa, the link between decentralization and participation may reveal particularly tight as it is maintained (World Bank, 1989:79) that community spirit and community participation are usually 'traditional legacies which decentralization schemes should uphold and reactivate'.

Turning to the specific patterns of decentralization in the developing world, it is important to bear in mind three critical factors that have made and regrettably continue to make the preparation and implementation of democratic decentralization of powers and functions a much harder and longer process, however largely incomplete. The first critical factor has to do with colonial rule: having been left the combined legacy of a centralized political administration, which did as it liked with the rights of indigenous peoples, and a system of indirect rule or 'decentralized despotism', which 'was meant to hitch compliant sections of the traditional leadership . . . to the colonial wagon', as Mamdani (1996:102) puts it, many post-independence governments are expected to keep their head down for more decades to come if they want to reverse the modes of political organization that were in force under the colonial past and complete the transition to inclusive and effective forms of decentralized democracy. This point can be restated as the challenge of overturning the relative lack of experience in democratic self-governance, which is liable to bring about misfortunes such as nepotism, clientelism, corruption and mismanagement at the level of both national and local government. The second critical factor relates to social divisions: 'being divided along tribal, cultural, religious and ethnic lines, many newly independent states have adopted an exaggerated or even statist posture in attempts to unify the diverse elements within their society', as Baradat (2000:273) maintains. This point can be restated as the challenge of reconciling different social interests and values on the way to multiculturalism and harmonious societies at both national and local level, while being concerned to avoid any temptation to detract from the inalienable right to self-determination of peoples. The third critical factor relates to traditional forms of governance: although it is important to remember that quite a few ethnically based traditional authorities are unquestionably democratic and socially progressive institutions of governance, and should therefore be drawn on to shape modern modes of governance, as suggested by Davidson (1992:224) and Nabudere

(2003:18), it may be the case that uncompromising traditionalism would negatively affect the prospects of consolidating democratic and decentralized systems of governance, especially when it relegates women and minorities to a lower social standing. This point can be rephrased as the challenge of coming up with a mutually acceptable and socially beneficial governance framework that sets clear and consistent boundaries to the role and powers of traditional leadership (including the powers over the use of land) at both national and local level.

Under apartheid, South Africa developed one of the most highly centralized political and administrative systems in the world. Although it would be erroneous to contend that centralization of governance commenced in 1948, 'the apartheid policies perpetuated by the National Party government significantly influenced the developmental patterns of local authorities throughout the country', Ismail et al. (1997:45) maintain. Apartheid local government was the inevitable by-product of the compartmentalization of the various race groups into specific areas: local government structures were shaped along racial lines (there were white, black, coloured and Indian local authorities), each one 'with their own fiscal, administrative, legal and representative systems', as Ismail et al. (1997:46) put it. Unlike today, the powers and functions of apartheid local governments had no constitutional protection, thus engendering 'an exclusively top-down relationship between the levels of government. Parliament decided on the powers of the provincial councils, and provincial ordinances created local authorities and defined their rights and powers. Furthermore, the doctrine of *ultra vires* [Latin for 'beyond the powers'] applied, which is to say that local authorities could make laws only if they were specifically authorised to do so by a higher tier of government', Kendall (1991:29) explains. The restrictions placed on the transfer of powers and functions to the local tier of government during the apartheid era have resulted in local authorities being reduced to field administrations or, as Ismail et al. (1997:56) point out, 'being generally unable to be creative, innovative and respond appropriately to changes in the environment'. This accounts for the greatest part of today's shortage of political and administrative management capacity of several municipalities to run their own affairs effectively in South Africa, which manifests either in the calibre of municipal councillors from all parts of the

political spectrum, which is generally regarded as 'very weak', or in the lack of financial management skills, which is viewed by the Municipal Demarcation Board of South Africa as the 'biggest capacity problem facing municipalities', Cameron (2001:114) reports—a dearth of political and administrative management capacity inherited from the past regime that, with particular reference to previously disadvantaged municipal areas in urban and rural South Africa, adds to the legacy of insufficient income-generating capacity to support the provision of municipal services.

In post-apartheid South Africa, the Constitution provides for a new non-racial system of local government, which breaks decisively with the past, not only in terms of enhanced powers and functions (a new constitutionally defined developmental role for municipalities is set out in chapter 7), but also in relation to an upgraded position within the overall framework of the state (a new constitutionally mandated cooperation between all spheres of government is laid out in chapter 3). As per its new developmental duties, it is the constitutional responsibility of local government to develop and promote the well-being of its inhabitants (by performing a number of direct delivery and regulatory functions that are set out in schedule 4-B and schedule 5-B) and encourage the involvement of communities in matters of local concern. As per the new intergovernmental relations, the highest law in the country prescribes that national, provincial and local spheres of government update and consult one another on matters of common interest, coordinate their policies and legislation, and assist and support one another in mutual trust and good faith. Yet, local governments are constitutionally entrenched as an autonomous sphere of government in that Parliament and the provincial legislatures 'cannot exercise control according to their own discretion [but] [t]hey must specifically act in accordance with the provisions of the Constitution', Rautenbach and Malherbe (2004:278) remark—although it also appears in section 156(3) of the Constitution that a municipality remains subject to the other spheres of government in that a 'by-law that conflicts with national or provincial legislation is invalid'. As a result of this autonomy, local government authorities must not only participate in national and provincial development programmes but also structure and manage their administrations to do their utmost to promote the social and economic development of their local communities independently—this is also

done in consideration of the constitutional obligation placed on the national and provincial governments under section 151(4) not to 'compromise or impede a municipality's ability or right to exercise its powers or perform its functions', which 'guarantees local governments a significant measure of administrative autonomy', Devenish (2005:303) contends. Local governments are accorded legislative and executive authority, which is vested in their municipal councils—though a council may, and usually does, choose to delegate its executive power or a part thereof to a council-elected governing body, which may be established in the form of an executive committee, an executive mayor assisted by a mayoral committee or subcouncils and whose term of office corresponds to that of the council, as well as to ward committees established for each ward in the municipality. This is a distinctive trait of the local sphere of government in that municipal councils are charged by the Constitution (and by later Acts of Parliament such as the *Local Government: Municipal Structures Act* of 1998 and *Local Government: Municipal Systems Act* of 2000) with an executive authority that at the other two levels of government is not retained by the legislative body—whether it is Parliament or provincial legislatures—but, in observance of the principle of separation of powers, is invested in the President of the Republic and premiers of the provinces. To the contrary, one critical aspect that needs to be stressed is that individual councillors do not possess, by themselves, any legislative or executive powers—the implication being that a 'council always acts as a council when governing', Thornhill (1995:19) remarks. That makes a mockery of those council employees who believe that ward councillors are righteous in their acting as a sort of 'ward mayor' (i.e., giving instructions and orders to any municipal official) and reverently refer to them as 'my employer', as stated by various local government respondents, especially those employed in regional offices, who were interviewed by the researcher during the field surveys conducted for this study.

Another relevant legislation in regard to South African local government is the *Local Government: Municipal Demarcation Act* of 1998, which provides for the goals and criteria for the determination of municipal boundaries by an independent authority—the Municipal Demarcation Board (MDB)—which is accountable only to Parliament. Following a resolute process of boundary redetermination that resulted in a drastic

reduction in the number of local governments across the country, a total of merely 284 municipalities (compared to 843 in 1995 and about 1260 prior to that year) have been demarcated by the MDB for the 2000 local elections. This number consists of six metropolitan (category A) municipalities that have exclusive municipal executive and legislative authority in their area, 231 local (category B) municipalities that share municipal executive and legislative authority in their area with a district municipality within whose area they fall, and 47 district (category C) municipalities that have municipal executive and legislative authority in an area that includes more than one municipality and may include district management areas (25 of which have been established by the MDB around the country), which are extended rural or desert areas with a very small population. Although the demarcation process should technically be seen as ongoing in that the MDB continues to be involved in requests for boundary redetermination, it is maintained (CDE, 2000:2) that it 'has raised some new issues and problems that will have to be addressed' if the new, uplifted status of local government is to succeed in all its objectives. Two major concerns are discussed below. The first is that local government reorganization with fewer and geographically larger municipalities (most notably, megacities or single-tier government structures in metropolitan areas) may contribute to its aloofness from the communities it serves—although it may be justified on the grounds of administrative cost-efficiency. As Cameron (2000:163) contends, '[t]here is a general concern in some circles that metropolitan authorities will be run in a highly centralized fashion', no matter what variant of decentralization they may choose to establish, that is, ward committees and/or metropolitan subcouncils covering an area consisting of a cluster of adjoining wards that are accorded such powers and functions as the metro council may delegate to them in terms of the *Local Government: Municipal Structures Act* of 1998 (section 32). In Bond's words (2000b:372), '[p]eople who once had access to close-by councillors in small towns will find their local councils many dozens of kilometres distant following amalgamation'. Besides, it is argued (Cameron, 2000:164) that 'there is no conclusive local or international evidence to suggest that either the unitary- or two-tier model is a better system for dealing with metropolitan problems', a view that is curiously at odds with the confidence with which the national government affirms in section D(2.2)(a) of the *White Paper on Local Government* of 1998 that 'in the

absence of metropolitan government . . . the urban poor would be pushed to the metropolitan peripheries or into spatial “pockets of poverty”. Indeed, the opportunity to reverse gradually the amalgamation process that has integrated South Africa’s major cities with secondary cities and/or large and small towns should not be thrust aside by the ruling ANC on the sole basis of the party’s passion for holding on to power in virtually any municipality of the country. Without doubt, the establishment of megacities has so far limited to a minimum the number of municipalities opposition parties could govern ‘given that their support in most metropolitan areas is in geographically located pockets rather than city-wide support’, as Cameron (2001:106) recalls. A more proper balance should instead be sought between ‘statesmanlike considerations seeking the genuine empowerment of groups at lower levels and . . . hard-nosed calculations of self-interest’, as Manor (1999:37) puts it. Of course, the possibility of reverting the process of combining cities and towns into single municipalities, which has been used by the MDB to construct both metropolitan and local municipalities, depends on the fact that such cities and towns have the political, administrative and revenue-generation capacity to run their own affairs effectively by themselves—a condition that, in turn, can be met only when a progressive deepening of democracy by means of according representative government to at least all secondary and large cities of South Africa may fit the political agenda of the national government. Besides megacities, there is a second problem that affects the new South African local government system, which resides in the division of powers and functions between district councils and their constituent local municipalities. Criticism of the provision made by the *Local Government: Municipal Structures Act* of 1998 for a two-tier municipal government system in all non-metropolitan areas has two different nuances. First, the Act does not make clear which functions and powers are reserved to district councils and which to local councils in that a local municipality is not prevented ‘from performing functions in its area and exercising powers in its area of the nature’ of those accorded to a district municipality, as stated in section 84(3). The implication is that the risk of intergovernmental disputes is expected to be higher than it would otherwise have been or, putting it differently, ‘every municipality in the country will test its own powers and functions, which will be an enormously costly and wasteful exercise’, CDE (2000:8) argues. Second, and more to the point, district councils have

been devolved a measure of government authority that appears not only above what is usual (especially compared to the fact that '[i]n the past district councils had virtually no jurisdiction in larger urban towns, Cameron (2001:106) recalls) but also disproportionate to the objective of a district municipality to 'seek to achieve the integrated, sustainable and equitable social and economic development of its area as a whole', as defined in section 83(3) of the Act—a record that looks like another sign of the current amount of centralization in the new local government system of South Africa. This sentiment is echoed by CDE (2000:10), which looks at the sharing of executive and legislative authority between local and district councils as 'a way of saying that certain of the city's powers and functions have been transferred to the district council'. In fact, functions and powers that can be expected to be of exclusive competence of local municipalities, and that may entail district assistance and coordination of capital projects and service delivery only if necessary to achieve its statutory objective could be all those contained in section 84 of the Act, which deals with the functions and powers of a district municipality, with the most notable exception of the responsibility for integrated development planning for the district municipality as a whole, which is set forth in section 84(1)(a).

That being said, it is also worth mentioning that one of the key prerequisites for viable local government capable of delivering services that meet the needs of the local poor is the availability of sufficient financial resources. With regard to finance, section 227(1) of the Constitution entitles a municipality, just like a province, to 'an equitable share of revenue raised nationally to enable it to provide basic services and perform the functions allocated to it'. Besides, as per section 229 of the Constitution, 'a municipality may impose rates on property and surcharges on fees for services [most notably, electricity, water, garbage collection and transport fares]; and if authorised by national legislation, other taxes, levies and duties'. This power to levy local taxes and duties, however, includes no right to 'impose income tax, value-added tax, general sales tax or customs duty' and 'may not be exercised in a way that materially and unreasonably prejudices national economic policies, economic activities across municipal boundaries, or the national mobility of goods, services, capital or labour'. What is more, a municipality, just like a province, has the power to 'raise loans for

capital or current expenditure in accordance with reasonable conditions determined by national legislation’, as indicated in section 230(1) of the Constitution, though the private banking sector does and will not lend heavily to municipalities ‘until the banks have more confidence in local government as a profitable sphere of investment’, CDE (2000:8) remarks. Complementarily, it is also important to call attention to the fact that local governments must have a sound knowledge of local financial management principles and practices so that to optimize their finances or else financial resources, no matter how large they might be, will be wasted and municipalities will be forced to curtail or discontinue their operations. In this regard, CDE (2000:4) notes ‘the absence of business principles in running many local councils, which impact[s] negatively on their ability to provide and fund services, stimulate local economic development, and attract new investments’—concerns that were the driving force behind the establishment of the framework of treasury norms and standards for the local sphere of government that appears on the *Local Government: Municipal Finance Management Act* of 2003, which was passed to attempt to secure sound and sustainable management of the financial affairs of municipalities.

So far, the issue of decentralization has been addressed by focusing on the modes and processes that entail the devolution of powers and functions from the central to the local tier of government. It is now worth adding a complementary issue, which concerns the decentralization of powers and functions within the local administration itself. How do local governments decentralize themselves? Two major, non-exclusive options are involved in making local municipalities closer to the people they serve. The first option entails the establishment of area-based or functional committees consisting of, or chaired by, councillors with advisory and/or decision-making powers and accountable to the local legislature. In this regard, the *Local Government: Municipal Structures Act* of 1998 makes provision for the establishment of three types of committees, or internal structures, by a municipal council that chooses to opt for them: *metropolitan subcouncils* (sections 61-71), which are solely composed of a specified number of councillors, cover an area consisting of a cluster of neighbouring wards and may only be established, as the name suggests, by metropolitan municipalities; *ward committees* (sections 72-78), which consist of a chairperson, who

is the councillor representing that ward, and no more than other ten persons who are expected to represent a diversity of interests in the ward and include an equitable number of women; and *other committees* (section 79), which are functional or ad hoc committees solely consisting of members appointed from among the council. Metropolitan subcouncils and the other theme-based committees that are made up exclusively of ward or proportional municipal councillors are meant to be decentralized governance structures to which the council may delegate the responsibility for both advising and making decisions on matters relating to their area or functions. In contrast, ward committees 'are clearly intended to be a vehicle to promote local democracy and participation . . . [but] . . . are not meant to be bodies which take major administrative decisions', Cameron (2000:163) explains.

