THE SOUTH AFRICAN HOUSING PARADOX:
EXPLORING THE DISPARITIES BETWEEN HOUSING POLICY & IMPLEMENTATION IN CAPE TOWN

AYESHA ISSADEEN

SCAN TO ACCESS THE FULL PROJECT ONLINE

THIS IS A MULTI-MODAL PROJECT.
RESEARCH WAS CONDUCTED
THROUGH THE FOLLOWING SCALES:

POLICY
+
PLANNING

PROVINCIAL
+ CITY

COMMUNITY

DWELLING

*STARRED ITEMS ARE LINKS
[CLICK ON THEM TO EXPLORE THE PROJECT]

THE FOUR SCALES ARE
EXPLORED THROUGH THE
FOLLOWING COMPONENTS:

A SHORT REPORT
✳

A GRAPHIC HOUSING
POLICY INDEX
✳

AN INFOGRAPHIC ATLAS
✳

VIDEO INTERVIEWS
WITH HOUSING
BENEFICIARIES
✳

VISIT PROJECT WEBSITE:
✳

SOUTH AFRICA
/ THE WESTERN CAPE

CITY OF CAPE TOWN

ATLANTIS

Philadelphia

MELKBOSSTRAND

BLOUBERGSTRAND   DURBANVILLE
                        KRAAIFONTEIN
        MILNERTON   BRACKENFELL
                    BELLVILLE
GREEN POINT
Cape Town

HOUT BAY
                KHAYELITSHA
                        MACASSAR
                                SOMERSET WEST
                                    STRAND
KOMMETJIE   FISH HOEK
                                GORDONS BAY

SIMON'S TOWN

CAPE PENINSULA
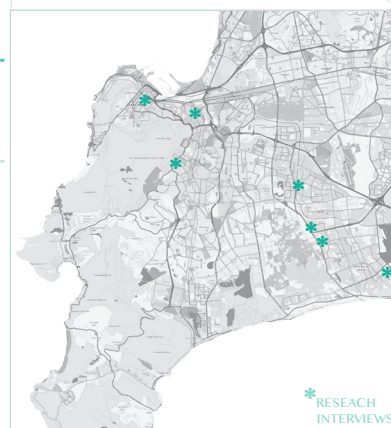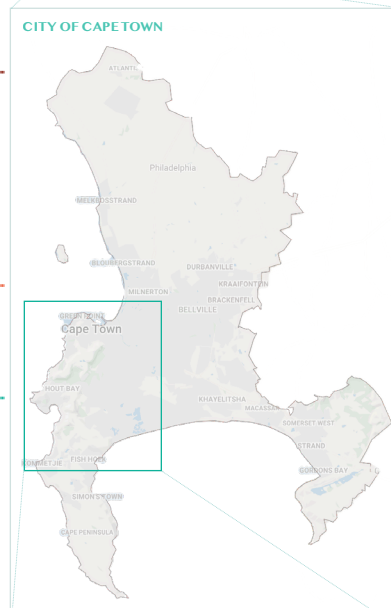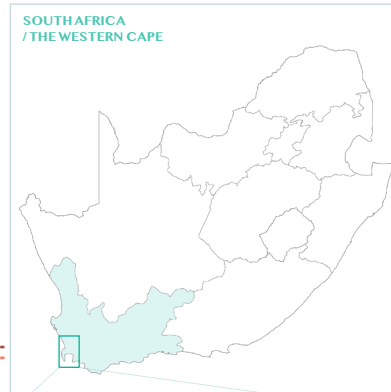
✳ RESEACH
   INTERVIEWS

ACRNONYMS

ANC	African National Congress
NDoH	National Department of Housing
DHS	Department of Human Settlements
CoCT	City of Cape Town
RDP	Reconstruction & Development Program
PHP	People's Housing Process
BNG	Breaking New Ground
ePHP	Enhanced People's Housing Process
ASF-UK	Architecture sans Frontieres-UK
CbD	Change by Design
UCT	University of Cape Town
DAG	Development Action Group
LRC	Legal Resources Centre
NGO	Non-governmental organization
CBO	Community-based organization

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INTRODUCTION

1.1 PROJECT OVERVIEW

This report explores the landscape of post-apartheid housing policy in South Africa and investigates the disparities found between housing policy and implementation. It argues that there is a paradox found in many South African cities, in that policies have been written with the intention of uplifting the previously marginalized populations – yet somehow in practice, intensify housing inequality. I call this manifestation the *South African housing paradox*. After conducting this research, my key findings allow me to hold that this paradox is fueled by a lack of governmental; organization, stability, and capacity to implement policy, inefficient bureaucratic systems, and insufficient policy evolution in post-apartheid housing policy.

Housing policy in South Africa is written at a national level, while implementation is managed at the provincial and city levels. This study will focus on implementation in the Western Cape Province and the City of Cape Town. This report is part of a multi-modal project[1]; which includes video interviews with housing beneficiaries, a timeline of post-apartheid housing policies, and an infographic atlas giving the context of the areas studied. The research for this project was conducted over two months in Cape Town in 2018. This included eight in-depth interviews (with experts in the field, those working in NGOs and city officials), six video interviews with housing beneficiaries, and is additionally grounded by nine months of work experience with the Development Action Group, an NGO based in Cape Town (2015-6).

The purpose of the different components of this project is to triangulate my research[2] and to better understand the disparities between policy and implementation through different lived scales and research approaches. The methodology of this project is based on the Change by Design

(CbD) series of workshops conducted by *Architecture sans Frontières-UK* (ASF-UK). The CbD methodology is typically used for a 10-day workshop and analyzes a given context through four different scales; *dwelling, community, city, policy & planning*[3]. Analysis through different scales allows for a cohesive understanding of the issues from the perspectives of all the relevant stakeholders.

By [filming interviews](#) with housing beneficiaries, I aim to share the stories of individuals – which can be considered both at the scale of the *dwelling* and *community*. I chose to film the beneficiary interviews (as opposed to any other scale) to provide a platform to highlight the individual voices which are invariably lost in the sheer magnitude of this problem. Through interviews with experts and academics in the field, those working in NGOs, and City officials I aim to investigate the issue at the *city, provincial* and *national* levels. The scale of *policy and planning* is tackled with an overview of the post-apartheid housing policy landscape and a critical view of implementation (this report) as well as through a Graphic Housing Policy Index that provides a comprehensive overview of post-apartheid South African housing policy (available on the project webpage).

The [Graphic Housing Policy Index](#) is formatted as a timeline, and contains access to the original policy documents discussed in this report. It additionally identifies acts of legislation, the formation of government and non-governmental institutions who operate within the realm of housing policy, and the various housing programs which have been implemented. Lastly, [an atlas](#) (also available on the project webpage) provides infographics of census and community survey data of the areas studied for context, as well a case study of displacement. Evictions and displacement are often recounted as some of the darkest memories of the apartheid era, as violent and forced relocations were necessary for the establishment of the segregated townships in the 1990s. The atlas presents a graphic case study of

'*Displacement and Development: From Woodstock to Blikkiesdorp*'. This explores communities who have lived in the inner-city for generations, but are now being displaced to the periphery of the city - driven out by rising property prices and taxes.

There are limitations to this project as there are various other influences (at each scale) which could be further researched to better understand *how* and *why* this paradox has occurred. These might include design and access to housing finance models, corruption, zoning processes of state-owned land, density, urban sprawl, matters related to the rapid growth of informal settlements as well as high levels of unemployment and a lack of socioeconomic opportunities. Some of these topics are touched upon in this project. However, further research would be necessary to draw conclusions regarding their influence on South African housing policy.