The second option is the departmentalization of the municipal executive, that is, the organization into departments, divisions, companies, agencies, boards or commissions usually on the basis of the service provided, geographic segmentation and/or type of citizen served by the specific organizational unit. An example in this respect, which is relevant to this thesis, would be the establishment of a specific unit or agency vested with a sufficient budget and clearly defined areas of responsibility on the question of informal settlements, which would be particularly worthwhile for all cities of the developing world that face the challenges posed by a large informally housed population. This special-purpose unit or informal settlement management unit (ISMU)—whose responsibilities should be broad enough to address integrated solutions to the physical, social, economic and environmental degradation of informal settlements—may be in a position to add value to the governance process in at least three ways: first, by improving the coordination, cooperation and establishment of priorities between local and non-local government departments on the matter of informal settlements; second, by becoming a repository of critical expertise to handle all issues associated with the design and delivery of development programmes to the poorest of the poor within the municipal jurisdiction; and third, by organizing and simplifying the liaison process with residents of informal settlements. In respect of the last-mentioned point, it may also be said that the ISMU could be in the position to be the developer and custodian of the communication and organizational skills that are

required to enable government officials to work with, and not only for, the communities living in poverty. This argument can be made on the basis of the claim that awareness building and training aimed at emphasizing principles and methodologies of effective community participation featuring the involvement of the poor could be better brought to fruition by a team of people who have a specific mandate to serve them and therefore to apply what they are learning. As regards the establishment of an ISMU, it is relevant to this thesis to make specific reference to the fact that the City of Tshwane (Pretoria) Metropolitan Municipality (CTMM) has recently drafted, but not yet passed, *By-Laws Relating to the Management and Control of Informal Settlements* within its jurisdiction. The ISMU envisaged by the CTMM, however, can hardly be welcomed as a reliable tool for development—let alone integrated development. As already mentioned in Chapter 3 in the paragraph entitled ‘Government Policies’, the developmental role of the ISMU of the CTMM is trivial in that it has not been assigned the responsibility to formulate or implement development programmes aimed at improving the living conditions of the people residing in informal settlements nor specific guidelines have been released on how to liaise with the municipal and higher-level departments that are supposed to perform these duties. Similarly, little effort has been devoted to give details on how the ISMU of the CTMM is expected to go about consulting with the communities living in informal settlements and their committees in decisions affecting their lives, which paves the way for discretionary enforcement of the law.

Local Government's Obligation: Legislative Requirements

The first two paragraphs of this chapter discuss why leftist ideology and state decentralization are expected to be central factors in boosting government's willingness and capacity to bring to fruition a process of public participation that involves the poorest section of the population. Taking some cues from Levendosky (2002), Robertson (1999), Magee (1999), Nelson (1996) and others quoted below, this paragraph deals instead with what may be required by national and municipal laws in respect of open government and public participation, which is seen as an additional factor in securing greater involvement of all citizens irrespective of their economic conditions. It is, however, worth pointing out from the beginning that any legislative provisions that enforce free flow of government information to the people or public debate and consultation with the citizenry in general, which all happen to be explicitly entrenched in the South African Constitution, and in various laws and policy documents of the country at all tiers of government, are regarded as complementary to, and not a substitute for, the shortage of willingness and capacity on the part of government officials to embrace the challenges and opportunities that come with the full adoption of a participative and inclusive system of governance (especially of local governance), as discussed in the two preceding paragraphs.

The promotion of transparency and accountability in government and public involvement in the decision-making that affects their collective life should first of all be enshrined in the constitution of a country. As argued by Lewis (1999:30), 'it does not seem logically possible to deny arguments in favour of autonomy and, therefore, of participation. They lie at the core of human personality and, as such, lay special claim to constitutional status'. Yet, the creation of constitutional opportunities to increase the level of democratic participation in government decision-making requires, first and foremost, that the dominant political culture does not stand in opposition to the principles of participative governance. As argued by Perri 6 (1999:78), entrenching

citizen participation in the constitutional order is not 'principally a question for the legal designers of formal constitutional rules. It is also, and arguably crucially, a question about culture'. When this culture happens to be the one prevailing nationally, 'a commitment to broad participative rights could well be reflected in the "directive principles" of constitutions, their preambles, and perhaps, to some extent, in Bill of Rights, which would leave it to successive governments to work out, with judicial assistance, the most appropriate way to secure those rights,' as Lewis (1999:26) puts it. Obviously, it is not only a question of whether or not to include participative rights in the constitution of a country but it is also a matter of which rights should be constitutionalized. In this respect, it would be desirable that the supreme law of a country not only confer upon its citizens the right to know about what their government at any level does or does not do but also bestow the public with the right to express their views and participate in the political decision-making that affects their lives virtually anytime, especially at the level of local government, except where disclosure or public discussion would not be in the interest of the citizens.

Similarly, it is necessary that national and municipal legislation is enacted to provide for practical measures to give effect to these constitutional rights. In particular, national laws pertaining to local government and municipal by-laws on open government and citizen participation would serve to secure and regulate what is provided for by the constitution within the boundaries of a municipality. This type of legislation is essentially meant to keep local government's records open for public inspection (public records laws), deal with public complaints (ombudsman laws) or allow the people to attend and be heard at hearings and meetings of local government's bodies with a chance to influence the decisions that affect their lives (public hearings and meetings laws). Besides, these laws are expected to make provision for suitable penalties in the event that municipal officials fail to comply with their requirements. As a result, open government and participative government legislation would give local government officials a sanctionable obligation to ensure availability of information to the public, respond to people's inquiries and complaints and involve the community in matters of local governance. Lack of laws and by-laws adopting the constitutional provisions regarding local government's transparency,

accountability and participative decision-making would possibly result in the public knowing what the municipality is doing only when decisions have already been made, and the potential of the community to provide good advice and influence policy-making would perhaps go missing. With the enactment of these laws and by-laws, instead, citizens would have opportunities to exert the right to find out what their local government is doing as well as contribute to making their neighbourhoods and cities a better place in which to live and work. Of course, the characteristics of a system of legally mandated openness and public participation may vary a lot from one country to another and, to some extent, from a municipality to another within the same country, not only in terms of requirements to be fulfilled (what information is to be disclosed or how and when to involve the public), but also in terms of their capacity to compel local government officials to do so. As a result, the actual impact of such legislation will depend on what obligations are stated or implied, and what penalties are imposed as punishment for violations or, in other words, on its scope and severity. As far as the scope of the law is concerned, it should be as broad as possible: openness in public administration should then be the rule and closure justified only by the confidentiality of the information to be disclosed or secrecy of the subject matter to be discussed. With the corollaries that individual government officials should not be given the discretionary power to decide on their own whether or not government's records or meetings should be open and that exemptions to the principle of general disclosure must be made clear and public. At the same time, it is important that participative processes do not become a stumbling block to the delivery process, which implies that municipalities have to find ways of organizing public participation so as to improve, rather than degrade, the level of service to the public. As far as the severity of the law is concerned, it is not only important that sanctions be clearly defined but also enforced reactively by appropriate systems of internal control or by courts of law so as to reduce the non-compliance rate that would otherwise undermine the right of the public to access government's records and meetings.

It is broadly recognized that the Constitution of South Africa sets a very good example of what can be done to attempt to institutionalize transparency in government and citizen involvement in policy-making. First, 'the right of access to any information held

by the state' is provided for by section 31(1)(a). Second, it is stated in section 195(1)(e) that 'the public must be encouraged to participate in policy-making'. Third, and most relevant to this thesis, it is set out in section 152(1)(e) that one of the fundamental objectives of local government is 'to encourage the involvement of communities and community organizations in the matters of local government'. It would then be constitutionally 'insufficient in such a democracy simply to defer to the will of the majority elected every five years. The broad policies expressed in election manifestos require further democratic debate in translating them into specific policies, laws and programmes. In this, all voices should be free to engage the majority at all levels of government', Albertyn (2002:52) suggests. What is more, it is constitutionally required that development be democratized both nationally and locally, which would allow one to assume that 'regular democratic local government elections are an insufficient democratizing mechanism for developmental local government [and that] what is required is a continual process of dialogue between municipalities and their communities, as well as community participation in all aspects of council activities', Pycroft (2000:150) contends.

These constitutional rights find direct expression in a number of legislation and policy documents. To begin with, the *Development Facilitation Act* of 1995 stipulates in section 3(1)(d) that 'members of communities affected by land development should actively participate in the process of land development'. More specifically, section 3(1)(e) points out that the 'skills and capacities of disadvantaged persons involved in land development should be developed'. This is echoed by the *Housing Act* of 1997, which establishes in section 2(1)(b) that all spheres of government 'must consult meaningfully with individuals and communities affected by housing development'. Furthermore, section B(1.3) of the *White Paper on Local Government* of 1998 instructs that 'municipal councillors should promote the involvement of citizens and community groups in the design and delivery of municipal programmes'. In particular, it is spelt out that '[m]unicipalities must adopt inclusive approaches to fostering community participation, including strategies aimed at removing obstacles to, and actively encouraging, the participation of marginalised groups in the local community'. Accordingly, section 19(3) of the *Local Government: Municipal Structures Act* of 1998

determines that a 'municipal council must develop mechanisms to consult the community and community organisations in performing its functions and exercising its powers'. Section 16(1)(a) of the *Local Government: Municipal Systems Act* of 2000 stipulates that 'a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose encourage, and create conditions for, the local community to participate in the affairs of the municipality, including in the preparation, implementation and review of its integrated development plan [IDP]'.

The single most important instrument to enhancing participative democracy in South African local government and ensuring that IDPs are generated in a participative way with the affected communities regardless of their economic wealth is referred to as ward committee by the *Local Government: Municipal Structures Act* of 1998. In this respect, it is stipulated (section 73(1)) that a municipal council that 'decides to have ward committees, it must establish a ward committee for each ward in the municipality'. Besides, the election of the members of a ward committee—which must consist of the ward councillor representing the ward in the council, 'who must also be the chairperson of the committee' as per section 73(2)(a), and 'not more than 10 other persons' as per section 73(2)(b)—must allow for 'a diversity of interests in the ward to be represented', as stated in section 73(3)(a)(ii). What is more, a ward committee is provided with wide-ranging power to 'make recommendations [to or through the ward councillor] on any matter affecting its ward', as set out in section 74(a), and 'has such duties and powers as the metro or local council may delegate to it', as defined in section 74(b). In respect of the latter, it is for example established in section 4.1 of the City of Tshwane Metropolitan Municipality's (CTMM) policy document referred to as *Establishment of Ward Committees*, which was adopted by the council in 2001 and is currently in the process of being upgraded into by-laws, that a number of important functions are to be delegated to the ward committees, including the participation in the formulation of the 'IDP', 'council's budget' and 'strategic decisions relating to the provision of municipal services'. As per funding and administrative arrangements to enable the ward committees to perform their functions effectively, it is stipulated in section 9 of the same policy document that while there will be no remuneration for the

members of the committee, 'travel and other costs incurred within the scope of Ward Committees duties [will] be reimbursed to the committee members'. The same section also makes clear that the CTMM 'shall make available its staff members as well as Council resources, such as offices, computers, faxes, copying facilities and other related facilities, to the Ward Committees for administrative back-up'. Moreover, as it is expected that disputes may arise as regards the composition and functioning of ward committees, it is resolved that 'the elections of Ward Committees [shall] be overseen by the Speaker's Office' (section 6.1(b)) and that matters that fail to be resolved internally within the ward committee or that embroil the ward councillor 'shall be taken to Council, through the Office of the Speaker (section 7.8(d))—thus making the Speaker responsible for watching over the process of public participation within the municipality and ensure that it is carried out correctly and efficiently. The CTMM has also drafted, but not yet adopted, *By-Laws Relating to the Management and Control of Informal Settlements*, which provide in section 7(1) for the election of a Residents' committee 'to represent the views and interests of the residents of the settlement in all consultative processes between the Municipality and the residents of the settlement'. It is also established (section 7(2)) that 'the Municipality shall consult the said Committee on all matters relating to the . . . informal settlement and communicate matters of general concern to the residents on a collective basis'—thus implying that each informally housed community within the CTMM will perhaps have an opportunity to voice their concerns and make recommendations to the municipal council, not only through the ward committee under which their settlement falls, but also through their own community committee.

From what is stated above, it is clear that South African local government is under constitutional and legal obligations to involve the public in the affairs of the municipality. That notwithstanding, the actual opportunities of the people (especially of the people living in poverty) to have a say and influence government decisions that affect their lives have so far failed to materialize or have been reduced to meaningless exercises, as evidenced by the field surveys undertaken for this thesis. To put it differently, it seems as if the lack of willingness on the part of government to genuinely embrace a system of participative and inclusive governance (especially at the level of

local government) and shortage of municipal capacity to put it into operation, as discussed in the previous two paragraphs, has so far successfully been able to circumvent the spirit, if not the letter, of a promising legislation—particularly with regard to the most destitute communities. This asymmetric situation is pointed out, among others, by Harvey (2002:38) who affirms that ‘there is little evidence to suggest that ordinary citizens are extensively and effectively involved in public hearings and in making legislative submissions, or that the education and public outreach programmes have substantially increased the extent and quality of their participation’. And it seems to be implied by Meyer and Theron (2000:i) who claim that ‘[p]ublic participation, unfortunately, has become a “buzz word”, the trendy and political correct concept or principle to incorporate in policy documents’.

Informally Housed People's Availability: Interest and Positive Expectations

The first three paragraphs of this chapter discuss the critical factors (i.e., leftist ideology, state decentralization and legislative requirements) that are expected to trigger or bolster local government's willingness, capacity and obligation to involve poor communities in the formulation of public policies that affect their lives. This and the next two paragraphs address, instead, a set of motivations and resources at individual and collective level that are necessary or beneficial to participative governance—this time on the part of the local community. As the act of participating in a democracy is to be regarded as a voluntary activity that competes with all other interests and responsibilities that people may have, it is, first of all, important to explore what is behind it or, in other words, to examine what would make individuals living in poverty willing to participate in the decision-making of their local administration, which is the focus of the present paragraph. This paragraph is complemented by the following two, which delve into what would make community participants capable of conveying information and knowledge to government officials (neighbourhood knowledge) and exerting pressure on them to make decisions and take action in the best interest of their community (social action groups).

Let me then start by addressing the following question: what would make a person living in an informal settlement willing to take part in meetings with local government officials and attempt to lobby for the regeneration of his or her neighbourhood? Lacking anything that makes it obligatory or any pay but perhaps a compensation for expenses incurred in attendance at meetings, community involvement in government policy-making implies that people have a specific interest in the process and a feeling that participation is worth the effort. If I may be forgiven for stating the obvious, there must be first of all a self-interested motivation for citizens to participate—motivation that is self-interested in the broadest sense of the word, including an altruistic motivation where the interests of others become those of the self. As Brynard

(1996:42) puts it, 'people are reluctant to participate in local activities in which they have no particular interest . . . people tend to participate in planning only when there is some specific interest for them in its outcome'. What is this particular interest that may move a person living in poverty to take part in talks with the government? Two fundamental types of interests have been identified: one has to do with serving a personal or family purpose; and the other relates to serving the good of the community generally. If the people do not see the relevance to their own interests of the issues for which public hearings or meetings are convened, it would then lack the fundamental motive for participation.

While a self-interested motivation, which is part of the human search for some kind of satisfaction, is a necessary condition for participation, it may, however, be insufficient. Unless citizen participants are fulfilled with some immaterial rewards (e.g., a sense of gratification for doing their civic duty, for socializing with other residents or perhaps for mingling with the authorities) or satisfied with some small material gains (e.g., the logo merchandise of the city or free refreshments and snacks sometimes handed out at the meetings!) that can be associated with the simple act of participating, it also 'seems that people are unlikely to participate willingly in planning if they feel that their participation will have no significant effect on the final outcome,' Brynard (1996:42) maintains. To put it differently, if members of the community who are interested in the issues to be discussed at a particular meeting with government officials felt they would accomplish little with their participation or if they regarded participation as a plain sham, feeling that decisions have already been taken elsewhere, they would probably decide not to get involved, especially if they had the option of freeloading, that is, restraining from participating in the hope of reaping possible benefits from the participation of someone else with similar concerns.

Additionally, it is also worth mentioning that effective participation also requires a good amount of time set aside, not only to attend the scheduled meetings, but also to inform oneself about the issues to be discussed. None of the government–community meetings or other time-consuming modes of participation could indeed occur effectively without some spare time on the part of the citizens. Is time availability really

an issue with regard to informally housed people? To put it another way, should it be assumed that the least well-off citizens are also the least busy and therefore the best endowed with free time? On the one hand, one might believe that the unemployed or people with an occasional occupation would have more time to spare than people who have to spend regular hours at work. On the other hand, precisely because they are unemployed or have a precarious job, one might expect that the poor would have to spend all their time on the not deferrable constraint to meet their basic needs and those of their dependents—‘every hour spent in meetings . . . is time lost in the struggle for survival’, Narayan et al. (2000:206) comment. While the empirical studies of Verba et al. (1995:293) suggest that ‘free time does not vary systematically with occupation level’, it has been observed by the researcher in the course of the field surveys undertaken for this study that mass and committee meetings are always called on weekends because all other days are not convenient to most residents—although this cannot only be attributed to the lack of time during the rest of the week but also to the absence of electricity supply in informal areas, which makes evening gatherings inappropriate. Besides, some of those serving on the residents’ committees operating in the four informal settlements that have been surveyed admitted that they probably would not have enough time to attend ward meetings with the councillor and government officials if these meetings were held in the best-located extensions of the ward a long way away from their homes, which, by the way, is usually the case. In this respect, it would seem appropriate to comment that municipal councillors and officials should do their best either to draw on the old saying ‘if Mohammad cannot go to the mountain, let the mountain come to Mohammad’ or provide reimbursement for the time spent and reasonable expenses incurred by community participants in preparing for, and attending, the meetings. Finally, the two most common reasons cited by the informally housed respondents with respect to time availability, or lack thereof, are long work hours required to meet minimum earnings and a busy family life for the women who have to take care of several offspring or a large extended family of grandparents, grandchildren, uncles, aunts or cousins.

Having noted earlier that both personal interest in the topics being addressed and positive expectations from taking part in public hearings or meetings with government officials are necessary conditions for ensuring people's availability to participate, it is important to discuss what is behind them and whether or not and what it may need to be done by the government to increase people's motivation to get involved. By drawing upon Buckwalter and Parsons (1993), Verba et al. (1995), Plummer (1999), Fox and Lawless (2001) and Knight et al. (2002), it is possible to trace poor people's interest in, and feeling of positive anticipation for, involving themselves in processes of public consultation and debate back to psychological, cultural or government-related factors—although these three categories are often found to have blurred boundaries. First, psychological factors revolve around the way people perceive themselves as possible contributors to the good of their family or the wider community. In this respect, one of the things learnt from the group of 16 ordinary informally housed respondents who were interviewed by the researcher during the field surveys undertaken for this thesis is that some poor people may have a feeling of personal inadequacy and may then decide not to participate in public forums or participate in a rather inactive manner. It is worth pointing out that this feeling of personal inadequacy seems to be generally absent or very limited among the group of 36 community leaders who were interviewed by the researcher. Second, cultural factors relate to the socially transmitted practice, or the lack thereof, of participating in community service efforts. In this respect, it is worth pointing out not only the importance of popular participation in political affairs but also of a tradition of civic voluntarism outside the realm of politics as a means to foster people's willingness to get involved in processes of local governance. Although poor people's involvement in political parties, unions or organizations that take political stands would generate quite a bit of exposure to political issues and thus an impulse to participate in local government's decision-making, it is maintained (Verba et al., 1995:3) that the participation in 'the fundamental non-political institutions [such as the family, churches, community-based organizations, schools and workplaces] with which individuals are associated during the course of their lives' would trigger the individual's readiness to take part in consultations with politicians and government officials. With reference to the latter, it was a positive surprise to the researcher to find out that in all four informal settlements

visited during the field surveys conducted for this study there are in existence various community-based organizations (involved in areas such as crime prevention, housing and youth development) that are not only well known in the settlement where they operate but that are, in general, also prone to keeping ordinary people regularly up to date through public meetings that are actively attended by some hundreds of residents. Thus implies that 'most citizens are open to participation' and government cannot 'claim it is dealing with a passive citizenry', as remarked by Friedman (2002:22). Finally, government-related factors have to do with the type of relationship, and its history, between the government and the local community. In this respect, a relationship that is based on mutual trust and respect, and that has been able to achieve some positive results for the community over the years would probably lead residents to be eager about holding talks with their government. Of course, if poor people are to be confident in the government, integrity, transparency and readiness to help are important conditions to be met on the part of the public officials involved in the process. Besides, poor people's interest in getting involved and positive expectations about what can be accomplished with their involvement would be enhanced when participation has proved fruitful elsewhere, especially in a neighbourhood right on their doorstep. However, feelings of mistrust, suspicion and resentment towards government officials or a sense of intimidation caused by an attitude of arrogant superiority or tactlessness on the part of politicians and public servants would impair any attempt to promote community participation until these feelings are resolved or less intense. Indeed, even when people were psychologically motivated and culturally inclined to play a part in discussions on community matters, why should they get involved with someone they feel does not deserve their respect? Without prejudice to this general principle, it was, however, encouraging to find out that despite a general lack of trust towards elected and non-elected government officials, the great majority of informally housed respondents expressed a strong desire to be involved in local government policy-making as well as cautiously optimistic expectations about what could be accomplished with their involvement. Last but not least, it is sometimes the case that government officials have a propensity to empathize and establish effective interpersonal relationships with some community members or groups more than with others, which is liable to create opportunities for

unrepresentative participation from the community of concern. While it is possible to argue (Verba et al., 1995:17) that 'personal connections among acquaintances, friends and relatives . . . are still crucial for political recruitment' and should not necessarily be regarded as unhealthy, it is important to remember that it is not only the number of participant citizens that counts but also, and most importantly, their representativeness.

Informally Housed People's Competence: Neighbourhood Knowledge

Assuming that poor people are willing to interact with local government officials and be part of the municipal decision-making that impacts on their lives, it is also necessary to consider what resources individual community members and the community collectively would bring into play. Accordingly, the present paragraph takes care of discussing the contribution that poor people would make to the local participatory process at individual level, while the next one focuses on the ability of the community as a whole to assist in, and influence, local governance constructively through effective participation. Before proceeding, it has to be noted that its theoretical underpinnings derive from Verba et al.'s (1995) analysis of strengths and weaknesses of ordinary individuals living in the United States, especially minorities, which are expected to affect the way in which people participate, in and contribute to, their government decision-making—suitably modified to address the different target population of this thesis.

With regard to the abilities, or lack thereof, of individual community participants, which are deemed to affect the usefulness of the participation process substantially, there are two main factors that are regarded as most beneficial and whose lack would be detrimental. One concerns people's understanding of the problems and priorities of the area in which they live (neighbourhood knowledge), which is expected to complement that of government officials or government-employed professionals (outsiders). The other is about people's capacity to relate effectively to government officials (interpersonal and communication skills), which would enhance the possibility of directing government policies towards the needs and preferences of the community. As it is obvious that people living in the same area can vary widely in the ability to see what needs to be done for their community and to convince the government of their case, it is important to reflect on the factors that would be at the origin of these participation skills. It seems that two major elements—the first

regarding the level of formal education and the second the professional or voluntary experience in working with others to try to deal with some of the collective problems—account for much of the creation of these skills. If this is so, a question arises immediately: as a limited level of formal education and professional or voluntary experience in team working would generally be found among the poorest section of the population, are there enough skills relevant to the participation process that can be tapped in the context of informal settlements? Someone who has a limited or no formal education would presumably be less skilful in communicating information, conveying knowledge and exerting some influence on the decision-makers—which is actually what has come to light in conversation with the 52 informally housed respondents (all of them with a limited school education ranging from Standard 5 (Grade 7) to Standard 10 (Grade 12)) who were interviewed by the researcher in the course of the field surveys conducted for this thesis. Similarly, someone who has little or no experience in working with others, not only inside the realm of politics (e.g., taking part in meetings of political parties, working as volunteer in electoral campaigns or organizing protest marches), but also in non-political institutions (e.g., attending and being active participant in discussion groups or other group activities in the workplace, in the school context or within voluntary and religious associations) would probably have more difficulty in articulating his or her arguments and would probably be less persuasive. Besides having an impact on its efficacy, level of education and experience in working with others on issues of common concern are also likely to affect the feasibility itself of the participation process. As mentioned in the previous paragraph, someone who, because of illiteracy or inexperience, does not feel confident about participating in public gatherings where one is supposed to come forward and voice one's opinions publicly would rather choose not to or to participate passively.

Having said that, I believe that the fact that a lot of poor people may not be very good at presenting their concerns, conveying proposals and selling them to the decision-makers is not evidence of their unpreparedness to play a part in the formulation of government policies relevant to them. My belief is primarily based on a principle that can be stated as follows: who is actually so 'poor' that he or she is incapable of

contributing to the development of society? Or, changing standpoint, who is so 'rich' that he or she requires no co-operation at all? Notwithstanding limited critical thinking and communication skills on the part of many people living in poverty, it is then important to realize that informal settlers have first-hand knowledge of the specific problems and priorities confronting their settlement, of which municipal government officials and assisting professionals may not be aware. Besides, what may be a prevalent characteristic of the members of a given community does not at all dismiss the possibility of finding a few skilful residents with the passion and ability to interact with the government in the interest of the whole community—as it is the case with a great deal of community representatives serving on the residents' committees in all four informal settlements who were visited by the researcher during the field surveys conducted for this study. As it is suggested in the next paragraph entitled 'Informally housed People's Collective Power: Social Action Groups', a general lack in individual skills relevant to the participation process may be counterbalanced or even outweighed by the abilities and power of poor people's organizations, whether community-based or external, as long as they do their best to serve as valuable interfaces between local governments and informally housed communities.

Informally Housed People's Collective Power: Social Action Groups

The present paragraph concludes the analysis of the enabling conditions for involving informally housed communities in the local government policy-making that affects their lives. It deals with the collective, organized strength of informal settlers with the ultimate view to illustrating how it may serve to pressure local government into dealing with what matters to their community. Relying on Ndlovu (2004), Habib (2003), Gaventa (2002), Deakin (2001), Grzybowski (2001), Kothari (1999), Reid (1999), Salamon (1999), Edwards and Hulme (1995) and other works that emerge, the major questions that are addressed here are the following: why would it be better for informally housed communities to promote their interests and priorities through or with the assistance of organizations that are specifically dedicated to their cause? On what foundations should informally housed people's action groups be based to serve better the interests of the people they are meant to serve? Finally, what practical actions should these organizations take to ensure a positive impact on the living conditions of the people living in informal settlements?

Let me answer the first question by reflecting on why informally housed communities should be in need of organizations such as residents' associations, religious charities, volunteer organizations, philanthropic institutions and the like that would be in a position specifically to represent their will and serve their cause over and above the efforts of leftist political parties. Raising this preliminary question seems justified because of the existence of a theory that is reported, but not supported by, Hall (1995:4), which affirms that 'because everyone has access to political power, there should be neither political nor tactical reasons to resort to social movements or collective behaviour'. Also from my perspective, this statement rings hollow because it overlooks the fact that political parties, and all the more coalitions of parties, which have the political ambition to acquire and maintain the role of governing the national state or a local administration, are somehow compelled to consider and reward a

wider range of interests and concerns than those defended by poor people's organizations. The consequence of this is that it is likely that the demands of the poorest segments of the population would be only partly, and perhaps not even that, addressed by political groups and politicians that are constantly engaged in collecting electoral consensus from the majority of the people and not only from a section of the electorate. In this respect, there is surely a need, in the context of South Africa, for informally housed people's organizations that are prepared to champion the interests and rights of the communities they serve fully in view of the fact that the self-proclaimed leftist ANC-led government has thus far been very much concerned with mediating among the diverse interests of its considerable electoral basis (nearly 70% of the electorate voted for the ANC in the 2004 national and provincial elections) that is increasingly made up of middle-class and upper-middle class voters. On top of that, it is argued (Kitschelt, 2003:81) that poor people's movements are also needed so as to make up for the 'decline in the trust and confidence of mass publics in . . . democratic institutions', which may also very much be the case for less politically mature democracies such as those found in many parts of the developing world—although this statement can by no way be limited to them. This decline in the trust of the people towards government institutions also applies to South Africa, especially at the level of ward representation in local government, as explicitly revealed or suggested by 11 out of 16 ordinary informally housed respondents and 35 out of 36 community leaders who were interviewed by the researcher during the field surveys carried out for this study. As a matter of fact, problems with housing and service delivery, which plague the poorest areas of the CTMM, were attributed to negligent and allegedly corrupt ward councillors who are said by many informally housed respondents to be good only at making vote-catching promises which they regularly fail to maintain. In the words of one respondent, their ward councillor is someone who 'may convene a meeting with the community, tell some lies to the people and then disappear until the time is good again for other lies'.

Once agreement is reached on the general need for informally housed people's organizations in addition to political parties of the left, it is necessary to establish the foundations on which these organizations should rest in order to work to the

advantage of the people they are expected to serve. Assuming that they operate within the context of a political system that ensures freedom of expression, freedom of association, freedom of assembly and other civil liberties, it is critical that informally housed people's organizations develop their force in at least two directions: representation and networking. As regards representation, it is important that these organizations foster grassroots participation to guide and support their actions and increase their legitimacy. If they failed to do so, two serious problems would likely jeopardize their chances of being recognized as legitimate spokespersons of the people and achieve pro-community results. The first problem would be the development of a self-serving mentality, which tends to induce organizations allegedly concerned with the plight of the poor to take up actions 'that may possibly be antithetical to the needs of the people' they claim to serve, Kloss and Roberts (1974:11) remark. The second problem would be an increase in paternalistic modes, which may lead to unresponsive activities in spite of sincere intentions to provide relief to the community. As regards networking, it is important that informally housed people's organizations try to get organized around networks at local, national and, if possible, international level, not only for mutual assistance and support, but with a view to 'configur[ing] dominant processes and functions in our societies', as it can be inferred by Castells (2000:501). Actually, global networks of poor people's organizations would be particularly worthwhile—though logistically and financially difficult—considering the fact that many of the problems afflicting hundreds of millions of poor people living in developing world metropolises such as Johannesburg, Rio de Janeiro, Moscow or Bangkok as well as in rural villages throughout the South have their roots in the political and economic structures and processes that tend to polarize the world into haves and have-nots—a restatement of Marx's famous dictum may be relevant here: 'poor people's movements of all countries unite!' In this respect, the bad news for the future is that, in a globalizing world, the 'winners' of the planet would close their ranks in order to maintain the status quo everywhere or allow only a minor redistribution of power and resources to the poor. Similarly, the good news for the future is that in a globalizing world, the 'losers' of the earth would also find increased representation at international level: Northern NGOs, for instance, are not only 'challenging the policies of their governments and of the corporations and multilateral

institutions that are perceived to block, undermine, or co-opt 'genuine' development initiatives', as maintained by Nyamugasira (2002:8-9), but are increasingly joining forces with poor people's organizations of the South in order to redress the policies of national and local governments of developing countries that create and sustain social inequities.

Bearing in mind that the achievement of an adequate degree of representation and networking is of fundamental importance to informally housed people's organizations, the third question is addressed, namely, what 'end-user' activities they are expected to undertake in order to seek to achieve physical, social and economic improvements for the people they represent. Broadly speaking, informally housed people's organizations can engage in direct actions (delivery of services) or indirect actions (advocacy). Direct actions are meant to support the needy by providing them with access to clean water, food, clothing, clinics, schools, housing, sanitation, social services, employment opportunities or microfinance schemes, to name but a few. Indirect actions, instead, are intended to influence the thinking and actions of policy-makers at various levels by more or less confrontational or collaborative means such as, for example, marches, rallies, lawsuits, awareness campaigns or direct liaison with government bodies. Of course, the actual impact of both direct and indirect activities depends on the support, or rather the lack of it, received from the social, economic and political environment in which poor people's organizations operate, which needs to be examined in the context of continuing competition for power, that is, the struggle for 'the resource whose possession allows the allocation of every other politically distributable resource', as Zolo (1992:44) puts it. In fact, it is contended (Burghardt, 1982:17) that a 'strategy that improves people's lives must, despite all the nice phrases, be rooted in politics, either explicitly or implicitly'. What is this competition for power all about? Let me attempt to answer this question by drawing attention to the major stumbling blocks posed to the efforts of poor people's organizations to build constructive relations with, and gain support from, both the general public and political decision-makers so as to be able to engage effectively in one type of activity or another. As regards the efforts to win the favour of the general public, it is worth noting that what is at stake is not only fundraising support for the several poverty-

alleviation projects of the various NGOs, volunteer organizations, religious charities, CBOs, residents' committees and other poor people's action groups but also, and most importantly, public consent for profound social changes in favour of the poorest section of the population. In this respect, despite evidence of a general determination of the public to spare something for the organizations that support the less fortunate, the attempts of poor people's movements to create the conditions for the democratic delegitimization of polarized societies in which masses of poor people strive to survive and privileged minorities bask in luxury beyond reason appear so far to have bounced back or produced little impact. With regard to the endeavour to achieve support from the political decision-makers, it is, once again, worth considering that it is not so much to secure grants or service contracts from the various tiers of government but rather to cause the political administrations—be it municipal, district, provincial or national—to rethink their budget allocation priorities and embark on courageous anti-poverty policies they normally would not take. In this respect, poor people's organizations are certainly engaged in a mammoth battle: while serving the interests of the poor, which constitute a great deal, if not the majority, of the population in most developing countries, the struggle of poor people's movements for improving living conditions and opportunities for the poor poses a serious threat to the powerful interests of economic potentates, 'feudal barons' and the upper middle class who profit and sometimes profiteer from the status quo. Because their interests are drastically different from those of the classes at the opposite end of society, privileged groups have a propensity to resist in one way or another the requests of the masses by way of pressing governments at local, national or international level to protect the resources at their disposal and their ambitions for the future rather than being more responsive to the needs of the deprived multitude. And especially where government's elected and non-elected officials are personally tied to, or are themselves part of, a powerful economic elite, the chances of poor people's movements winning decisive political support are likely to be very much against them. But while acknowledging that the prospects of poor people's organizations to fight against the concentration of economic and political power are uncertain or perhaps even dark in some cases, I still believe that they are not illusory: their chances of bringing about fundamental social changes are still concrete insofar as direct actions to alleviate poverty are associated

with augmented pressure on both the general public and the political decision-makers so as to mainstream the interests of the poor into government policies. The stakes are high, for what is involved in this struggle for power is the humanization of the miserable results of certain double-edged trends of history such as industrialization, urbanization and globalization, which are particularly apparent in the countries and cities of the developing world.