Many informal structures are visible along some of Cape Town's main highways.

1.2 CONTEXT OF SOUTH AFRICA

The context of South Africa's housing landscape is particularly complex. With a history of almost 50 years of apartheid rule in its history, the country holds a strikingly fragmented population. The spatial legacies of apartheid were made permanent by the Group Areas Act of 1950. This law formalized the already significant racial segregation by allocating areas for residence and business by race. South African cities implemented 'modernist urban planning' using Ebenezer Howard's Garden City (1898) and Le Corbusier Ville Radieuse (1930) as precedents, but remodeling these frameworks with the intentions of functional racial segregation (Wainwright, 2014). Through the process of segregation, the apartheid government could "*create new blank sites… (t)hose modern, orderly settlements, it was thought, would mould the black labour force into an orderly, submissive underclass*"[4]. These spatial boundaries determined the scope of one's citizenship, with strategic urban planning defining a population's access to opportunities. The physical manifestation of the spatial segregation caused by the Group Areas Act further incubated the culture of racism and continues to critically constrain development efforts throughout the country today.

Apartheid ended in 1994 when Nelson Mandela, representing the African National Congress (ANC), was elected to be president in the first democratic elections. Since 1994, the country has rapidly developed into one of the continent's global players, and a leading African economy[5]. It appears that a plethora of issues cultivated in her colonial past has not been successfully resolved and may have even been fortified with the economic growth of the country[6]. Socioeconomic development has not benefited all citizens, and this is visible throughout the country with many vast inequalities seen daily.

[1] The complete project can be accessed at: www.ayeshaissadeen.com/thesis

[2] Triangulation uses more than one research method to investigate the same topic. It allows different dimensions of the same issue to be captured and assures robustness in the research.

[3] Change by Design Programme, ASF-UK www.asf-uk.org/programmes/change-by-design

[4] Wainwright, O (2014). *Apartheid ended 20 years ago, so why is Cape Town still a 'paradise for a few'?* Guardian Cities [https://bit.ly/2Y6hQni]

[5] International Monetary Fund's World Economic Outlook report, as quoted in an article for IOL [https://bit.ly/2P97n7d]

[6] Bradlow, D. (2018) *South Africa is on course to grow again –but also reinforces inequality*, QuartzAfrica [https://bit.ly/2JjeQ2U]

Densifying Woodstock: poorer communities are being driven out by the rising property prices and taxes.

Inequality (GINI Index) for South Africa
1993-2014
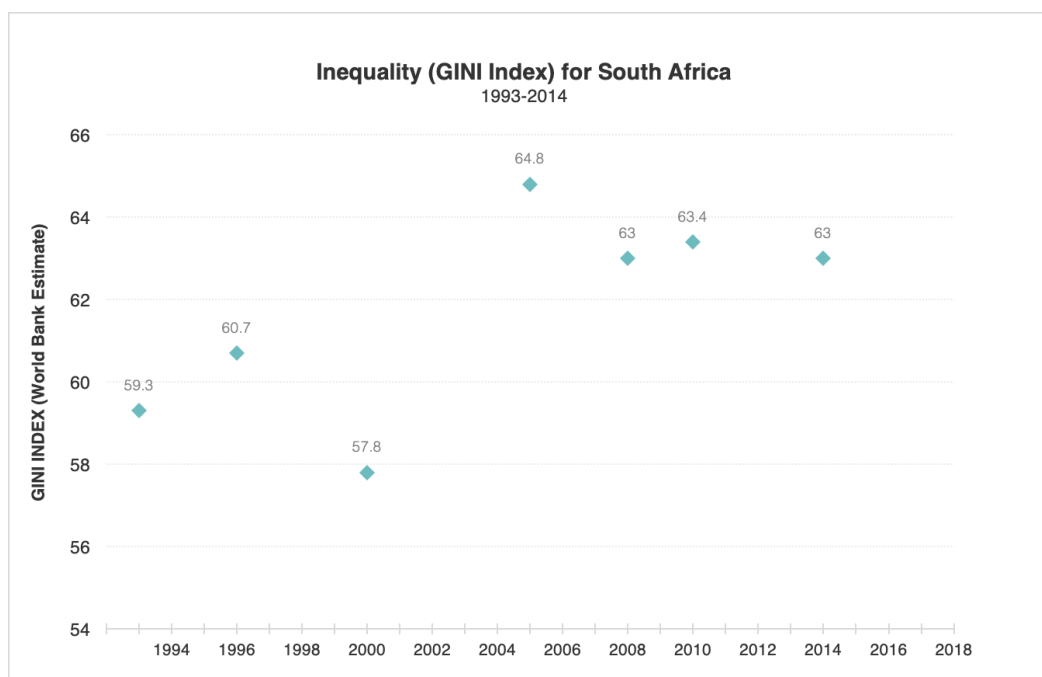
South African data at the census level is considered inaccurate by most experts in the field, as informal settlements are notoriously overlooked[7]. In addition to this, the number of housing units delivered is frequently disputed with sources showing discrepancies as large as one million houses[8]. To provide some context of inequality, the graph above shows the GINI Index from the World Bank Indicators for seven points in time. The GINI Index "*measures the extent to which the distribution of income (or, in some cases, consumption expenditure) among individuals or households within an economy deviates from a perfectly equal distribution. A Gini index of 0 represents perfect equality, while an index of 100 implies perfect inequality*" (World Bank Indicators, 2019).

The first data point recorded in 1993 was during the apartheid era. In 1996, the GINI rose to 60.7 and in 2000, it dropped to 57.8. However, in the last fifteen years, the GINI Index has been relatively consistent (ranging from 63-64.8). This shows how income inequality is worse than it was during the apartheid era, despite efforts made by the post-apartheid government.

A large part of the ANC's mandate was to ensure that the populations who were previously oppressed were given reparations in resources needed to overcome the inequalities which were formalized by apartheid. Unfortunately, the current housing landscape of the country still shares many similarities with that of the apartheid landscape. Here lies the South African housing paradox. This claim will be unpacked in further detail in this thesis. Some of the key ANC objectives set out then were to fight for "*the liberation of Africans in particular and black people in general from political and economic bondage*" and "*uplifting the quality of life of all South Africans, especially the poor*"[9]. The first piece of notable planning legislation post-apartheid was the Development Facilitation Act of 1995. Todes (2006) describes that post-apartheid policy was developed in response to academic critiques of the apartheid era, campaigns aiming to reintegrate the city by civic groups, as well alternative spatial plans created by planners, academics, and activists. At the time, the spatial policy was understood to be a powerful tool for the new government to rectify apartheid planning (Todes, 2006).

The discussions around changes to housing policy began a few years before the democratic elections of 1994, marked by the establishment of the National Housing Forum (NHF) in 1992. The NHF comprised of a multi-party, non-governmental negotiating forum; including 19 members from political parties, the private sector, and civic organizations.

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[7] This was raised by three interviewees, and commented on by numerous others during my research stay in Cape Town. Typically, CBOs and NGOs have a better understanding of the number of informal dwellings in a specified area than the government does through official data.

[8] This discrepancy is discussed later in the report.

[9] The ANC website "*What is the African National Congress?*" [www.anc.org.za/content/what-anc]

The goal was to achieve a consensus around a new non-racial housing policy. There were two central debates; firstly, regarding *who* should provide housing- the state or the market-; and secondly, *what kind* of housing would be provided (Tissington, 2011). The members of this forum and the outcomes of these two debates are said to have shaped the White Paper on Housing (1994), which provided a framework for all subsequent national housing policies. The Constitution (1996) included a section on housing which named the state responsible to fulfill the right to housing.