What follows is a discussion of the characteristics of pro-poor associational life in post-apartheid South Africa with reference to selected national and local organizations claiming to act on behalf of the poor. In this respect, it is first of all worth pointing out that South Africa's formal transition to non-racial democracy that took place in 1994 had to make significant changes in the way in which civics organize themselves and operate. As noted by Zuern (2004:1), 'civil society organisations were expected to shift their focus from a largely conflictual, if not outright hostile, relationship with the state, to now play a more supportive role', which is also presented by the same author as a 'transition from protest to development'. A dramatic challenge particularly faced by the most popular national civic movement, the South African National Civic Organization (SANCO), which had 'demonstrated its greatest strength through popular mobilisation against the apartheid state', Zuern (2004:1) remarks. Established in March 1992 as a network of local associations with the intention of giving them a stronger voice and additional bargaining power, what exactly is present-day SANCO, which claims 'to represent 4000 local branches', as reported by Heller and Ntlokonkulu (2001:9), has become a controversial subject. On the one hand, some analysts (Zuern, 2004:2) describe SANCO as a 'hierarchical organisation in which institutional structures constrain the aspirations of lower level community actors. On the other hand, others (Heller and Ntlokonkulu, 2001:12) hold the view that SANCO's branches 'operate quite independently of higher structures and in many cases have been able to nurture significant levels of community participation'. What seems less questionable is instead the ability, or lack thereof, of SANCO to act as an independent 'watchdog' monitoring the actions of the government and holding it accountable when it fails. This is the product of its close relationship with the party in power—in the face of the fact that 'SANCO leaders insisted at the outset that the new movement should

refrain from pledging loyalty to any party', as recounted by Lodge (2002:207)—which has resulted in the 'rapid absorption of SANCO's leadership into ANC and government structures, blurring its ability to influence government policy and emasculating its independence', Heller and Ntlokonkulu (2001:12) contend. In fact, SANCO has so far been rather cautious in its criticism of the government and continually restates its support for the ANC, not only at national, but also, and perhaps even more unambiguously, at local level as evidenced by the 'clear directives that all SANCO structures were to support the ANC's election efforts' (with the addendum that 'any SANCO official or branch that sponsored independent candidates or opposed the ANC would be expelled'), which were issued by the national office in the run-up to the December 2000 local elections, Heller and Ntlokonkulu (2001:19) inform. This reality should be regarded as unfortunate because it virtually prevents the largest civil society organization in the country from acting as 'a countervailing force' to the 'dominant party's power', Friedman (1999:116) suggests. As a result, it did not take long before internal tensions over the appropriate degree of civic autonomy and support, or rather opposition, to the ANC began to generate rebellious sentiments within SANCO which led to the secession of quite a few affiliate organizations and the formation of new breakaway civic structures with either a national scope (most notably, the National Association of Residents and Civic Organizations, which is viewed by Huchzermeyer (1999:131) as having 'no political affiliation') or a local one—although this did not prevent SANCO branches from continuing to constitute (together with ANC branches) the 'most conspicuous ingredient' of local associational life, as reported by Lodge (2002:221).

A few years after the appearance of SANCO (for the record, it was in 1994), the South African Homeless People's Federation (SAHPF)—which is today a national alliance of over 1 500 autonomous community-based organizations rooted in informal settlements and a small support NGO called People's Dialogue on Land and Shelter—was formed in response to a need for a system of networking at the level of informal settlements. Unlike SANCO, SAHPF (or *uMfelandaWonye*, which literally means 'we die together') is an 'organization that has no political affiliation but is rooted in an affirmation of the dignity and the strength of the homeless poor', Bolnick

(1996:157) contends. SAHPF deserves to be praised for at least three reasons. One is the creation of an exchange programme to share experiences, alternatives and solutions both nationally (between informally housed communities that belong to the alliance) and internationally (with slum dweller organizations from Asia, Africa and Latin America), which is regarded by Baumann et al. (2004:200) as capable of providing 'the confidence to overcome problems, the insight to abandon traditional solutions and the knowledge to address critical issues'. The second is the establishment of a national housing finance institution (uTshani Fund) owned and managed by the SAHPF, which is not only said (Bolnick, 1996:158) to have the capacity to 'make a material difference to the lives of those who are most often excluded socially and politically' but also (Baumann et al., 2004:200) to provide 'the glue to bring community members together'. And the third, though to an apparently much lesser degree, is the pursuit of a strategy of critical engagement with government not only with a view to having its core activities supported but also, and perhaps most importantly, with the intention of 'preventing evictions, stopping harassment [and] seeking alternative land' for the long-term benefit of the people it represents, Bolnick (1996:167) explains.

Besides nationally coordinated poor people's organizations, autonomous community groups that do not belong to any national network or whatsoever also represent a very common, if not the most common, and lively means of associational life in South African informal settlements, as suggested by Pieterse (2003) and ascertained by the researcher during the field surveys conducted for this study. In this respect, it is worth noting that informally housed residents' associations are quite diversified, ranging from a general committee dealing with a wide spectrum of issues of concern to the community to special-purpose committees or sub-committees dealing, for example, with crime, youth development or women's affairs. With regard to the issue of representation of residents' organizations operating in the informal settlements, it can be said that it was a pleasant surprise to the researcher to see that in all four informal settlements visited during the field surveys that there were representative committees (both general and special-purpose) made up of residents who are not only elected at mass meetings but who also keep the community informed and get their feedback on

a regular basis through public meetings that are usually attended by some hundreds of concerned residents. This is important in that it offers the municipal government an opportunity to engage these organizations with a reasonable assurance that they provide a mouthpiece for the poorest of the poor to voice their views on matters affecting them. When it comes to the issue of networking, it clearly emerged from the field surveys that not only is there a lack of coordination among the committees of different informal settlements but even a general scarcity of awareness of what goes on in other settlements with similar characteristics—thus calling for concerted efforts on the part of both informally housed community representatives and concerned outsiders to try to create associations of informally housed residents' committees with the object of enhancing information exchanges among the association members and forming solid alliances, especially at local (municipal) level, to advocate their shared rights to live a normal life. This would be particularly important given the fact that most community proposals or complaints receive little or no consideration by government officials at various levels, particularly by the ward councillors—as reported by the great majority of informally housed respondents (both community leaders and ordinary residents) who were interviewed by the researcher during the field surveys undertaken for this study.

As part of the discussion on poor people's collective power, it is also worth speaking of the participative role that traditional leadership can play in rural governance in post-apartheid South Africa with particular reference to understanding whether or not they may play a part (in rural areas falling under traditional leaders such as kings, queens, chiefs, headmen and headwomen) that is similar to that played by poor people's organizations in the urban setting—this time for the benefit of millions of informally housed rural people. In this respect, it is important to point out that post-1994 constitutional and legislative provisions have been adopted, not only for restoring the integrity and legitimacy of traditional leadership, but also to define its place and role within the new system of democratic governance. For this reason, South African traditional leaders should in principle no longer be regarded as independent (local) government institutions—as was the case in the apartheid-era homelands or Bantustans—but rather equated with civil society organizations whose functions and

responsibilities especially, but not exclusively, with regard to local governance and land administration have been institutionalised—though this does not imply that traditional leaders would, in fact, be true representatives of, and play an effective development role in, their communities, as suggested, for example, by Ntsebeza (2005:69-70). To begin with, the supreme law of the country clarifies in section 211 that traditional leadership and customary law shall remain ‘subject to’, and not conflict with, the Constitution and any applicable legislation. This is particularly relevant at the level of local government in that section 151 provides for the establishment of municipalities (whose executive and legislative authority is vested in their elected municipal council) ‘for the whole of the territory of the Republic’. It is then handed over to national and provincial legislatures (section 212) the responsibility of ‘provid[ing] for a role for traditional leaders as an institution at local level on matters affecting local communities’ as well as ‘for the establishment of [provincial] houses . . . [and a national] council of traditional leaders’. The *White Paper on Local Government* of 1998 provides one of the first attempts at clarifying the relationship between traditional leadership and elected local government in areas inhabited by traditional rural communities. In section D(4) of this White Paper, it is recommended a co-operative model that ‘combines the natural capacities of both traditional and elected local government to advance the development of rural areas and communities’ in all areas falling under traditional leadership. Accordingly, it is not only put forward that ‘[b]oth district and local municipal Councils must inform and consult traditional leaders regarding municipal projects or programmes within the traditional leaders' area’ but also that traditional leadership ‘will have representation on such Councils’. The recommendations of the aforesaid White Paper have been incorporated in the *Local Government: Municipal Structures Act* of 1998 which establishes in section 81(1) that ‘traditional leaders must be allowed to attend and participate in any meeting of the council’ (though the number of traditional leaders that may participate in the proceedings of a municipal council may not exceed 10%, later increased to 20%, of the number of councillors, as stated in section 81(2)(b)) and makes clear in section 81(3) that ‘[b]efore a municipal council takes a decision on any matter directly affecting the area of a traditional authority, the council must give the leader of that authority the opportunity to express a view on that matter’. As Pycroft (2002:121) puts

it, 'this right to consultation does not undermine the rural municipality's constitutional pre-eminence to determine how land should be used and how state development resources should be deployed within the council's area'. The scope for participative decision-making involving traditional leadership is further specified in the *Local Government: Municipal Systems Act* of 1998 which makes provision in section 29(1)(b)(iii) for traditional authorities 'to be identified and consulted on the drafting of the integrated development plan' of a municipality. More recently, the Department of Provincial and Local Government has issued the *White Paper on Traditional Leadership and Governance* (2003), which moves from the premise that 'traditional leadership [is] to work closely with government in the reconstruction and development of rural areas', as stated in the foreword by the chairperson of the task team that helped finalise the paper. In the same document, it is also unambiguously confirmed (chapter 2) that 'traditional leadership has to function in a manner that embraces democracy and contributes to the entrenchment of a democratic culture, thus enhancing its own status and legitimacy amongst the people'.

All these policies and legislations require a transformation of the institution of traditional leadership to conform to the constitutional principles such as democracy, non-sexism and non-discrimination that have begun to be dealt with in the *Traditional Leadership and Governance Framework Act* of 2003 (Framework Act) and the *Communal Land Rights Act* of 2004 (CLRBA). According to section 3(1) of the Framework Act, a community that is recognised by the Premier of a province as a traditional community, that is, a community that it 'is subject to a system of traditional leadership . . . and observes a system of customary law', as stated in section 2(1), 'must establish a traditional council', which will have responsibility over different aspects of rural development including: 'administering the affairs of the traditional community in accordance with customs and tradition'; 'supporting municipalities in the identification of community needs'; 'facilitating the involvement of the traditional community in the development or amendment of the integrated development plan of a municipality'; and 'participating in the development of policy and legislation at local level, as set out in section 4(1). But the new idea is that the members of a traditional council must not only comprise traditional leaders and members of the traditional

community selected by the senior traditional leader but also 'other members of the traditional community who are democratically elected for a term of five years, and who must constitute 40% of the members of the traditional council', as stated in section 3(2)(c)(ii). What is more, 'at least a third of the members of a traditional council must be women', as set forth in section 3(2)(b). On top of that, a traditional council is, among other things, to 'keep proper records'; 'have its financial statements audited'; 'adhere to the code of conduct'; 'co-operate with any relevant ward committee'; and 'meet at least once a year with its traditional community to give account of the activities and finances of the traditional council', as stated in sections 4(2) and 4(3). Complementarily, the CLRB provides for the democratic allocation and administration of communal land by traditional communities. Section 5(1) requires that communal land 'must be registered in the name of the community . . . entitled to such land'. The community whose communal land is registered in its name is then required to 'make and adopt its community rules [that regulate the use of communal land] and have them registered', as set out in section 19(1)—rules that 'are binding on the community and its members and must be accessible to the public', as stipulated in section 19(3). It is also provided in section 21 that a traditional community 'must establish a land administration committee' (whose duties may be performed by the aforesaid traditional council), which represents and acts on behalf of a community owing communal land.

Unfortunately, what seems to the researcher a balanced and conciliatory attitude on the part of government to transforming the institution of traditional leadership in line with the constitutional principles of democracy and equality, which is reflected in the aforesaid laws and policies, is not shared by all. In fact, it is severely criticized by opposite sides for granting too much or too little power to traditional leaders. Ntsebeza (2005:59), for example, holds the opinion that government has made too many concessions to traditional authorities, 'effectively resuscitating the powers they enjoyed under the notorious Bantu Authorities Act of 1951'. On the contrary, it is reported (Reddy, 2004: 35) that the majority of the *amakhosi* (Zulu for leaders) are of the view that the government has made too little in support of traditional leadership and believe that 'traditional authorities should be the municipalities in their areas', with

the same powers and functions as all other local government authorities. In this respect, while it can be argued (Ismail et al., 1997:135) that ‘in a democracy we are making a serious mistake if we deny some people the right to their customs’, it is also important to make sure that traditional leadership—especially in the light of its being hereditary and consequently not subject to the electoral process—does not conflict with governance principles such as democratic representation, participative decision-making, accountability, gender equity and respect for human rights if grave consequences for the prospect of democracy and development to the benefit of all, particularly the rural poor, are to be avoided.

Chapter **6**

Practical Issues in Involving Informally Housed Communities

If only they [government officials] were willing to put themselves in our shoes for a while, they would understand what it means living down here. If they just spent more time with us, they would stop doing what they usually do and start pushing for a solution that ensures a more decent living for all of us.

Simon Mthombeni

Informally Housed Settler
'Plastic View', Soshanguve, February 2005

The previous chapter examines the conditions for involving the poorest section of the population in shaping local government policies. The present chapter pays attention to the practical process of involving the poor. Put differently, it considers how the previously discussed political and social circumstances that would benefit the participation process can translate into practices that would harness the development potential of participative governance while reducing to a minimum its negative by-products. More precisely, this chapter, firstly, provides a review of such forms of participation as an ombudsman, public meetings and residents' committees and discusses their specific relevance, or lack thereof, to communities living in informal settlements. It then examines a further set of practical issues (i.e., stakeholders to be engaged, degree of participation, timing of involvement and topics for which public debate may be sought) that need to be carefully worked through in the implementation of community participation. Finally, it elaborates on how to go about evaluating the participation process. It should also be noted that in the attempt to accomplish the

second objective of this thesis, the present chapter gives special attention to the South African context. In view of this, it also relies on the opinions, feelings and experiences collected from a group of interviewees—government officials and informally housed residents working for, or living within, the boundaries of the City of Tshwane (Pretoria) Metropolitan Municipality (CTMM)—who were asked by the researcher to offer practical suggestions on the best way to tackle the involvement of communities living in poverty. In a nutshell, the outcome of the present chapter is the identification of a set of practical guidelines on how to proceed with the involvement of informally-housed communities in South Africa, which needs to be combined with the political and social circumstances, discussed in the previous chapter, that benefit the participation process.

Forms of Involvement

Let me begin by saying that I am not aware of an absolute best way in which to engage the poor in public management—the only golden rule that may have general applicability is that the choice of the form of involvement should be determined by the purpose to which community participation is going to be put. Accordingly, while exploring selected tools that can be employed to involve informally housed communities in the government planning that affects their lives, the researcher is ultimately concerned with linking each of these tools to the goal to which they relate. But before I get to the core of the matter and discuss a few forms of participation that are deemed appropriate to engage the poor, let me take up what I hinted at in the paragraph in Chapter 5, which is entitled ‘Local Government’s Capacity: Decentralization of Power and Resources’. As mentioned there, given the many and varied difficulties involved in figuring out what and how to do with informal settlements, it is important that there be proper decentralization (and specialization) of the local government structure so as to pool and coordinate the necessary expertise. In particular, it is advisable that there be in place a unit or an agency in charge of planning, coordinating and implementing local government responses to the diverse range of physical, social, economic and environmental challenges pertaining to informal settlements—including the responsibility of defining, promoting and managing mechanisms of public involvement. Having recalled the importance to have a dedicated municipal team to be tasked and funded to develop informal areas and liaise with informally housed communities, hereafter referred to as Informal Settlement Management Unit (ISMU), let me now turn my attention to what this unit should do in order to meet its specific responsibilities in the matter of community participation—responsibilities that ought to be clearly set out in municipal policies and by-laws.

The first priority of the ISMU should be to build awareness among its personnel—both senior managers and front-line staff—about participative governance principles and practices and to adopt appropriate incentives (and penalties) for the staff to apply what they are taught. As to awareness building (or capacity building on the design and

management of public participation processes), it involves conferences, workshops, discussion groups, manuals and other ways of educating ISMU staff, not only on potential advantages (and disadvantages) of community participation and efficacious ways to implement it, but also on how to attempt to renovate all sorts of attitudes and behaviours (e.g., lack of enthusiasm, commitment, flexibility, empathy with all parties, receptiveness, readiness to help and social feeling) that may hinder the participation process. As to incentives for ISMU staff to adopt participative approaches to project design and implementation, it would entail an adjustment of the evaluation parameters used to assess the performance of the personnel (and consequently decide on their salary increases and promotions) so as to include measurable indicators of the level of community participation in the decision-making under their control. Incidentally, it is worth adding that both awareness building and material incentives aimed at promoting community participation should concern the whole municipal administration (especially officials further up the ladder in all municipal departments) and not only ISMU staff. It would, in effect, be rather difficult to imagine that the ISMU team would have enough motivation to consider engaging with the community without visible support from higher-ranking officials such as heads and deputies of departments who are themselves informed and persuaded about the potential benefits of and ways to implement community participation.

The second priority of the ISMU should be to build awareness among residents of informal settlements about the participation options made available to them by the municipality. This is complementary to what has just been discussed since even well-conceived by-laws and implementation manuals to improve community participation would not produce the intended results if the target communities were not quite aware of any such policies. The task of informing informally housed communities as to why, how and when they could get involved in the government policy-making (or administrative assistance to community participation) may involve a broader range of instruments than those usually employed for communicating with the citizenry in general. Along with publicizing open government legislation and advertising scheduled public meetings and other participation opportunities by distributing pamphlets, making use of the local press, radio and the like, government's request for public

participation targeting residents of informal settlements should also be made through more direct channels of communication aimed first of all at giving the people a feeling of acceptance and welcome. If regular consultations and co-operation with informally housed communities are to be developed, it is important that at least some community representatives be kept personally updated by government officials on the possible ways and purposes of getting involved with their municipal administration as well as encouraged to participate. In this regard, however, it is worth putting emphasis on the fact that while interacting only or primarily with community leaders is expected to increase the efficiency of the participation process, it may not be able to guarantee adequate representativeness of the general community. This point is further developed in the following paragraph under the section entitled 'Stakeholders to Be Engaged'.

Finally, the third priority of the ISMU should be to define the practical mechanics of participation, that is, to identify appropriate forms of involvement to provide informally housed communities with the opportunity to interact with the government in one way or another, depending on the ultimate desired goal of the participation process. While the choice of a suitable form of participation depends on the goal it is supposed to achieve, all participative governance arrangements are expected to be rooted in two basic concerns. First, governments are to make clear from the beginning what the aim of the participation process is, specifying the input expected from the communities living in informal settlements and be precise about how they intend to implement the process. As contended by Stewart (1976:72), 'most of the unfortunate results seem to stem from failure to determine in advance what [communities] are supposed to do'. Second, while government officials are to do their best to encourage informally housed communities to voice their own opinions and concerns, it is also important that they find a simple way in which to let the people know what development opportunities they have, without dictating to them, and doing so on a regular basis. Given their supposed knowledge of the wider implications of alternative development options, local officials are not only expected to heed spontaneous ideas and proposals that may arise from resident communities but 'need to have the flexibility and creativity to

encourage a variety of technical and managerial possibilities such that individuals and communities can choose what suit them best', Shepherd (1998:203) maintains.

The rest of the paragraph covers some practical ways that would trigger no-nonsense participation from communities living in informal settlements. A variety of surveys and analysis made by Burke (1968), Stewart (1976), Conyers (1982), Hughes (1985), Finlayson (1986), Clayton (1995), Abbott (1996), Das Gupta et al. (2000), Howell and Leatherman (2000), Meyer and Theron (2000), Long (2001) and Rifkin and Pridmore (2001) were used and a lot of information, views, concerns and feelings of the respondents—both government officials and informal settlers of the CTMM—who were asked by the researcher to assess current practices and make practical recommendations to improve relations between local government and informally housed communities during the field surveys undertaken for this study were taken into consideration. As a result, three relevant forms of involvement have been singled out. It is also worth adding that these three mechanisms to achieve community participation in the context of informal settlements are not mutually exclusive and can be combined so as to suit local circumstances better.

Ombudsman

A first form of involvement would occur through the office of an ombudsman (a gender-neutral loan word from Swedish meaning 'complaint handling') that is prepared to be readily available and easily accessible to informally housed communities. The office of the ombudsman may in principle be either a section of the ISMU, a unit of the municipal bureaucracy or a local office of a national or provincial institution—the theory being that the more independent and decentralized an ombudsman office the better the chance of fulfilling its mandate effectively. The ombudsman requires adequate personnel who are suitably educated and trained to handle a wide range of grievances, frustrations and inquiries brought to them by people living in informal settlements. It is the job of the ombudsman (or local public protector) to exhaustively investigate complainant's claims against the municipal administration and its elected or non-elected officials at all levels so as to come up

with valuable conclusions in the form of either informal guidelines for the parties to settle the dispute, official recommendations on how to sort out the problem or refer the case to other local or higher-level government offices or institutions whenever deemed necessary. A toll-free telephone line for lodging complaints and direct access to conveniently located venues where aggrieved residents of informal settlements may submit their claims to an investigator or perhaps put them in an input box would be greatly instrumental in facilitating operational flexibility and informality. Additionally, it would be of great help to the ombudsman to supplement spontaneous complaints recorded by its personnel (complaints register) with the information elicited by opinion surveys of the community at large (register for suggestions). Various questionnaires may be used, not only with the object of ascertaining grievances of the people on anything that they perceive as unfair or improper governance practice, but also to promote a more positive (rather than accusatory) form of community participation. The office of the ombudsman has the advantage to make it easy for interested informally housed individuals to establish contacts with their local government, which would result in a quantitatively large amount of input for a better government decision-making. On the other hand, it is by its own nature liable to be a mediated way to involve the community, since it is likely to limit to a minimum the opportunity for the public to debate specific issues of interest and engage in regular negotiation sessions with the appropriate government offices.

In South Africa, the ombudsman is called Public Protector. The Public Protector is one of the 'independent state institutions supporting constitutional democracy' and therefore subject only to the Constitution and the law, as stated in chapter 9 of the supreme law of the country. The Public Protector is appointed by the President of the Republic on the recommendation of a qualified majority of the National Assembly and is charged with the broad responsibility of investigating any act or omission on the part of government agencies and officials (both elected and non-elected) in any sphere of government that result in prejudice to a citizen. Although the office of the Public Protector is not in possession of any coercive authority, it has the power to make all necessary investigations and then take all proper steps such as recommending corrective actions, engaging in mediation between the parties or referring cases to

other state institutions (all the above known as extra-judicial powers) in order to resolve grievances over maladministration, reprehensible conduct, abuse of power and corruption as indicated by the *Public Protector Act* of 1994. While it is clear by its wide scope of control over the executive power that the South African Public Protector can in principle make a substantial contribution in protecting the people from any government wrongdoing—even when it falls ‘into the frequently grey and ill-defined area of ethics, where a law may not have been transgressed, but where the community’s sense of right and wrong is offended’, as noted by Pienaar (2000:60)—it is important to call into question its actual relevance to indigent communities such as those living in informal settlements. In this regard, the good news is that any aggrieved person or community is entitled to submit a complaint to the office of the Public Protector without any complicated procedures being involved and have it investigated and responded to at no cost. The bad news, however, seems so far to have outweighed the good by great margin: first, it took some years before provincial offices were established in each of the nine provinces of South Africa even though the national office of the Public Protector came into being on 1 October 1995; second, the current number of investigators is about as low as one per million people; third, and more importantly, at present there are no regional offices open with the only exception of those operating in North West Province. These are stark facts that speak for themselves. Since almost no localized venues for lodging complaints are currently in existence, it is no surprise that the totality of the informally housed respondents interviewed by the researcher in the course of the field surveys carried out for this study had no idea, or only the vaguest, of what the office of the Public Protector was all about and how they could avail themselves of its services—notwithstanding the fact that all provincial offices have embarked on rolling out outreach programmes in various districts under their jurisdiction. Once informed by the researcher of the legal and constitutional mandate of the office of the Public Protector, however, most interviewees seemed highly excited by, or at least interested in, the prospect of approaching an independent institution outside the local government bureaucracy to voice their long list of unresolved grievances in an informal way and free of charge. But in this respect, it is important to remember that the office of the Public Protector is regarded as the office of last resort, which should be approached by aggrieved

persons or communities only once all other avenues in government have been unsuccessfully exhausted.

In fact, South Africa's municipalities are expected to have developed their own public complaint management systems and processes to handle citizens' grievances and increase their confidence and involvement in local government. In relation to this, the *Local Government: Municipal Structures Act* of 1998 (sections 36-41) provides for each municipal council to elect from among its members a chairperson (the *Speaker*) who must, among other things, ensure compliance in the council, subcouncils and council committees (most notably in the ward committees) with the *Code of Conduct* set out for councillors under schedule 5 of the same act. With this purpose in mind, the Speaker may authorize an investigation of allegations of non-compliance with the provisions of this Code and report the findings to the municipal council for action against a breaching councillor—action that may occur in the form of formal warning, reprimand, fine, suspension or removal from office, the latter two following pronouncement of the Member of the Executive Council (MEC) for local government of the province in which the municipality is situated. When public complaints have to do with mismanagement or incompetence involving council employees, the Speaker may as well conduct an investigation and report the findings to the Municipal Manager and the Mayoral Committee for appropriate measures to be adopted, if necessary, or try to bring all parties involved around a table and sort things out in order to protect the rights of the community to adequate services. Being a municipal institution, the Speaker has a more decentralized structure than the Public Protector. In the CTMM, it has regional offices in all major areas. That notwithstanding, all four informally housed communities visited by the researcher during the field surveys undertaken for this thesis are minimally aware of the responsibilities of the office of the Speaker and how they could benefit from it. In fact, it could be easily seen that the interaction between the Speaker and informally housed communities is very poorly conducted in the CTMM. This can be attributed to a shortage of awareness-building measures used by the Speaker to inform the informally housed population about its role and importance for the community but it is also tied to a more disturbing inability, which is apparent especially among some of the Speaker's regional managers, to ensure that informally

housed communities recognize the Speaker as a super partes institution that makes every reasonable effort to advocate for corrective government action to be taken to address unattended needs of the people living in abject poverty and not just as another ruling party structure that does its best to defend parochial interests. As a matter of fact, some of the Speaker's regional managers are perceived by the greater part of the informally housed interviewees as being accomplices with elected and non-elected government officials in ignoring the needs of the informally housed community. What impairs the objectivity and independence of judgement of some of the Speaker's regional managers seems their alleged excessive familiarity with the various municipal officials, which is summarized by one respondent in the sentence 'they drink beer together!'

Public Meetings

If it is to be ensured that a non-mediated information flow between government and informally housed communities occurs promptly and lasts over time, what is needed is a different form of engagement that allows for the simultaneous presence and interaction of all interested parties. A public meeting or, better, a regular series of public meetings where both informally housed individuals and relevant municipal officials have the opportunity to speak out and make clear what they care about would probably fill the bill. It is important that public meetings be held with some regularity in order to seek to promote satisfactory progress. The content of the debates, instead, is expected to evolve over time. Initial meetings would serve to establish an ambience of trust and mutual respect and enable all parties to speak about their priorities and goals for the future. Subsequent meetings would allow all parties to educate other participants about project proposals and ongoing projects and discuss in detail what they want or can do, how and when. It would also be important that public meetings form an interlocking process. A summary of the proceedings should be laid down in writing and shared with participants and, if possible, with the rest of the residents as part of a process that would enable the whole community to follow the progress and later assemblies to take due heed of previous directions. As regards the gathering place, it is imperative that public meetings intended for informally housed communities

be hold within their settlement, or as close to where they live as possible, so as not to discourage participation. As it is remarked by Meyer and Theron (2000:94), '[p]ublic participation often fails due to a lack of logistical arrangements'. The timing is also very important. In most informal settlements, weekend mornings are the only possible option in view of the fact that evening sessions are impractical due to the lack of electricity that most informal settlements face. Attendance by the community would also be fostered by the involvement of higher echelons of the municipal and provincial administration—first of all, the ward councillor. One of the main advantages of public meetings is that they are open to anyone who is willing to attend, which would result in a fair section of the population to have a chance to speak to and hear from the government directly without going through community representatives or residents' committees—although many people feel uncomfortable speaking in front of large numbers of people. Precisely because no election or selection process of the participants is in place, public meetings may not secure the representativeness of the audience with the result that the interests of the most active participants may rise up to obscure the concerns of marginalized groups and the quiescent community. If those attending and participating in the meetings are expected not to be representative of the whole community, it is important that the government make clear from the beginning that public meetings are convened with the primary goal of exchanging information (information or educational meetings) or ideas (consultation meetings) on matters of common concern. To put it differently, If the best interest of the community at large is to be served, it is crucial that government decision-makers decide responsibly on the demands made by the participants in these meetings and avoid making any official commitment to the audience that their demands would be fulfilled unless all has been properly done to induce people and organizations representing all the different interests of the target community to speak freely at the meetings.

In all four informal settlements visited during the field surveys conducted for this study, public meetings (popularly referred to as mass meetings) are a regular occurrence. They are informational, educational or consultative and are actively attended by some hundreds of residents. Most of these meetings, however, are basically an intra-

community affair during which community leaders interact with the rest of the community. As a matter of fact, the attendance of government officials (especially of ward councillors) is sporadic and generally regarded by the community as fruitless with the only noticeable exception of the local officials of the South African Police Service. But there is evidently a stark divergence of opinions with regard to the frequency and, more importantly, effectiveness of government-community meetings. On the one hand, there are numerous politicians (especially of the ruling party) and civil servants who loudly, proudly and incessantly regard public meetings as a way to be accountable to the masses. On the other hand, the greater part of the informally housed respondents were more or less explicit in referring to the practice of *Imbizo* (a Zulu word that alludes to a forum to enhance dialogue between the government and the people and find out a solution to issues of common concern) as being much of a 'political game', which is played by the political decision-makers to be able to publicize that they are answerable to the poorest of the poor and justify policies that could only emanate from the top down and not the other way around. When provocatively asked by the researcher: who, if not you, contributed to electing the current ward councillor (who is, in all four cases, a member of the African National Congress)?, the answers of the informally housed interviewees indicated almost in unison that in South Africa there is currently not much of a choice for them politically!