The South African Constitution (1996) intended to redress the apartheid regime by drafting a Bill of Rights containing justiciable socioeconomic rights, including the right to adequate housing. Citizens, who today still live in vulnerable situations, regularly refer to the Constitution when discussing housing. In the Bill of Rights in Chapter 2 of the Constitution, Section 26 "*Housing*" outlines the following:

26 (1). *Everyone has the right to have access to adequate housing.*
26 (2). *The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.*
26 (3). *No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.*

Since 1994, all three spheres of government (local, provincial and national) have faced the difficulties in eradicating the scarring apartheid spatial legacies. The book *Democracy and Delivery: Urban Policy in South Africa* (Pillay, Tomlinson and du Toit, eds, 2006) is a collection of essays by academics and experts which provides a thorough overview of how urban policy was formed as well as delving into issues faced in the implementation of urban policies. Todes (2006) provides an essay on urban policy formulation, which concludes that policy reform was constrained by the "*newly emerging democracy underpinned (by) an unwillingness to challenge patterns of urban spatial inequality*" (67). Todes (2006) claims

that the urban spatial policy was largely driven by technocrats, through a small but influential research group at the University of Cape Town. This group was continuing the work of academics who criticized apartheid planning policies from as early as the 1970s and were strongly in favor of alternatives to restructure the city. The policies were strong, but with a weak and fragmented local government system – the policies did not have the necessary government capacity required to support them. This continues to be true in varying degrees across the country. More radical ideas were difficult to navigate through the bureaucratic systems and were often shut down before reaching the top (Pieterse, 2004).

/02 KEY HOUSING POLICIES & PROGRAMS IN SOUTH AFRICA POST-1994

Several housing policies, programs, and other secondary legislation have been implemented within the context of a democratic South Africa. The following section will outline the vision of some of the key policies and provide an overview of post-apartheid housing programs. To access the policies highlighted in this report, and other relevant policies, please visit the Graphic Housing✲ Policy Index on the project website[10].

2.1 WHITE PAPER: A NEW HOUSING POLICY AND STRATEGY FOR SOUTH AFRICA 1994

The 1994 White Paper on Housing was the first significant piece of legislation to be adopted under the ANC government as an attempt to create viable, integrated settlements where households could conveniently access opportunities, infrastructure, and services within which all South Africa's people will have access on a progressive basis to:

- *"A permanent residential structure with secure tenure, ensuring privacy and providing adequate protection against the elements; and*
- *potable water, adequate sanitary facilities including waste disposal and domestic electricity supply."*
(National Department of Human Settlements [NDoH] 1994 : 22).

The document acknowledges the constraints and limitations of the current context, stating that "*every effort will be made in order to realize this vision for all South Africans*" (NDoH, 1994 : 22). It details how the overall approach made by the government should be aimed at harnessing and mobilizing combined resources, initiatives, and efforts of citizens, the state, as well as the private and commercial sectors. It is also stated that "*(a) housing programme cannot be limited to housing, but needs to be promoted in such a manner as*

to give meaning to the goal of creating viable communities" (12). The White Paper advocated for an increase in the national budget allocation for housing (to 5%) and to sustainably increase housing delivery, projecting a peak delivery of 350 000 units per year. This would allow the government to achieve its target of building one million units in five years (Tissington, 2011).

Section 4.6 of the White Paper declares that poverty alleviation would be possible through housing interventions. With a predicted backlog of 1.5 million units in 1994 (as stated in the White Paper), there were seven strategies outlined in the policy to address the dire housing situation (Section 4.6.1 – 4.6.8):

1. Stabilise the housing environment to ensure maximum benefit of state housing expenditure and mobilize investment from the private sector.

2. Facilitate and establish a range of support mechanisms (i.e. technical, institutional and logistical support), which enable communities to improve their housing circumstances on a continuous basis. It is noted that the *"government's first and foremost priority is to deal with the problem of housing for the poor"*.

3. Mobilise private savings (both individually and collectively), and housing credit at scale, in a sustainable manner whilst simultaneously ensuring adequate protection for consumers.

4. Provide subsidy assistance to disadvantaged individuals to assist them to gain access to housing.

5. Rationalise institutional capacities in the housing sector within a sustainable institutional framework.

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[10] The Graphic Housing Policy Index can be accessed on the project website: www.ayeshaissadeen.com/

6. Facilitate the efficient release of land and basic services, *"(e)fficient assembly and release of appropriately located land for housing is critical to achieving the desired rate of delivery of housing. Land held by public authorities represents a significant national asset and therefore its disposal and/or application should be undertaken within a coherent policy approach. It is believed to be essential that the potential use of appropriately located and suitable land for affordable housing should be considered for such use on an equal basis with other competing uses."*

7. Coordinate and integrate public sector investment and intervention on a multifunctional basis.

The provision of individual subsidies was one of the principal strategies that the state adopted to achieve efficient delivery of housing units. This materialized through the *Reconstruction and Development Programme* (1994). The subsidy was considered a one-off payment to provide a house (as defined by the NHF) on a piece of serviced land. The subsidy was available to any household earning less than R3500/month, on a sliding scale which was determined by the income level of each household. To qualify for a subsidy, individuals had to;
- be a citizen of South Africa,
- be legally competent to contract (18 years or above)
- not have previously benefited from a government housing subsidy
- be a first-time homeowner
- be married or have financial dependents (such as children, parents, and grandparents)
- have a monthly income of less than R3,500, (This criterion does not apply to any persons classified as aged, disabled or a confirmed South African National Defence Force veteran.)

Although the housing subsidies have increased since 1994, critics argue that they have not kept up with inflation (Pillay, Tomlinson & du Toit, 2006). The initial subsidy amount was R12 500 (1994) and was increased to R15 000 in 1998. It was increased again in 1999, and in 2002, after which an obligatory beneficiary contribution (either savings or credit) had to be made to cover the gap between the minimum cost of a house and the

subsidy (again, on a sliding scale determined by household income).

Two principal housing legislation provided the detailing of the framework and strategies set out in the White Paper: The Development Facilitation Act (1995) and The Housing Act (1997) - which is discussed in section 2.2. The first amendment made to the original White Paper was a policy titled *"Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements"* (BNG) in 2004. This policy will be discussed in section 2.5.

2.2 THE HOUSING ACT 1997

The Housing Act of 1997 (Act 107) details the policy principles and strategies outlined in the White Paper. The Act states that all spheres of the government must prioritize the needs of the poor and meaningfully engage with communities, civic organizations, and individuals who are affected by government housing developments. It defines the responsibilities of each sphere of government, together with providing a financial framework for national housing programs. The Act also articulates that the national housing developments should provide as wide a choice of tenure and housing options as reasonably possible, whilst ensuring that developments are economically, socially, fiscally and financially affordable, as well as sustainable. It also declares that this should be achieved through integrated development planning, in a transparent, equitable and accountable manner which maintains good governance practice. The Housing Act has been amended twice since conception, once in 1999 and then in 2000 as part of the National Housing Code. Taking the amendments into consideration, the responsibilities of each sphere of government are detailed as follows;

- **National Government** is *responsible for - formulating housing policy as well as establishing and facilitating a sustainable housing delivery process; - setting broad national housing delivery goals, and facilitate the support of provincial and local (where appropriate) agendas to achieve these goals - monitoring implementation and performance, in cooperation with Members of the Executive Council (MECs), alongside housing delivery goals and budgetary goals*

- **Provincial Government** *is responsible for - acting within the national housing policy frameworks and working towards creating an enabling environment 'by doing everything in its power to promote and facilitate the provision of adequate housing in its province'. This includes the budget allocation within the province's municipalities*

- **Local government** *(i.e. municipalities) are responsible for - taking all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to ensure that the constitutional right to housing is realised. It should do this by actively pursuing the development of housing, by addressing issues of land, services and infrastructure provision, and by creating an enabling environment for housing development in its area of jurisdiction.*

Other significant sections of the Act include guidelines for the financing of national housing projects through the South African Housing Fund, as well as declaring that state-subsidized houses may not be sold, or 'otherwise alienated' for a minimum of eight years from the date that the property was handed over.

2.3 THE RECONSTRUCTION & DEVELOPMENT PROGRAM 1994

The Reconstruction and Development Programme (RDP) was initiated in 1994 and consisted of an "*integrated, coherent socio-economic policy framework which aims to mobilise all citizens towards the final eradication of apartheid, and the building of a non-racial and non-sexist future*" (Section 1.1.1). The RDP policy design process was led by the ANC, forming an alliance with various actors including research organisations and non-governmental organizations (NGOs), and claims that the joint policy formulation must be continued to develop an effective policy – "*other key sectors of our society such as the business community must be consulted and encouraged to participate as fully as they may choose*" (Section 1.1.4). It is acknowledged that this integrated policy design process is the first of its kind to be implemented within a South African context, highlighting the role of, and praising the efforts of the ANC party.

The package of policies was presented as six basic principles, which when linked together represent the political and economic philosophy of the RDP as a whole. The six basic principles (Section 1.3) are eloquently articulated as follows:

1.   *An integrated and sustainable programme.* "The legacy of apartheid cannot be overcome with piecemeal and uncoordinated policies. The RDP brings together strategies to harness all our resources in a coherent and purposeful effort that can be sustained into the future". Strategies are to be implemented within all three spheres of government, alongside parastatals and civil society organisations who are working within The RDP framework.

The programme is centered on;

2.   *A people-driven process.* The RDP should focus on our peoples most immediate needs, as the people of the country are the 'most important resource'. It calls on the people of South Africa to shape their own future, relying on the peoples' 'energies to drive the process of meeting these needs'.

For a successful people-driven process to be possible;

3.   *Peace and security for all.* All people must be involved in promoting peace and security. It calls for a shift in the security and police forces, away from the thinking of the apartheid era and to uphold the Constitution. "The judicial system must reflect society's racial and gender composition, and provide fairness and equality for all before the law."

Once peace and security are established, it becomes possible to embark upon;

4.   *Nation-building.* "Citizens must not perpetuate the separation of our society into a 'first world' and a 'third word' – another disguised way of preserving apartheid. We must not confine growth strategies to the former while doing patchwork and piecemeal development in the latter waiting for trickle-down development". National building is also expressed as the key to joining the global community.

National building will require us to;

5.   *Link reconstruction and development.* The RDP is based on an integrated process of reconstruction and development, "standing in contrast to a commonly held view that growth and development, or growth and redistribution are processes that contradict each other." The principle states the key to this is basic infrastructure (i.e. electricity, water, health,

education, communications, transport), which should be available to all.

All of the above principles depend on a thoroughgoing;

6.   *Democratisation of South Africa.* This is paramount to the whole RDP, as "minority control and privilege in every aspect of our society are the main obstructions to developing an integrated programme that unleashes all the resources of our country".

These six principles are set to guide the package of RDP policies, which can be grouped into five categories as follows: meeting basic needs, developing human resources, building the economy, democratizing state and society, and implementing the RDP. These are individually and sensitively detailed – keeping true to the principle of a people-driven process and calling on all citizens to participate. The concluding sentence of the document is powerful, "*(t)he future is in our hands and we must carry forward the work needed to finally liberate ourselves from the evils of apartheid*" (Section 7.7).

2.4 PEOPLE'S HOUSING PROCESS 1998

Following the policy shifts and a greater state responsibility for efficient housing delivery, the introduction of the People's Housing Process (PHP) in 1998 reflects the conception of beneficiary participation in housing delivery. The PHP was a response to the local pressures of increasing housing backlogs, as well as international pressures. The UN was then advocating for greater community participation to successfully deliver more responsive and effective low-cost housing. This policy aimed to encourage community-based organizations (CBOs) to drive the development process and physically build the homes themselves. Prior to this, there was very little beneficiary contact except for the moment one picked up their house keys (Zama Mgwatyu interview, 2018).

The PHP allowed for NGOs to have a more active role in the housing delivery processes, this was accomplished through capacity building and monitoring of implementation. The cost of the beneficiary's labor was set off against the subsidy for which they qualified. This allowed poorer

populations (who were physically capable), to spend less time waiting for housing finance and contribute in labor to the construction of their home (Tissington, 2011). The PHP housing program is often critiqued for "*institutionalizing community-based process(es)*" and perceptions that the State was conveniently shifting the burden of delivery to the poor. It is also noted that participation was constrained to construction labor – while key issues such as location were still defined by the state. The meaning of participation had still not been clearly defined, causing the interpretation to vary widely across projects (Charlton & Kihato, 2006).

2.5 BREAKING NEW GROUND 2004

Nearly a decade after the White Paper on housing, there was a window of opportunity for a policy shift. Between 2002-3, the National Department of Housing initiated a review of the housing programs (Tissington, 2011). In an interview with Ahmed Vawda, former Deputy Director-General of Policy and Programme Management (Department of Housing), Charlton and Kihato (2004) explored how the BNG program came to fruition. Vawda headed the research commission from within the Department of Housing, with commissioned researchers to aid in the process. An extensive 18-month research process (2002/3) was conducted, bringing together all three tiers of governmental stakeholders as well as a beneficiary survey. The research gave empirical findings which showed the importance of creating socially and economically integrated habitats (Charlton and Kihato, 2006). Despite the research and intentions which presented a possible new direction for housing policy, the policy did not deliver. The research strives for a shift in focus from the number of units delivered to a broader set of socio-economic outcomes – yet the key performance indicators then revert to a quantitative measure of only housing units. (Charlton & Kihato, 2006). It is also interesting to note that a total of 19 different business plans across the various national departments related to housing were merged as part of the BNG process (Sigodi Marah Martin, 2003 – as quoted by Charlton & Kihato, 2006). If a fragmented government and a lack of thorough communication processes are partially to blame for the gaps found between policy and implementation – this fact simply reinforces the

silo bureaucratic systems of national departments. Many of the people I interviewed refer to the BNG policy as a missed opportunity.

What followed was the *Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements* (BNG), which was introduced in 2004. One key aspect of the BNG policy was that it was to be "*unequivocal about the housing programme's responsibility in the creation of viable human settlements*" (Charlton & Kihato, 2006 : 257) – with objectives intended to catalyze the realization of a wider range of socio-economic opportunities. The White Paper on Housing mentions sustainability throughout the document, however, the BNG policy introduced the concept of sustainable human settlements as well as highlighting the significance of quality over quantity regarding housing delivery. The BNG document (2004) states that the primary objectives of the housing legislation remain unchanged, but a new plan is needed to provide a more responsive and effective delivery. A commitment is made to the following objectives (BNG, 2004):

- *Accelerating the delivery of housing as a key strategy for poverty alleviation*
- *Utilising provision of housing as a major job creation strategy*
- *Ensuring property can be accessed by all as an asset for wealth creation and empowerment*
- *Leveraging growth in the economy*
- *Combating crime, promoting social cohesion and improving quality of life for the poor*
- *Supporting the functioning of the entire single residential property market to reduce duality within the sector by breaking the barriers between the first economy residential property boom and the second economy slump.*
- *Utilizing housing as an instrument for the development of sustainable human settlements, in support of spatial restructuring.*

Today, the subsidy for an individual earning less than R3500 stands at R160 573 (Breaking New Ground, 2004) and an additional criterion to qualify is that individuals must have been registered on a municipal housing waiting list for a minimum of 10 years.