Residents' Committee

The establishment of a committee of residents may be the vehicle to consolidate a two-way communication flow between the local government and an informally housed community at the same time as it may serve to ensure the representativeness of the participation process. In order to be representative and apt to advocate on behalf of the whole community, it is not only important that the membership of a committee of residents' be selected in accordance with democratic procedures but also that endeavour to consult with as wide a cross-section as possible of the informally housed population on a regular basis. In this respect, it has to be borne in mind that the ultimate goal of a residents' committee is to advise the government on the basis of the views and interests of the resident community—technically competent advice

arising from a non-representative committee would betray its own nature of being the committee of the residents, making it just another committee of experts. Whilst non-resident (outsider) advocates can and should be employed to enhance professional capacities and powers of persuasion of the residents' committee, it is essential to let informally housed communities advocate for themselves. A residents' committee is envisioned to work shoulder to shoulder with local government officials concerned besides liaising with higher tiers of government, non-governmental and religious groups, socially conscious business organizations and other informally housed residents' committees. In order to make this happen, meetings between the local government and the committee are to be convened on a regular basis and as close as possible to the place where the committee members reside or transport should be arranged for or reimbursed to them. Moreover, while committee members should serve as volunteers and no remuneration should thus be offered to them, they should be entitled to receive reimbursement of genuine and pre-approved out-of-pocket expenses. Some of the responsibilities of a committee of residents would include submitting project proposals, commenting on government planned and ongoing programmes and being part of the decision-making leading up to community and area development. General residents' committees may be formed for integrated and comprehensive planning efforts as well as special project committees or sub-committees aimed at dealing with specific problem areas or impending community issues. Because a residents' committee ought to be responsible for facilitating the flow of information within the community it serves, it shall be the duty of the members to keep minutes of the meetings with the government and report to the residents on a regular basis—although informal (unrecorded) discussions with government representatives are expected to remain an indispensable part of the participation process. It should also be noted that while the last word on government spending would normally rest with the government, the members of a residents' committee may play a decisive political and operational role in shaping government policies relevant to their community. In other words, despite the lack of legally binding decision-making authority to secure government approval for the adoption of its recommendations, residents' committees may be capable of exerting some degree of influence over policy and programme matters relevant to the community they represents as a result

of one-on-one negotiation sessions with the government. It may also be important that a residents' committee be formally established as a legal entity if the community is to be eligible to receive certain government grant funds as it the case, for example, with the South African Government-funded housing option called 'People's Housing Process', which is described in Chapter 3 under the paragraph entitled 'Government Policies'.

In all four informal settlements visited during the field surveys conducted for this study, residents have managed to set up democratically designated committees to try to deal with the most pressing problems of the community and hope to exert some pressure on local government decision-makers to improve the status quo. In all cases, it is a general committee dealing with a broad number of matters relevant to the community (though with little or no holistic perspective on the way forward) coupled with special purpose units or sub-committees such as a neighbourhood watch on crime or a youth development forum. Residents' committees are welcomed and their efforts by and large appreciated by both community leaders and ordinary informally housed respondents who were invited to express their viewpoints on the matter. However, while being substantially pleased with the work of the residents' committees, interviewees agreed on the view that community representatives by no means have to end up substituting for the community in a permanent way. Whether or not they were serving on a residents' committee, respondents acknowledged the importance of holding mass meetings where committee members interact publicly with the community at large and where government officials (above all, the ward councillor) should be invited to be directly accountable for their decisions and actions to all residents. Although not unanimous, there was also a clear consensus on the degree of satisfaction, or lack thereof, with the liaison process between residents' committees and the local government. In this respect, it was not difficult to ascertain that residents' committees are at best only sporadically approached by government elected and non-elected officials and, when this happens, community initiatives and complaints fall, for the most part, on deaf ears or receive minimal consideration by those in power, particularly the ward councillors. One of the main reasons adduced by various local government respondents (especially the ward councillors) for this lack of or minimal

interaction with informally housed residents' committees is that there is in place in the CTMM a ward committee system, which is regarded as the one and only able to secure grassroots democracy through ten-member committees that are to be directly elected by the residents of each ward, including informally housed residents. Although it is reasonable to expect that ward committees should be the principal vehicle to promote public participation in local governance on account of their legally established powers and functions (sections 72-78 of the *Local Government: Municipal Structures Act* of 1998), it is the opinion of the researcher that their statement falls short, not only of being critical, but also logical. It is uncritical because it fails to recognize that some important provisions of the otherwise well-conceived CTMM's policy document entitled *Establishment of Ward Committees*, which is supposed to fulfil the mandate received from the aforementioned act of Parliament within the CTMM, have so far not come into effect—at least with respect of the wards comprising the poorest areas of the municipality. For example, contrary to the purpose of section 5 that instructs that 'in the composition of the Ward Committee . . . the diversity of interest and geographic representation be taken into account', no representative from the large and populated informal settlement called Plastic View (situated in Soshanguve), has been identified and invited to serve on the ward committee for Ward 37 despite a clear interest of some community leaders in being considered as nominees. Besides, at odds with section 7.4 which indicates that a ward committee 'should meet as frequently as possible . . . [and] . . . at least once a month', it is lamented by the representatives of the informal settlement named Brazzaville (Atteridgeville), that the ward councillor for Ward 7 has adopted the habit to call ward committee meetings as and when he pleases, which happens to be infrequent. Similarly, notwithstanding the instructions of section 7.6 that a ward committee 'shall strive to reach decisions on the basis of consensus', a rather centralistic and allegedly untrustworthy management of the ward committee for Ward 17 on the part of the ward councillor is deplored by the leadership of the informally housed community of Morgan Village (Mamelodi). Not to mention the fact that the ward committee for Ward 48, whose membership includes a relatively high proportion of representatives of the informal settlement called Choba (Olievenhoutbosch), has been marginalized and disempowered because of the political sidelining by its own political party (African National Congress) of the

committee's chairperson, namely the ward councillor. To top it all, none of the aforementioned ward committees can so far be said to have created notable conditions for the various informally housed communities falling under their jurisdiction to 'participate in the preparation, implementation and review of the integrated development plan' of the CTMM, in the 'preparation of Council's budget' or in any 'strategic decision relating to the provision of municipal services' as requested by section 4.1. Second, what affirmed by local government respondents is illogical because it ignores the possibility that a ward committee may not be able to protect the interests of some of its constituent communities. This is due to the fact that each ward comprises some forty or fifty thousand people living in a number of neighbourhoods (usually referred to as extensions), which have different degrees of physical, social and economic development, thus implying that specific community needs could be better met through the complementary work of residents' committees that specifically represent the interests of particular communities (especially those living in poverty) within the ward.

Further Practical Issues

The identification of one or more forms of involvement described in the previous paragraph is only one part of a wider operational process that aims to ensure the meaningful and effective participation of informally housed communities. The present paragraph is then intended to complement the previous one by addressing the following questions: Who exactly should be engaged? How much involvement should be allowed? When? And on what topics? Drawing on Happe and König (2003), McCarty et al. (1999), Attwood and May (1998), Clayton (1995), Sowman and Gawith (1994), Hughes (1985) and others mentioned in the sequel of the paragraph, the researcher tries to answer these questions.

Stakeholders to Be Engaged

It is maintained (Schmitter, 2002:14) that community participants, both individuals and organizations, should enjoy the status of 'holder'—namely, they should 'possess some quality or resource that entitle them to participate'. Let me elaborate on this general rule. To start with, I believe that all informally housed residents—both citizens and foreigners with residence permit—and associations of residents living in the areas affected by the government planning process would in principle qualify as holders. This definition of holder seeks to be wide-ranging but not necessarily all-inclusive, as illegal immigrants—who may constitute a large portion of the people living in certain informal settlements—would be left out until some concerted action at different government levels is taken to regularize their status. Within the informally housed community, those who are already involved in community-serving activities (e.g., social activists and community leaders) or are expected to have information and expertise for illustrating problems and suggesting possible solutions should then be given particular consideration in the recruitment process. Although a number of residents can often be regarded as subjects dedicated to serving their community or are well informed about problems and priorities of their neighbourhood, it is likely that this definition of holder would be much smaller ranging than the previous one.

Besides, not only residents but also concerned outsiders such as social workers, clergy members and volunteers should also get involved as community animators, spokespersons, advocacy planners or playing other roles as long as they are accepted as part of the participation process by the same community they are supposed to serve. While it is important that outside advisers and facilitators be not self-serving but prepared to listen to the people they represent, they are expected to play a critical role in helping poor communities to articulate their interests. As maintained by Brynard (1996:45), there is usually a need for advocates to speak and act in favour of informally housed communities 'because it has been proven that to get citizen participation by the poor and underprivileged it is necessary to do more than simply invite it'. On the other hand, it is important that the engagement of outsiders be placed on top and not as a replacement for that of insiders. As Abbott et al. (2001:91) put it, 'when made by outsiders, whether in government or the private/NGOs sectors, and based exclusively upon externally perceived needs, [development projects] will have a very low chance of success'. Finally, it seems fair to add that participation should also be open to non-resident landowners—especially those whose land has been occupied without their consent or those who do not have a proven record of exploitation or abuse—as well as to representatives of the people residing in surrounding formal areas, whose viewpoints are expected to be quite different but perhaps as much justified in their own terms as those of the informal settlers. While it is important to realize that the participation of delegates on behalf of non-resident landowners and adjacent formally housed communities would result in more strenuous negotiations on the content of any particular in situ upgrading or relocation project proposals, it is maintained by Angel (1983:20) that 'it should be easier to identify areas of common interests and areas of possible reciprocal exchange, once . . . the different participants are [brought into the decision-making process and their positions] clearly understood'.

Not all the stakeholders mentioned above, however, could possibly be directly involved in the participation process, not only because it is found in practice that a number of poor people are not disposed to participating, but also because community participation does not have to become a stumbling block to good governance. As this

problem is usually circumvented by focusing on the involvement of individuals and organizations, whether insiders or outsiders, which are supposed to represent the target communities, it raises the question of the representativeness of the representatives. Especially when there are conflicting or different needs and interests between members or groups within the informally housed community, it is therefore crucial to reflect on whether or not the non-participation or non-representation of large sections of informal settlers may result in biased priorities and unmerited mercies bestowed on those who decide to participate. Although it would be a mistake to oversimplify this point, it seems to the researcher that within the informally housed communities of the CTMM that were visited in the course of the field surveys carried out for this study there is not only a high degree of agreement among the residents with regard to what community needs and priorities should be addressed by the government but also a high level of trust in the leaders (representatives) of the community. This is evidenced by an intra-settlement consistency of the answers provided by informally housed respondents to the question 'what would you do to improve the conditions of the area where you live?' and by their critical but largely positive assessment in reply to the question 'do you consider the members of the residents' committees as representative of the whole community?' As matter of fact, the researcher found little evidence of non-representation of particular interest groups on the residents' committees that he happened to come close to—with the only noticeable exception of illegal immigrants who do not want to take any chance of being deported and therefore prefer not to come forward voluntarily, and a few splinter groups that have their own agenda and are thus very difficult to engage. Without prejudice to the principle expressed by Jaakson (1972:18) that 'any group which has interests at stake in the plan should have those interests articulated', it may then be possible that a relative small group of community activists (e.g., the members of a democratically elected residents' committee) could be able to fairly represent the collective views of the people in their community. To put it differently, even a relatively small group of democratically voted community representatives who were asked to be involved in the government decision-making process would be expected to raise and stand up for much of the same concerns that would have been raised and defended by fellow settlers who did not take part in the process. Approaching this opportunity

from a different standpoint, it seems therefore possible for South African local governments to ascertain the priorities of the informally housed population of a particular settlement by engaging with a comparatively smaller number of democratically designated community spokespersons—smaller if compared to the number of representatives that is expected to be needed for an inclusive decision-making process involving the public. It is, however, worth cautioning against always falling into the temptation of engaging exclusively with the very same community representatives. While it may fulfil the need to obtain quick responses and facilitate the delivery of timely outcomes, it may also result in the establishment or consolidation of local elites and in the priorities of the community at large not being fully addressed. In this respect, it is particularly important to point out that government officials who resolve to interact with residents' organizations not only do their best to ensure that committee memberships be always gender-and-ethnicity inclusive but also directly accountable to the whole community through mass meetings to be held in the bounds of the settlement.

Degree of Participation

The key point made in the previous paragraph is that it seems possible to be cautiously optimistic that a rather small group of democratically elected community spokespersons would, in the context of informally housed communities of South Africa, be able to truly represent the views of the community—as suggested by a strong intra-community agreement on the priorities to be addressed and trust in community leaders (representatives) perceived by the researcher in the course of the various field surveys undertaken for this thesis. The logical consequence of this line of argument is that the government should feel encouraged to consent to a reasonable degree of involvement from the residents' committees in the definition of public policies and programmes that impact on their lives. Before giving an account of what degree of community involvement is actually accepted by the local government elected and non-elected officials in South Africa, let me call attention to one of the most famous theoretical analyses on the possible degrees of community participation—namely, Arnstein's (1969) eight-rung ladder of citizen participation. The

two bottom rungs describe a situation of contrived participation where the people are basically involved as a public relations tool to serve the powerholders and their policies. This first stage of participation is actually regarded as 'non-participation' and it would result in the setting up of government-community hearings and meetings without giving the people a real chance to voice their concerns. To all intents and purposes, community participants would be passive listeners of a top-down, one-way and one-to-many communication process in which things are explained in the most vague and general terms and open only to nominal discussions. The degree of participation may then progress to the three rungs of 'tokenism' insofar as people are allowed to receive all relevant information and voice their opinions in a public forum. At this second stage of involvement, despite holding all information that allows one to make informed criticism, the people have still limited or no power to affect the decision-making process and change the status quo. Much of what happens during government-community meetings is that gentle government officials take note of the points raised by community participants but no follow-up action would normally be taken. Further up, there are the three upper rungs of 'citizen power' that enable the people to negotiate with the government and moreover manage to add community priorities to the government's agenda. In respect of this third stage of involvement, it is worthwhile pointing out that it is seldom volunteered by the government but normally achieved through concerted citizen pressure. As argued by Arnstein (1969:222), 'in most cases where power has come to be shared it was taken by the citizens, not given by the city. There is nothing new about that process. Since those who have the power normally want to hang onto it, historically it has had to be wrested by the powerless rather than proffered by the powerful'.

Having recalled the three progressive theoretical stages or eight rungs of community participation, the picture of the degree of community involvement that emerges from the interviews with ward councillors and government officials of the CTMM who were asked about how and why they liaise or not with informally housed communities during the field surveys conducted for this study is somewhere in between the lower two stages or the lower five rungs of Arnstein's ladder. More precisely, it is admitted by 26 out of 28 local government respondents that the main purpose of government-

community meetings, which by the way happen to be few, is basically to inform the people about what the government has decided to do for their community and ask them to co-operate. Similarly, relatively little time has thus far been spent on listening to the viewpoint of the informally housed population affected by the government projects with regard to what actions should be planned and why and even less on taking it into account. Even when the community has the opportunity to express their opinion to those in authority, hardly any consideration is given to their representations. In most cases, it is either a one-way communication process arranged to keep possible community resistance to the planned government activities to a minimum or a nominal (token) two-way communication process designed to broadcast the artificial image of elected and non-elected local government officials prone to make proper use of traditional democratic mechanisms (*imbizos*) as prescribed by the constitution, laws and by-laws. In other words, there is very little experience in the CTMM of informally housed communities sharing in the determination of local policy content with the result that local policy-makers (especially ward councillors) are normally left to do what they like. While some government respondents from different departments see it as a shortcoming that informally housed people are not, or are minimally, involved in the relocation or in situ upgrading projects that concern their community, ward councillors seem almost in all cases to be the least interested in the meaningful involvement of the affected communities in the decision-making process that affects their lives, which is proudly assumed to be largely 'technical' and thus pertaining to the 'experts'.