2.6 ENHANCED PEOPLE'S HOUSING PROCESS 2008

The Enhanced People's Housing Process (ePHP) was a reform of the PHP policy, rolled out in April 2009, replacing the previous program. This was a result of extensive and arduous negotiations between NGOs (namely DAG, Planact, DESG, USG, uTshani, FEDUP) and the National Department of Housing. The NGOs argued that local contractors should be involved, as opposed to '*sweat equity*' (the use of beneficiary labor in construction). The NGOs also encouraged meaningful participation to be defined as a collective, community-based process of decision-making. The ePHP document takes this into account and sets intentions to empower beneficiaries, whilst fostering local partnerships, promoting local economic development and building social capital. It allows individuals or communities to participate throughout the process, from '*identifying land, planning the settlement, getting approvals and resources to*

begin the development, contracting out or building the housing and providing the services… and continually upgrading their community' (ePHP Policy 2008: Section 2).

The ePHP is the first policy which is less oriented towards large scale delivery in a limited time frame. Rather, it provides a path for communities who have organized themselves to take initiative and make headway on their housing projects. Community Resource Organisations (CROs) or faith-based organization (which have been approved) are appointed by the Provincial Government to provide socio-technical assistance where necessary. This is well set out in the ePHP document, making it one of the stronger housing policy documents in the view of many NGOs which work with these vulnerable populations (Tissington, 2011).

Ruoh Emoh Housing Project, a community driven project which took two decades to accomplish.

// Watch Adnaan's story

'*Backyarders*'; those who live in informal dwellings constructed in the backyard of a house.

# /03 CHALLENGES OF IMPLEMENTATION: SELECTED CASE STUDIES

3.1 N2 GATEWAY PROJECT: THE GROOTBROOM 'JOE SLOVO' CASE

An example of the disparities between policy and implementation is the N2 Gateway Project in Cape Town. This was a relatively well-publicized battle of housing provision (it may be that this would not have been reported via most mainstream media without the presence of social media outlets). The N2 Gateway Project was approved in 2004 as a pilot project of the Breaking New Ground scheme. In 2009, the National Constitutional Court presented the rulings of what became to be known as the '*Joe Slovo*' case after a year in court. The case was between Residents of the Joe Slovo Community and Thubelisha Homes, Minister for Housing and Minister for Local Government and Housing - Western Cape. The case was taken to the court after many families served with eviction notices had previously been sent letters authorizing the occupation of completed units in the area (see the following image). These letters had been sent illegally, as Patel describes in a book, No Land! No House! No Vote! Voices from Symphony Way. The book is a collection of stories by families who were fighting against these evictions, "*(t)he local councillor who sent them suffered the modest indignity of being suspended for a month*" (2011).

> *"You are hereby given authorization in my personal capacity as a Public Representative to move into a home in Delft/Symphony, as you have been on the City of Cape Town's waiting lists for the past [omitted] years"*
> - Signed Councillor Frank J Martin
> 19th of December 2007

The court ruled that 20,000 residents of the Joe Slovo community would be evicted, relocating to the Delft Temporary Relocation Area (media summary of the court case, Constitutional Court of South Africa 2009). This was alongside a ruling that 70% of beneficiaries of the newly developed
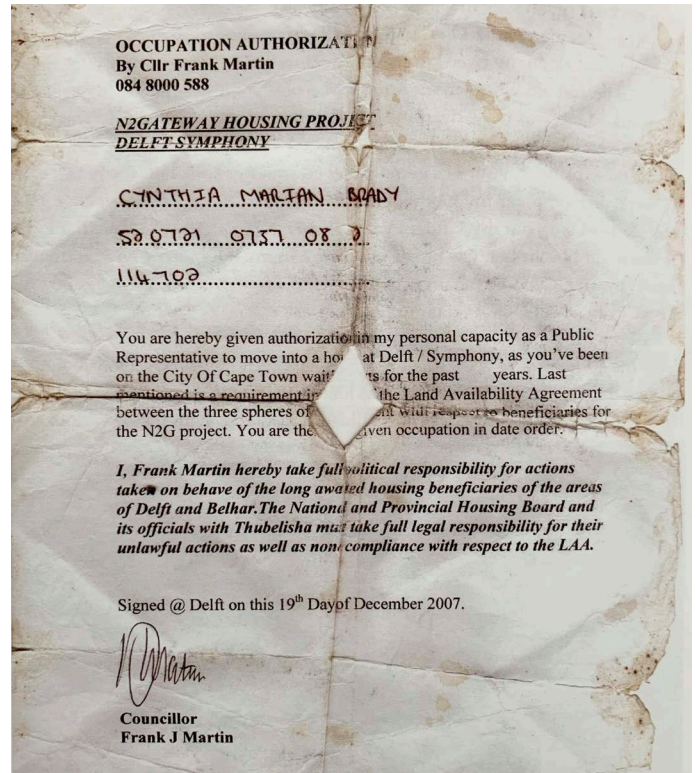
settlement, and the remaining 30% would comprise of shackdwellers known as backyarders (typically an informal corrugated iron structure built in the back yard of plots) from Langa, a neighboring township (COHRE Report, 2009). A BusinessDay article from August 2009 claimed this to be the "*largest judicially sanctioned eviction in post-apartheid South Africa*"[11]. The court case was preceded by nearly two years of protests and unpleasant dealings with the state after those residents who were evicted responded by forming the Symphony Way Pavement Dwellers, an occupation of the pavement outside their homes. This acted as a permanent blockade and was eventually one of the longest-running protest campaigns in South Africa (Patel, Voices of Symphony Way, 2011). Ironically, the court case media summary states the '*eviction was required for the purpose of developing affordable housing for poor people*' (2009). There is an incoherence of policy implementation here, which I claim occurs due to the three-tiered governing

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[11] Liebenberg, S. (2009), "*Joe Slovo eviction: Vulnerable community feels the law from the top down*", Business Day, [http://abahlali.org/node/5427/]

bodies. Each government tier participates in housing delivery without a clear understanding of who is responsible for what, leading to miscommunications, poor project planning, and implementation. My assumption is that this is caused by the varying capacities found, across all scales of government, considering how few municipalities had a housing department and the bureaucracies of accreditation. Despite the eviction order, residents continued to protest before the final eviction notice issued by the courts demanded that all "*136 families (were) to move to the sandy wastes of Blikkiesdorp by October 2009, just in time for the tin shacks to bake in the summer heat*" (Patel 2011 : XV)

The Symphony Way Temporary Relocation Area (TRA) located in Delft is locally known as 'Blikkiesdorp' (direct translation: tin town), and will be referred to as so from this point. The contested TRA site, located 25km from the city, was established in 2007 and still houses hundreds of families today who are left with few or no options for affordable housing. The land on which Blikkiesdorp sits is temporarily leased from Airports Company South Africa (ACSA), and is zoned as agricultural or public transport zone. In the last five years, ACSA and the City of Cape Town have been facing demands from the residents of Blikkiesdorp to access documents regarding the future of the land Blikkiesdorp is built on[12]. The airport had negotiated plans with the City to make extensions to a runway, a project which would directly affect those living in Blikkiesdorp. This would potentially cause a second eviction for families - from a place that many residents already regularly describe as a '*living hell*' (interviews with members of the Blikkiesdorp Joint Committee). If the City were to evict them a second time, residents fear the worst as they are already disconnected from their original social networks and without any sense of community. Blikkiesdorp is regularly referred to as a *human dumping ground* and often described as a concentration camp by residents who live in the (approximately) 2000 structures here.