Timing of Involvement

It is also important that community involvement start at an early planning stage if it is to lay the foundations for constructive government–community interactions and avoid turning into a farce where all relevant decisions have already been made and are not subject to any change. This view is shared by Stewart (1976:68) who ascribes 'much of the lack of success of public hearings . . . to the fact that they are held very late in the planning process . . . and citizens are not convinced that their participation at public hearings is effective in influencing decision-makers'. Besides, the involvement of the community at an early planning stage is supported by Howell and Leatherman

(2000:2) for the reason that 'invest[ing] heavily in crafting detailed plans only to have them 'shot down' is a waste of time and resources'. Involving informally housed communities at a too early stage of planning, however, may delay the decision-making process so much as to prove fatal to any efforts to finalize something within reasonable time. That is why it could be more appropriate that preliminary plans and alternatives be drafted and discussed internally by government officials—far better if they grew out of sound feasibility studies which are the result of participative evaluation activities—and be then submitted to, and openly and thoroughly discussed with, the affected communities and their non-governmental representatives with a view to considering community views and suggestions before the final plan is agreed upon and prepared for implementation.

As regards to when government respondents of the CTMM normally start liaising with informally housed communities on specific development projects of mutual concern, the overall picture is again disappointing in that the engagement of the municipality's poorest communities seldom seems to be asked for before relocation, in situ upgrading or other development projects that target these communities are drawn up (in conjunction with the contractor) and just about ready to be implemented. The main exception to this rule, if it can be called so, appears to occur when there is room for political expediency. For example, during an electoral period as the one currently under way in South Africa (local elections are to be held at the beginning of 2006), it was not difficult to find out about some of the visits paid by ward councillors to the surveyed informally housed communities with the mere object to inform the latter about a new, forthcoming, councillor-supported development plan for their area. Curiously enough, it has, however, remained considerably unclear to the various informally housed respondents who were interviewed by the researcher what the new plan is all about and when it is expected to be implemented, which seems to reinforce the speculation of electoral expediency.

Topics for Which Participation Should Be Sought

Another issue of practical importance concerns the topics that are deemed appropriate to lie within the purview of community participation. From the perspective of the advocates of public participation in shaping government policies, of which the researcher happens to be one, informally housed communities ought to take part in the broadest possible array of local government policy-making, planning and budget decisions that impact on their lives. Accordingly, the involvement of communities living in informal settlements should be extended to all major settlement-related decisions to be made in preparing, amending or revoking municipal by-laws, development projects and budget allocations. Because settlement-related development is thought to be most effective in the context of integrated development, a link between all settlement-related decisions should be ensured in order to optimize government–community efforts to achieve the long-term revitalization of the physical, social, economic and environmental character of a particular informal settlement. In this respect, the single most important choice before local government decision-makers (and first thing on the planning agenda to be addressed) is whether a particular informal settlement should be upgraded and integrated into the municipal fabric (brownfield development) or whether the relocation of the community to a different site should be followed instead (greenfield development), as observed in Chapter 2 under the paragraph entitled ‘Policy Options’. This choice is supposed to be made with careful consideration not only of its technical, operational and financial feasibility but also, and at least equally importantly, of the long-term interests of the affected communities—the latter implying that residents of informal settlements should be consulted on this issue and their views taken into account. Legal constraints and ethical considerations aside, there may also be an eviction option available to the municipal council but its implications should be carefully evaluated with particular regard to the probable transfer of the problem to another area. Concurrently, it is essential to involve and gain community support in the prevention of and response to further land invasion in the area of concern in order to put a stop to a situation that would only serve to complicate and prolong an already cumbersome and time-consuming process to bring development to informal-housed communities—the implication being that the residents and their

organizations should be made co-responsible for the success of professionally-led patrolling operations of the land of concern. This notwithstanding, as strenuous and prolonged government–community negotiations are likely to be needed to compromise between the legitimate desires of the residents to remain where they are and the more often than not different but as much legitimate plans of the government for the use of the occupied land, it is also important that governments cannot just wait and do nothing until a consensus over the fundamental direction of housing development is eventually reached. If one think about those informally housed communities who live in exceptionally squalid conditions, it would indeed prove literally vital to promptly address the lack of essentials such as potable water, staples, garbage collection, health-care and emergency services or whatever other critical need may arise.

As soon as an agreed decision between government and the community on what type of development has to occur (brownfield development, greenfield development or a combination of both—the latter being needed, for example, whenever dedensification is deemed necessary to the feasibility of in situ upgrading) has eventually been made, a number of ensuing topics of discussion would have to be identified and evaluated in a participatory way with a view to achieving sustainable outcomes for the target community as well as for the city at large. Without claiming to be comprehensive and bearing in mind that the contents of some categories may overlap, Table 6.1 provides a list of major concerns that are relevant to informally housed communities and that can be used to help guide in the identification of topics for which public debate may be sought. In South Africa, most of what is listed in the table is the responsibility of local government and what is not (e.g., education and housing) has a municipal government presence in one aspect or another of the service provision. While all the topics listed in the table could be debated with the community prior to any decisions being made, it is expected that the selection of topics for public discussion would be limited to a minimum in the event of municipal elected and non-elected officials unwilling or unable to engage with the poorest of the poor. In this respect, it is important to note that even though there are plenty of reasons to reckon that a number of technical issues do not really need to be open to public debate, it is not

seldom the case that the meaning of the term technical would be widened to such an extent that virtually little or no room for community participation remains.

Table 6.1 Topics for Which the Involvement of Informally Housed Communities May Be Sought

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| <p>.....</p> <p>Very Basic Human Needs</p> <p>Access to clean water supply and nutrition programmes.</p> <p>Social and Health Issues</p> <p>Assistance to the unemployed, elderly and handicapped; emergency services; crèches; clinics; family planning; disinfestations.</p> <p>Housing Issues</p> <p>Tenure security; subsidized housing; in situ upgrading; community relocation; prevention of further land invasion.</p> <p>Education Issues</p> <p>Schooling of the youth and vocational training of the adults.</p> <p>Environmental Issues</p> <p>Garbage management; street cleaning; gardening.</p> <p>Economic Issues</p> <p>Income and employment creation; microfinance projects.</p> <p>Security Issues</p> <p>Street safety; housebreaking; gangs; illegal migrants; patrolling.</p> <p>Local Governance issues</p> <p>Local government accountability and corruption.</p> <p>.....</p> |
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When this happens to be the case, the engagement of informally housed communities in shaping government policies would then be ardently opposed by those who consider themselves 'experts', not really because of the technicalities involved in the decision-making, but simply because they are not prepared to abandon the belief that

supposedly uneducated poor people have nothing to teach to people like them—a circumstance that is regrettably perceived by the researcher to be anything but unusual among the local government respondents (especially ward councillors) who were interviewed during the field surveys conducted for this study. At the base of such reluctance lies the failure to recognize the fundamental need to include both local and professional knowledge and perspectives in the formulation of policies aimed at improving the future of informally housed communities. In particular, it should be borne in mind that as much as expert outsiders are needed to understand the multiplicity of social, economic and environmental implications of the proposals being considered and then identify a range of viable development options, community representatives are needed to ensure that also local needs and priorities are properly addressed.

Evaluating the Participation Process

A structured evaluation of how the participation process has actually been carried out is an integral part of the operational process that seeks to define and refine adequate mechanisms for the involvement of informally housed communities in the local government's policy-making. The present paragraph is therefore concerned with developing explicit criteria for an assessment of what is being achieved and lost through the direct participation of the poor in local governance so as to lay the foundations for future improvements of the ways in which community participation can be put into operation. Three key indicators have been identified to measure the success or failure of the participation process: productivity, consensus building and representativeness.

Evaluating productivity has to do with the appraisal of whether or not the community's input leads to favourable results in terms of understanding problems and priorities faced by the poor and working out pragmatic solutions. In evaluating the yield of citizens' contribution, it is necessary to keep track of all comments, recommendations and project proposals and endeavour to weight their value against the time and resources spent by the government on dealing directly with the public. Evaluating consensus building involves the assessment of whether or not the community is satisfied with the participation process, appreciates the use being made of its contribution, and supports or is less resistant to government policies. In appraising citizens' satisfaction with the participation exercise and its outcomes, it is important that the government continue to dialogue with the community on a regular basis so as to get people's views and feelings on such issues as the perceived capacity of government officials to organize and facilitate the participation of the community, to communicate clearly with the public, to understand what the people need and want, to respect and be sensitive to all voices and to actually incorporate community's priorities in the government's agenda. Finally, evaluating representativeness has to do with the review of whether or not the participants are capable of expressing the views of the community at large rather than those of specific interest groups. In assessing

participants' capacity of being representative, it is not only important to consider the number of citizens attending the meetings but also, and more importantly, to gather information from a sample of non-participants on their reasons for non-participation and the liaison, if any, between quiescent and active members of the community.

In addition to gathering quantitative and qualitative information such as the number of participants, the quality of the inputs generated by the participant community and the resources spent by the government to organize and manage the participation process, evaluating community participation also implies that the government interrogate itself. Additional information should be collected through interviews and consultations with government officials directly involved in the participation efforts, whose experience can offer some lessons for trying to figure out and overcome some of the obstacles encountered with working with poor people. Last but not least, it is important that all information gathered during the evaluation process go through an integrated process of analysis so as to produce a set of recommendations to redesign and redevelop, if necessary, the participation process. Of course, it is hoped that this would not become just another 'report on the shelf' but be used by the government to maximize the extent to which the participation of the poor would be productive, representative and able to build consensus among the target community.

Chapter 7

Conclusion: Fostering a Bottom-Up Approach to Anti-Poverty Policy-Making

Mais si nous voulons que l'humanité avance d'un cran, si nous voulons la porter à un niveau différent . . . alors, il faut inventer, il faut découvrir. Si nous voulons répondre à l'attente de nos peuples . . . il faut faire peau neuve, développer une pensée neuve, tenter de mettre sur pied un homme neuf.

But if we want humanity to advance a step further, if we want to bring it up to a different level . . . then we must invent, we must make discoveries. If we wish to live up to our peoples' expectations . . . we must turn over a new leaf, we must work out new concepts, try to set afoot a new man.

Frantz Fanon

Martinican Psychoanalyst and Philosopher
Les Damnés de la Terre
(*The Wretched of the Earth*), 1961

The problem of poverty is not only enormous but also persistent. If despite continuing development efforts by different development actors at different levels there are 1,1 billion people trying to survive on less than one dollar a day and 2,8 billions (or 45% of the world population) on less than two dollars, as estimated by the World Bank, there is probably something that should be done differently to try to get out of it. There is seemingly a need to mainstream a different pattern of development if humanity wants to respond successfully to the poverty and suffering that hundreds of millions of people continue to face every day especially in the developing world. It could be

reasonably assumed that a different pattern of development would be triggered by stronger international co-operation and fairer international relations aimed at redistributing a greater share of wealth-creating assets and capabilities from richer to poorer countries. Additionally, a more equitable distribution of resources and opportunities for the poorer members of society would be needed domestically, within each country and each city, especially where poverty is most severe. The implication of the latter is the enhancement of the current state of pro-poor governance policies at national and local level with a view to ensure equitable and universal access to basic services and opportunities. In this respect, it is important that governments, especially those of poverty-stricken developing countries and cities, be in a position to be competent, accountable and participative. Competent governance is necessary to effect positive change in the struggle against poverty. Accountable governance is needed to prevent the waste, fraud and abuse of public funds that are supposed to be used for those who need them most. Last but not least, participative governance is considered important to enhance the prospects of building anti-poverty strategies around what matters most to the people they are expected to benefit.

Actually, it is held (Narayan and Petesh, 2002:461) that 'poverty can be reduced only if we build strategies around what we have learned from poor people, from their realities as they experience them'. The argument goes that because the poor know about poverty first-hand, they would be in a position to revive government's capacity to respond effectively to their needs and priorities. Put differently, the involvement of the poor in the design of anti-poverty policies is regarded as an invaluable opportunity that should be used to make poverty alleviation efforts more demand-driven and therefore more relevant to the people they are meant to serve. This is particularly true at local government level, not only because it is at this level (rather than at the level of provincial or central government) that a higher proportion of poor people and poor people's organizations may have an opportunity to convey their valuable knowledge about local conditions to government officials and pressure them into being more attentive to their needs and requests, but also because local government is the branch of government that is concerned with matters that most directly affect people's lives and livelihoods.

But this value does not come without a price. Because of the complexity of public management, participative democracy is liable to slow down the process of governance and may become advantageous to the interests of some people or groups of people at the expense of others if attention is not paid to the representation and consideration of all voices in the community, to name some drawbacks. For these reasons, it is key to the realization of an effective bottom-up approach to anti-poverty policy-making that an analysis be conducted to collect evidence that can be used to determine whether or not certain enabling conditions are in place and what practical issues of involvement need to be worked out—an analysis that is seldom combined into a single contextualized study. Accordingly, this thesis has sought to identify and examine, within the context of South Africa, what conditions would be more conducive to the involvement of poor communities such as those living in informal settlements in the design of local government policies that affect their lives and what practical steps should be taken to get the most out of it. It is the opinion of the researcher that the writing of this thesis has been generative of contributions of an original character. The originality of this research lies particularly in the way the researcher combined the results of previous studies in different subject areas such as poverty alleviation, local governance and community participation and the evidence from the field research in a coherent strategy that resulted in two overarching outcomes: the identification of a six-factor framework representing the critical conditions that would benefit the democratic participation of the poorest communities of South Africa in the policy-making of their local government accompanied by a set of practical guidelines on how to proceed with the involvement of the poor. The combination of the aforesaid critical conditions and practical guidelines are believed to form a consistent body of original knowledge that is infrequently brought together by the existing literature. That notwithstanding, the researcher acknowledges that other research may need to be done to complement the outcomes of this thesis. A first area for further work could focus on the engagement of informally-housed communities in terms of material and psychological benefit or cost gained or borne by the individual participants. A second area of study could investigate what should be done to generate motivations of the required kind and enough resources for the participation of the have-nots in local governance. Finally, a third area for further research could concentrate on the measurement of the

financial impact of different methods of engagement of informally-housed community on the municipal budget. That being said, it is now possible to go through the research outcomes one by one.

The aforesaid six-factor framework can be grouped into two categories of three each. The first category refers to certain characteristics of governments (political context), which would make a difference in their willingness, capacity and obligation to hear out and consider the views of the informally housed population. In this respect, the study has found that, first of all, there needs to be in place a genuinely progressive government with a continuing commitment to the principle of proletarian justice and the belief that all people count as a legitimate source of political power regardless of their wealth or income. If guided by both principles (or ideological resources), local governments would not only more aggressively fight poverty (within the limits of their responsibilities and budget) but, in so doing, would also be more apt to liaise with the poorest of the poor and involve them in the policy-making that impacts on their lives. Regrettably, it seems that these crucial ideological resources are too often honoured by the supposedly progressive ANC-led government coalition of South Africa, which at present rules the country, all provinces and all major municipalities, more in rhetoric than in reality.

Second, there needs to be capacity at local government level to organize the involvement of the poor without it resulting in tokenism, elitism or other undesirable consequences. This implies a proper level of decentralization of both the national state (through the transfer of relevant powers and functions to municipalities) and the local tier of government (through appropriate intra-municipal decentralization). Regrettably, in the face of a new municipal government system with enhanced powers and functions entrenched in the Constitution of the country, South African policy-makers have managed to create the conditions for an exceptional centralization of local government due to the amalgamation of numerous municipalities into larger ones (most notably, into megacities) and the disproportionate empowerment of the upper tier of local government (district municipalities) at the expense of the lower one (local municipalities). This also negatively affects the level of decentralization of

powers and resources achievable within the local administration itself as evidenced by the mediocre results of the current ward committee system especially with regard to the representation and consideration of the interests of the informally housed population.

Third, there is a need for legislative provisions at both national and municipal level in respect of open government and public participation. However, this condition is regarded as complementary to and not a substitute for the shortage of willingness and capacity on the part of government officials to embrace the challenges and opportunities that come with the full adoption of a participative and inclusive system of governance. In view of that, one can only react with mixed feelings to the various provisions for the free flow of government information and public consultation, which happen to be entrenched in the South African Constitution, and in several laws and policy documents of the country at all tiers of government.