The recent construction of TRAs (which are classified as Emergency Housing by the City), their locations and conditions, strongly support the claim of a housing paradox which is fuelling housing inequality. The community living here are unlikely to qualify for subsidized housing (due to high rates of unemployment, low education levels and insufficient monthly incomes). Although these communities were meant to be temporary – the City has failed to share their plans for the area with residents[13]. Levenson (2017) draws on ethnographic field research to explain how Blikkiesdorp and other TRAs "*appear as adequate housing from the municipal government's perspective, (but) exacerbate social exclusion, perpetuate squatting and aggravate unemployment, transport costs and interpersonal violence*" in his article published by the SAGE Journal of Urban Studies in 2017. *The road to TRAs is paved with good intentions: Dispossession through delivery in post-apartheid Cape Town* is a succinct article that highlights a myriad of issues around the provision of TRA housing (2017). Levenson uses the term dispossession here to speak of the "*physical separation of residents from their homes, land and social networks; and describes residents as 'trapped in a state of permanent temporariness'*" (in line and citing Oldfield and Greyling's 2015 piece) '*having received alternative accommodation but finding themselves torn from the networks that were at the basis of their strategies of reproduction*' (2).

The numerous stories of residents who took part in the Joe Slovo Case are simply a few amongst a long list of cases which have resulted in a similar outcome - somehow furthering the damage done by the apartheid era and leaving vulnerable populations in a worse-off situation. The mere existence and location of Blikkiesdorp continues to reinforce the South African housing paradox, instigated by apartheid rule as vulnerable city residents are pushed to the peripheries of the city. Those living in TRAs today fall victims to the worst outcomes of housing policy.

3.2 FREEDOM PARK

Freedom Park is a noteworthy project which highlights how an educated and driven community, with knowledge of the housing policy frameworks, can be successful in influencing their housing opportunities. Mitchell's Plain is located roughly 25km away from the inner city. This was one of the last major coloured townships established within the apartheid era. According to the 1996 census, Mitchells Plain has a population of 200,000. Tafelsig is one of the poorest neighborhoods and home to roughly 41,000 people. The area is known for high rates of unemployment, crime and a lack of socio-economic opportunities (DAG report, 2009).

During the Freedom Day[14] long weekend in 1998, a group of backyarders, who were fed up with being on the waiting list, invaded a piece of land which previously had been a hotspot for crime. Although the state-owned land was earmarked for a public school, it had become a dangerous area whilst waiting for municipal action. Initially, the community group approached their local ward councilor to suggest using the vacant land for housing opportunities. But with little faith in the efficiency of such bureaucratic processes, the community decided to invade the land. Between the 24-27 April of 1998, the community cleared the land of the trees and bushes, which concealed the crime, and carefully planned their settlement, dividing it into 6x6m plots and 3m wide streets. Once neighboring communities heard of this invasion, the group hoping to put roots down grew rapidly. This led to the development of a set of criteria, to decide who would build houses being established by the organizing parties. The criteria included the following:

- *they had to be registered on the municipality's housing waiting list (although difficult to enforce, it appeared that about 70% of people occupying the site were indeed registered on the list some for longer than twenty years); (LRC report on Freedom Park, n.d.)*
- *they had to have dependents;*
- *they had to be married or in a serious relationship;*
- *they preferably had to be from the Tafelsig area*

By the end of the long weekend, the site housed hundreds of families. Even the Director-General of the NDoH at the time praised the significant

and well-orchestrated land invasion (DAG report, 2009). Despite this comment, the local government understood this act as a threat and newspapers reported that the army would be demolishing the shacks (a typical fate of illegal land invasion). What followed was the formation of the Tafelsig's People's Association (TPA), led by Mrs. Najuwa Gallant with a committee of 22 people. The TPA began negotiations with the municipality to discourage evictions and removal and rather to identify alternative housing options for this group. Unfortunately, the municipality was ordered to bulldoze the shacks in the first week of May 1998. In an act of desperation to stop the demolition, the hundreds of residents in this community formed a human chain to prevent the bulldozers from reaching the informal housing they had built – and it worked. The Legal Resources Centre (LRC) intervened and the court postponed the hearing until August, assuring the community that no evictions would take place.

With the LRC's assistance, the TPA entered a formal mediation process, through the Prevention of Illegal Eviction Act (PIE Act). The results of this were that the municipality would demolish any new structures built on the land and that no services would be provided to this land. This caused serious health problems across the community, due to poor water storage methods and no (human) waste removal. Residents were left with no option but to bury their human waste and disinfect the area with whatever they could afford. Informal electricity connections were made to neighboring communities, leaving live electrical wires exposed in the streets which injured many adults and children. Once these health hazards were published, the TPA demanded that their constitutional rights to basic services were fulfilled by the municipality.

Eventually, in 2001 rudimentary services were provided to the land. This consisted of one toilet for every four households, ten shared standpipes and a weekly waste removal (limited to the

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[12] Knoetze, D. (2014), *Secrecy shrouds Blikkiesdorp relocation plans*, GroundUp, Published 25/0914 [https://bit.ly/2JuDi1e]

[13] *"Is Blikkiesdorp Home?"* – a short video commissioned by the Open Democracy Advice Centre to show the conditions of Blikkiesdorp to push the City for answers [https://bit.ly/2HjhDGE]

[14] Freedom Day is celebrated on the 27th of April, commemorating the date of the first democratic elections in 1994

container provided by the City). Even though the community was successful in accessing service provision for the land, implementation is criticized yet again. Residents complained that the toilets were inappropriately located on the edge of the land, making them unsafe for children and women at night (this is a common issue still found in settlements today). It is also noted in the DAG report that the continual restructuring of local government caused delays through this process (2009).

The mediation process ended in 2003, and a PHP housing approach was decided to be the best option for the community. The project was implemented with meaningful engagement from the residents with shared decision-making, with DAG providing socio-technical assistance throughout the process. Housing was built almost ten years later, with the assistance of the Niall Mellon Foundation and DAG.

The story of Freedom Park is considered a success story today – however, this story also makes apparent the disparities found in government efforts to provide housing. Without a strong CBO initiative, the education and ability to navigate the various housing policies, as well as NGOs who provided support in this case – the fate of those now living in Freedom Park may have been very different.

These are some of the most documented houses in Freedom Park. 10x10 Affordable Housing Project was hosted by DesignIndaba. These medium density houses were sustainbly built with sandbags in participation with the local community. ✳

This informal settlement has been in Woodstock for the last two decades. This piece of land is now one of five sites which have been allocated for Affordable Housing. ✳

/04 HIGHLIGHTING THE DISPARITIES BETWEEN HOUSING POLICY AND IMPLEMENTATION

Despite the well-intentioned and eloquent policies, these programs have not significantly altered the landscape of South African inequality. Edgar Pieterse, Director of African Centre for Cities, in his article "*Building with Ruins and Dreams*" (2005) states the following;

"(South African cities) are caught in a strange contradiction. On the one hand, enormous effort is exacted to create a post-apartheid identity and form through a plethora of legislation, policies, and plans. On the other hand, the more the state acts on the city with all of its 'good' intentions the more it seemingly stays trapped in its apartheid form, if not identity" (286).