The second three factors relate to certain characteristics of the communities living in poverty (social context), which would have a bearing on their motivation, ability and power to be active part of the governing process. In this respect, the study has, first of all, shown that it is crucial to bear in mind that community participation in government policy-making is a voluntary activity that is undertaken in the individual's own time and therefore competes with all other interests and responsibilities that people may have to look after. The consequence of that is that it is necessary that the members of the community have a specific interest in the participation process and a feeling that participation is worth the effort. In relation to the motivation to participate, it was a pleasant surprise to the researcher to find that in all four informal settlements visited during the field surveys conducted for this study there are numerous people (both community leaders and ordinary citizens) that still express their willingness to interact with government officials with a view to resolving serious issues relating to their livelihood in the best interest of the community, notwithstanding some reasonable feelings of mistrust, suspicion and resentment towards (or a sense of intimidation caused by arrogance or tactlessness on the part of) various politicians and public servants, especially the ward councillors.

Second, there needs to be among the informally housed community an understanding of the problems of the area in which they live and how to resolve them (neighbourhood knowledge), which would complement that of government officials or government-employed outsider professionals. When this is the case, it would be important that governments acknowledge that informally housed residents have valuable first-hand knowledge of the issues confronting their settlement and draw upon it to devise and implement better solutions for community development. On the subject of neighbourhood knowledge, the picture that emerges from the field surveys carried out for this study is one of a knowledgeable community leadership who, in spite of a limited formal education that may diminish their critical thinking and communication skills, would have the ability to assist in the planning for the improvement of the conditions of living of their community.

Third, there needs to be community organization at informal settlement level in order to pressure local government into dealing with what matters most to the residents. It is, however, critical that poor people's organizations be representative (foster grassroots participation to guide and support their actions) and networked (are organized around networks at local, national and if possible international level for mutual support and exert more political influence). With regard to the issue of representation of informally housed people's organizations, it came as a pleasant surprise to the researcher to see that in all four informal settlements visited during the field surveys there exist representative committees that are not only elected at public meetings but that also keep the community informed and receive their feedback on a regular basis through mass meetings that are usually attended by some hundreds of concerned residents. This is important in that it gives local government officials an opportunity to engage these organizations with a reasonable assurance that they provide a mouthpiece for the poorest of the poor. When it comes to the issue of networking, it clearly emerged from the field surveys that there is a dearth of coordination among the committees of different informal settlements, which reduces their chances to be influential.

By using the same research methodology, which integrated the results of a series of in-depth interviews with 80 respondents (52 informally housed people and 28 local government officials of the City of Tshwane (Pretoria) Metropolitan Municipality) and a selection of 216 relevant works of scholars from both the international and local scene in a coherent scheme, it was also possible to investigate how the previously discussed conditions that would benefit the participation process can translate into practices that would harness the development potential of participative governance while reducing to a minimum its negative by-products. In this regard, the study has discussed the relevance, or lack thereof, of three common forms of participation to communities living in informal settlements. A first form of involvement would take place through an ombudsman (or local public protector) that is readily available, easily accessible and well trained to handle a wide range of grievances, frustrations and inquiries brought to it by people living in informal settlements. It is the responsibility of the ombudsman, not only to examine informally housed people's claims on anything that they perceive as unfair or improper governance practice, but also to promote more positive (rather than accusatory) forms of involvement that may come in the form of suggestions, recommendations or proposals for development. An ombudsman would have the advantage of making it easy for interested informally housed individuals to establish contacts with their local government, which would result in a quantitatively large amount of input for a better government decision-making. On the other hand, it is by its own nature a mediated way of involving the community in that it would limit to a minimum the opportunity for the public to debate specific issues of interest and engage in regular negotiation sessions with the appropriate government offices. In South Africa, the ombudsman is called Public Protector. It is a national independent institution that has no coercive power but has the authority to exercise several extra-judicial powers. Although any aggrieved person or community is entitled to submit a complaint to the Public Protector without any complicated procedures being involved and have it investigated and responded to at no cost, the relevance of the South African Public Protector to informally housed communities has so far been irrelevant due to a minuscule number of investigators (as low as one per million people) and, more importantly, to the fact that there are almost no regional offices for lodging complaints open at the moment. It is then no surprise that the totality of the

informally housed respondents interviewed by the researcher in the course of the field surveys carried out for this study had no idea, or only the vaguest, of what the office of the Public Protector was all about and how they could avail themselves of its services. The role of the ombudsman could in principle be more effectively carried out by the Speaker (chairperson of the municipal council) who, among other things, has the mandate to ensure compliance in the council, subcouncils and council committees such as ward committees with the Code of Conduct set out by national legislation for councillors. That notwithstanding, all four informally housed communities visited by the researcher during the field surveys undertaken for this thesis are minimally aware of its role and responsibilities and how they could benefit from it, which can not only be attributed to a shortage of awareness-building measures used by the Speaker to inform the informally housed population about its role and importance for the community but also to a more disturbing inability, which is most evident among some of the Speaker's regional managers, to ensure that informally housed communities recognize the Speaker as a *super partes* institution that makes every reasonable effort to advocate for corrective government action to address the needs of the people living in abject poverty and not just as another ruling party structure that does its best to defend parochial interests.

A second form of involvement would occur through public meetings. Unlike the ombudsman, public meetings would ensure a non-mediated information flow between government and informally housed communities. It is important that public meetings be held with some regularity in order to seek to promote satisfactory progress. It would also be important that public meetings form an interlocking process that enables the whole community to follow the progress and later assemblies to take due heed of previous directions. As regards the gathering place, it is imperative that public meetings intended for informally housed communities be held within their settlement, or as close to where they live as possible, so as not to discourage participation. One of the main advantages of public meetings is that they are open to anyone who is willing to attend, which would result in a fair section of the population to have a chance to speak to and hear from the government directly without going through community representatives or residents' committees. Precisely because no election or

selection process of the participants is in place, public meetings may not secure the representativeness of the audience with the result that the interests of the most active participants may rise up to obscure those of marginalized groups and the quiescent community. In all four informal settlements visited during the field surveys conducted for this study, public meetings (popularly referred to as mass meetings) are a regular occurrence. Most of these meetings, however, are basically an intra-community affair because the attendance of government officials (especially ward councillors) is sporadic and generally regarded by the community as fruitless. But there is evidently a stark divergence of opinions with regard to the frequency and, more importantly, effectiveness of government-community meetings. On the one hand, there are numerous politicians (especially of the ruling party) and civil servants who loudly, proudly and incessantly regard public meetings as a way of being accountable to the masses. On the other hand, the greater part of the informally housed respondents were more or less explicit in referring to the practice of *Imbizo* as being much of a 'political game', which is played by the political decision-makers to be able to publicize that they are answerable to the poorest of the poor and justify policies that could only emanate from the top down and not the other way around.

A third form of involvement would take place through a residents' committee. The establishment of a committee of residents may be the vehicle to consolidate a two-way communication flow between the local government and an informally housed community at the same time as it may serve to ensure the representativeness of the participation process. In order to be representative and apt to advocate on behalf of the whole community, however, it is not only important that the membership of a committee of residents be selected in accordance with democratic procedures but also that it endeavours to consult with as wide a cross-section as possible of the informally housed population on a regular basis. Some of the responsibilities of a committee of residents would include submitting project proposals, commenting on government planned and ongoing programmes and being part of the decision-making leading up to community and area development. While the last word on government spending would normally rest with the government, it is important to note that the members of a residents' committee may play a decisive role in shaping government

policies relevant to their community. In all four informal settlements visited during the field surveys conducted for this study, residents have managed to set up democratically designated committees. Residents' committees are welcomed and appreciated by both community leaders and ordinary informally housed respondents who were invited to express their viewpoints on the matter. However, interviewees also agreed on the view that community representatives by no means have to end up substituting for the community in a permanent way and acknowledged the importance of holding mass meetings where committee members interact publicly with the community at large and where government officials (above all, the ward councillor) should be invited to be directly accountable for their decisions and actions to all residents. This study has also found that despite a good degree of representativeness that characterizes the surveyed informally housed residents' committees, the opportunities they have to interact with government-elected and non-elected officials is at best sporadic. Although this may partly be explained by the fact that ward committees (rather than any other residents' board) should be the principal vehicle to promote public participation in local governance on account of their legally established powers and functions, it is the opinion of the researcher that government officials ignore the possibility that the needs and priorities of a ward's constituent communities could be better taken care of through a residents' committee that specifically represents the interests of a particular settlement (or neighbourhood or extension) rather than those of a whole ward that is usually vast and diverse.

These three mechanisms to achieve community participation in the context of informal settlements (i.e., ombudsman, public meetings, residents' committees), which are not to be seen as mutually exclusive but can be combined so as to suit local circumstances better, are only one part of a broader operational process aimed at ensuring the meaningful and effective participation of informally housed communities. Some other questions need to be answered: who should be engaged? How much involvement should be allowed? When? And on what topics? Let me deal with them one by one.

First, although participation ought in principle to be open to any interested person, it is important to note that it does not have to become a stumbling block to good governance. As this problem is bypassed by involving individuals and organizations, whether insiders or outsiders, which are supposed to represent the target community, it raises the question of the representativeness of the representatives. Especially when there are conflicting or different needs and interests between members or groups within the informally housed community, it is therefore crucial to reflect on whether or not the non-participation or non-representation of large sections of informal settlers result in biased priorities and unmerited mercies bestowed on those who decide to participate. Although it would be a mistake to oversimplify this point, it seems to the researcher that within the informally housed communities that were visited in the course of the field surveys carried out for this study there is a relatively high degree of cohesiveness among the residents with regard to what community needs and priorities should be addressed by the government and it was found little evidence of non-representation of particular interest groups on the residents' committees the researcher happened to come close to—with the only exception of illegal immigrants who do not want to take any chance to be deported and therefore prefer not to come forward voluntarily and a few splinter groups that have their own agenda and are thus very difficult to engage. It may then be possible that a relative small group of community activists (e.g., the members of a democratically-elected residents' committee) could be able to fairly represent the collective views of the people in their community or, in other words, would be expected to raise and stand up for much of the same concerns that would have been raised and defended by fellow settlers who did not take part in the process. It is, however, worth cautioning against always falling into the temptation of engaging exclusively with the very same community representatives. While it may fulfil the need to obtain quick responses and facilitate the delivery of timely outcomes, it may also result in the establishment or consolidation of local elites and in the priorities of the community at large not being fully addressed. In this respect, it is to be pointed out that government officials who resolve to interact with residents' organizations not only do their best to ensure that committee memberships be always gender-and-ethnicity inclusive but also directly

accountable to the whole community through mass meetings to be held in the bounds of the settlement.

Second, it is important that community participants are not turned into passive listeners of a top-down, one-way and one-to-many communication process in which things are explained in the most vague and general terms and open only to nominal discussions. On the contrary, if community participation is to become meaningful and effective, not only the people need to be given all information that allow them to make informed criticism, but they should also be given a chance to suggest, recommend and propose solutions to improve their living conditions. Regrettably, it is reported by the local government respondents who were asked about how and why they liaise or not with informally housed communities during the field surveys conducted for this study that the main purpose of government–community meetings, which by the way happen to be few, is basically to inform the people about what the government has decided to do for their community and ask them to co-operate. Relatively little time has so far been spent on listening to the viewpoint of the informally housed population affected by the government projects with regard to what actions should be planned and why and even less on taking it into account. In most cases, it is either a one-way communication process arranged to keep possible resistance to planned government activities to a minimum or a nominal (token) two-way communication process designed to broadcast the artificial image of elected and non-elected local government officials prone to make proper use of traditional democratic mechanisms (imbizos) as prescribed by the constitution, laws and by-laws. While some municipal officials from different departments see it as a shortcoming that informally housed communities are minimally or not involved at all in the relocation or in situ upgrading programmes that concern them, ward councillors almost every time seem to be the least interested in increasing the degree of involvement of the affected communities in a decision-making process that is proudly assumed to be largely ‘technical’ and thus pertaining to the ‘experts’.

Third, it is also important that community involvement start in principle at an early planning stage if it is to lay the foundations for constructive government–community

interactions and avoid turning into a farce where all relevant decisions have already been made and are not subject to any change. Involving informally housed communities at a too early stage of planning, however, may delay the decision-making process so much that it could be fatal to any efforts to finalize something within reasonable time. That is why it could be more appropriate that preliminary plans and alternatives be drafted and discussed internally by government officials and be then submitted to, and openly and thoroughly discussed with, the affected communities and their representatives with a view to considering community views and suggestions before the final plan is agreed upon and prepared for implementation. If the principles outlined above serve as guidelines to help government officials decide on the appropriate time of involvement, the overall picture would again be disappointing as regards the time period normally chosen by government respondents of the City of Tshwane (Pretoria) Metropolitan Municipality (CTMM) to start liaising with informally housed communities on specific projects of mutual concern. In fact, the engagement of South Africa's poorest communities seldom seems to be asked for before relocation, in situ upgrading or other development projects that target these communities are drawn up and are just about ready to be implemented.

Fourth, it is important that informally housed communities ought in principle to take part in the broadest possible array of local government policy-making, planning and budget decisions that impact on their lives. Accordingly, the involvement of communities living in informal settlements should be extended to all major settlement-related decisions to be made in preparing, amending or revoking municipal by-laws, development projects and budget allocations. In particular, the single most important choice before local government decision-makers (and first thing on the planning agenda to be addressed) is whether a particular informal settlement should be upgraded and integrated into the municipal fabric (brownfield development) or whether the relocation of the community to a different site should be followed instead (greenfield development). This choice should be made with careful consideration not only of its technical, operational and financial feasibility but also, and at least equally importantly, of the long-term interests of the affected communities, the latter implying

that residents of informal settlements should be consulted on this issue and their views taken into account. Concurrently, it is essential to involve and gain community support in the prevention of, and response to, further land invasion in the area of concern in order to put a stop to a situation that would only serve to complicate and prolong an already cumbersome and time-consuming process to bring development to informal-housed communities—the implication being that the residents and their organizations should be made co-responsible for the success of professionally led patrolling operations of the land of concern. As soon as an agreed decision between government and community on what type of development has to occur (brownfield development, greenfield development or a combination of both) has eventually been made, a number of ensuing topics of discussion would have to be identified and evaluated in a participative way with a view to achieving sustainable outcomes for the target community as well as for the city at large. In South Africa, most of the issues that impact on informally housed people's livelihood are the responsibility of local government and what is not (e.g., education and housing) has a municipal government presence in one aspect or another of the service provision. That notwithstanding, the topics for which the involvement of informally housed communities is sought is currently limited to a minimum. While there are plenty of reasons to reckon that a number of technical issues do not really need to be open to public debate, it is not often the case that the meaning of the term technical is widened to such an extent virtually little or no room remains for community participation.

A final issue of practical importance concerns the evaluation of how the participation process has actually been carried out. Evaluating the participation process requires the definition of explicit criteria so as to assess what is being achieved and lost by the involvement of poor communities and lay the foundations for future improvements of the ways in which community participation can be put into operation. Three key indicators have been identified to measure the success or failure of the participation process: productivity, consensus building and representativeness. Evaluating productivity has to do with the appraisal of whether or not the community's input leads to favourable results in terms of understanding problems and priorities faced by the

poor, and working out pragmatic solutions. Evaluating consensus building involves the assessment of whether or not the community is satisfied with the participation process, appreciates the use being made of its contribution, and supports or is less resistant to government policies. Finally, evaluating representativeness has to do with the review of whether or not the participants are capable of expressing the views of the community rather than those of specific interest groups. Evaluating the participation process also implies that the government interrogates itself. Precious information is expected to be collected through interviews and consultations with government officials directly involved in the participation efforts, whose experience can offer some lessons for trying to figure out and overcome some of the obstacles encountered with working with poor people. Finally, it is important that all information gathered during the evaluation process undergoes a process of analysis to produce a set of recommendations to redesign and redevelop, if necessary, the participation process. Of course, it is hoped that it would not become just another 'report on the shelf' but be used by the government to maximize the extent to which the participation of the poor would be productive, representative and able to build consensus among the target community.

A key question for the years to come is whether the character of local governance can be reformed in favour of greater inclusion that would be truly for all, regardless of individual's economic means. This thesis is an attempt to contribute to this effort in the belief that a more sustainable improvement of the quality of life in informal settlements, which is one of the most serious challenges confronting South Africa and most developing countries at the beginning of the third millennium, would be best achieved through the participation of those who are most directly interested in changing their living conditions for the better.

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