This article was published thirteen years ago and I would argue that the situation remains largely the same. Insufficient progress has been made with policy implementation, shifts in institutional capacity, or in strategic urban planning, to address the issues still faced on a day-to-day basis by most South Africans. The national development strategies have continuously acknowledged that efforts to reduce inequalities are a key issue; with both the RDP (1994) and National Development Plan (NDP) of 2012 stating "*no political democracy can survive and flourish if the mass of our people remain in poverty, without land, without tangible prospects for a better life…attacking poverty and deprivation must, therefore, be the first priority of a democratic government*' (as quoted by Lehohla, 2017). Yet today, the majority of the population is still left waiting for opportunities to transform their lives, and to break out of the vicious, and multigenerational cycles of poverty.

Various issues have been identified with the RDP housing program over the years. Stakeholders including City officials as well as beneficiaries have complained about the location, quality, and a lack of efficiency in housing delivery (Tissington, 2011). The NDoH has also noted that housing delivery has not had the intended impact on poverty alleviation in that houses have not '*become the financial, social and economic assets as envisioned in the early 1990s*' (Tissington, 2011 : 61).

The location of large-scale RDP housing delivery has been a point of contention, with critics commenting on the location of projects (typically built on the city periphery) – far away from economic opportunities and social services (COHRE report, 2008). The Social Housing Foundation (which become the Social Housing Regulatory Authority in 2010), published the following findings:

"The location and density of affordable housing makes a significant difference to the overall costs and benefits of housing to South African society over time and housing that is well-located in urban centers, even though it financially costs much more to build, (due to higher land prices) actually has more benefits for society and costs less over time than does much cheaper housing on the periphery" (Tissington, 2011, p.62).

This practice of building housing on the urban peripheries has perpetuated the marginalization of the poor, furthering apartheid spatial trends and leaving vulnerable populations without access to socioeconomic services which are deemed necessary to alleviate poverty. It is also interesting to note that many RDP houses have been sold or rented out, with owners moving back to informal settlements. Typically, this happens when communities are broken up as housing is allocated based on the waiting list and move back to informal settlements to be with their communities. Findings from research conducted by Urban LandMark in 2010 show that since 2005, roughly 11% of all RDP houses were informally traded by owners – ignoring the mandatory lock-in period of eight years.

4.1 POLICY EVOLUTION

The evolution of housing policy is deemed to lack innovation and overall has created a frustrating process for those involved, ranging from City officials, NGOs to beneficiaries themselves. Policy reforms have been;

"by and large reactions to weaknesses with the experience of policy implementation, or are driven by other agendas such as political pressures or internal department politics. They are not, however, explicitly rooted in a rigorous interrogation of the needs of the poor, such as the impact of the housing programme on livelihoods and economic activity of the beneficiaries."
(Charlton & Kihato, 2006 : 267).

The issue of housing was under discussion before the end of apartheid, therefore housing policy was considered ahead of its time. Conversely, the required planning and urban policies were not in place. The authors state that the new housing policy was being implemented alongside a new redesigned government (Charlton & Kihato, 2006). The essay also argues that in an interview with a former NHF representative and former Director-General of the National Department of Housing, Billy Cobbett is quoted to have said: "*it was like driving a bus with one hand tied behind your back*" (p.268). The weakness here can be found in the lack of integration of urban and housing policy into a coherent strategy of 'urban restructuring' necessary to tackle the spatial effects of the apartheid regime (Charlton & Kihato, 2006).

4.2 WAITING LISTS

Between the Constitution (1996) and the first White Paper (1994), previously disadvantaged populations were given hope - that they would receive a house from the government. Over the course of spatial segregation during the apartheid years, several housing lists were drawn up. In 1994, this resulted in many individuals being registered more than once across various databases (Tissington, 2011). As apartheid rulings disadvantaged the majority (black and coloured) of the population, many people qualified to register for a house – but the government had a limited number of subsidies available per year. This led to the formation of a housing waiting list. Today, there are various waiting list databases, at different levels of government, and many individuals have been on waiting lists for a decade – sometimes even two. The White Paper (1994) estimated a housing backlog of approximately 1.5 million, growing at a rate of 178,000 units per year. The waiting lists are growing at a much faster rate than the government prepared for. This is in part due to shifts in the decline in household size, rapid

urbanization, structural unemployment, migration due to a lack of opportunity in rural areas, more households who qualify for a housing subsidy and less access to housing financing solutions (Palmer et al, 2017). The BNG document highlights that *"the country has experienced a 30% increase in the absolute number of households, where only a 10% increase was expected. This has been caused by the drop in average household size from 4.5 people per household in 1996 to 3.8 in 2001"* (Breaking New Ground, 2004). This reduced household size, coupled with the increasing urbanization rates in Cape Town has caused significant increases in demands for housing. A report published by the Fuller Center for Housing in South Africa in 2014, gives a backlog figure of two million houses, growing annually. That amounts to roughly 8 million people (roughly 15% of the population), who are still in hope that the government will provide a house for them.

At a provincial level, a study published in 2010 shows the housing backlog of the Western Cape at 426,710 – of which 61% are within the City of Cape Town[15]. Between 2002 and 2006, the estimated increase in households living in informal dwellings in the Western Cape was reported as 4%. Furthermore, 44% of households in the City of Cape Town are considered to be inadequate. There are approximately 223 informal settlements, within which 77% of households live below the poverty line. City officials are aware that it will take years and significant increases in the budget to make this possible[16]. Housing policy, the packages and programs available and the subsidy options do not fully reflect this, and continues to report the backlog as if it is a feasible task. Many vulnerable citizens I have worked with have openly questioned the capacity and ability of the government to deliver on these policies, given the history of housing delivery post-apartheid.

4.3 URBANIZATION

To meet the demands of a growing population, urbanization needs to be more carefully considered in housing policy – at the very least, to explain how trends of urbanization will affect the current waiting lists. Urbanization in South Africa was shaped by policies of apartheid through the controlled movement of black South Africans, who were required to carry a passbook until 1986. This limited their access to areas of productivity

South Africa's historical urbanisation trends (1904-2001*)
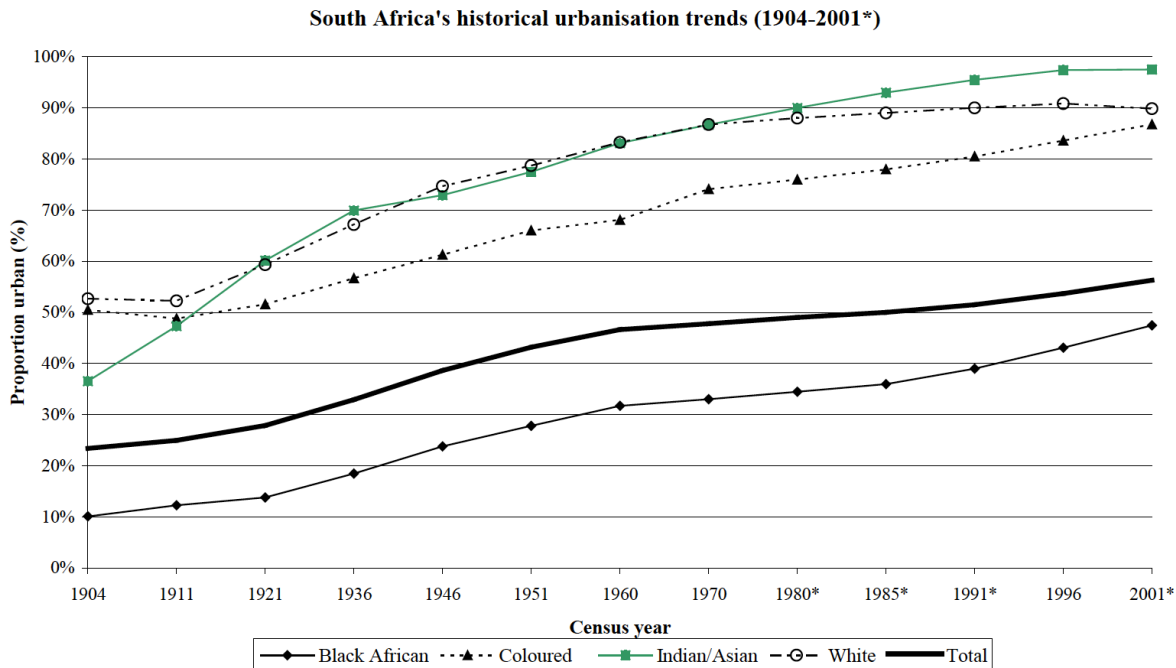
Source: Kok and Collinson 2006

predominantly owned by the white population (Todes, Kok, Wentzel, van Zyl & Cross, 2010). The migration of populations into the cities was not as rapid as expected and have further declined compared to those during apartheid rule (Todes et al, 2010).

The above graph shows the urbanization rates between 1904-2001. When compared to the apartheid era, urbanization rates in recent years have not increased substantially. Despite this decline in post-apartheid urbanization, many independent reports state that urbanization is posing a challenge to municipalities – both in housing and infrastructure provision. Classifying areas as urban or rural areas has also been made difficult by previous apartheid policies, as often large, densified areas were established in rural areas (Todes et al, 2010). While it could be argued that these areas are no longer rural, some of these are still very dense and now have thriving hubs of informal markets as a response to the absence of economic opportunity. The White Paper and the RDP Program both briefly mention urbanization without presenting a strategy to deal with it. There is little mention of urbanization more recent policies – such as the BNG policy document[17].
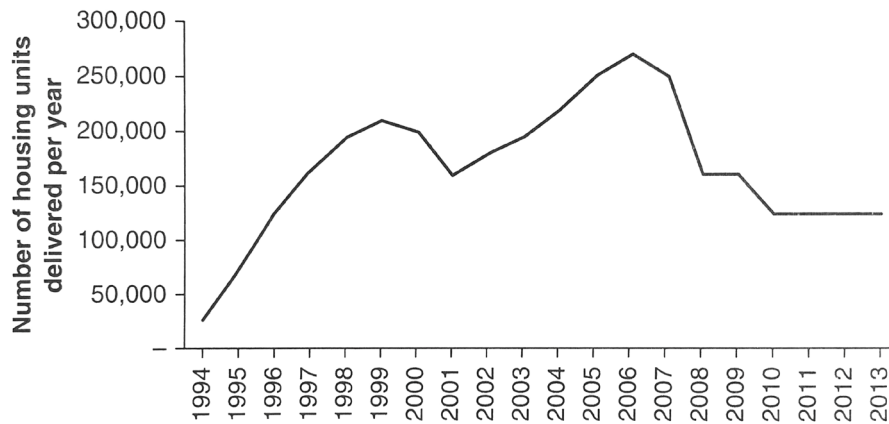
4.4 HOUSING DELIVERY

The delivery of housing units has been a striking issue which fails the policy. The function of housing delivery is given to the provincial government in the constitution. However, the national government retains legislation and policy obligation for the functions delegated to other spheres of government. Local government does not have a constitutional obligation for providing housing, while is responsible for land use management, spatial planning, and creating the infrastructure platform (Palmer, Moodley, & Parnell, 2017). For the involvement of all three tiers to be successful, it requires cohesive coordination and thorough internal communication. Regrettably, the reality is that the government is fragmented in these efforts. The state developed a range of benchmarks by which it measures its success, described in The National Housing Code of 2000,

[15] Backlog Study (2010), Department of Housing

[16] In two interviews with City Officials it was noted that the idea of a subsidized house for everyone is no long fiscally possible. This was confirmed by interviewees researching housing policy at UCT as well as in Social Housing Institutions.

[17] '*Urbanisation*' is only mentioned three times in the BNG policy document, referring to the unexpected population growth. It does not include any recommendations or strategies of how the housing sector will deal with rapid urbanization – even though this is a significant factor for the increasing number of informal settlements.

[18] *"Housing backlog will cost R800bn"*, Ndenze, B (2013) [https://bit.ly/2PQOgzu]

Source: Palmer, Moodley & Parnell (2017)

establishes a housing goal (subject to fiscal affordability) as "*increasing housing delivery on a sustainable basis to a peak level of 350 000 units per annum until the housing backlog is overcome*" (Tissington, 2011 : 72). In a report looking at the alternative financing and policy options for housing delivery – the Finance and Fiscal Commission states that to clear the housing backlog before 2020, South Africa would need "*R800 billion - and a miracle*"[18]. It also highlights that the present approach to housing provision will not be sustainable.

The graph above, taken from a recently published book, *Building a Capable State: Service Delivery in Post-Apartheid South Africa* (Palmer, Moodley & Parnell, 2017) shows the decline of housing delivery. Considering the growing backlog, and the estimated peak of housing delivery of 350,000 – we can see that delivery is not keeping up and has become almost stagnant, at about 120,000 units being delivered annually since 2010.

With the slowdown of delivery in housing, and the growing demand for housing – people are left with no choice but to live precariously in informal settlements. A Housing Development Agency report published in 2012, references ten data sources and claims that there is "*no single standard definition of an informal settlement*" (53). This, together with the fluid boundaries and rapidly changing nature of these settlements, make them incredibly difficult to monitor. That said, the government needs to better understand the realities of the situation to be able to successfully

transform it. NGOs and academics collect reliable data through their projects and there needs to be a way to connect this data with the City[19]. Citizens living in informality are trapped in a state of waiting, as many of them are registered on the housing databases. To live in the meanwhile and in the long term necessitates subversion, "*an agency that is sometimes visible in mobilization and protest, and at other times out of sight, simultaneously contentious and legitimate*" (Oldfield & Greyling, 2015 : 1100). This concept adds to the housing paradox, leaving citizens unable to build their lives due to the precarious nature of their home. One interviewee highlighted that there was no point waiting anymore and that she simply wanted access to services so her child could do her homework. She believed that if her child was educated, maybe she could break the vicious cycle.

Each government department tends to work in silos, largely due to budget structures. This causes policy implementation to happen rather haphazardly, and the critical issue of capacity becomes apparent here. After the responsibility of housing and service falls into the hands of the state, less than a quarter of the 200 municipalities in the country were included in the department of housing at the time (Tomlinson, 2015). The 1997 Housing Act appointed the Provincial government to manage housing and development, giving them the power to approve projects, allocate resources, request for tenders, and administer subsidy schemes. Local governments were required to be accredited before being able to

administer parts of these projects, however, the accreditation system was only fully established in 2006 (after which point only a handful of local spheres of government have been accredited). This allowed provincial officials to maintain control over areas within the local jurisdiction and avoid accountability as the residents assumed the local government was to blame (Tomlinson, 2015). NGOs, civil-society / community-based organizations and other like-minded bodies play a crucial role in challenging the state at all levels and advocating for a transparent and accountable government.

Among the factors that have constrained housing delivery, The Fuller Center report (2014) describes the following:

- *A lack of capacity to deliver. This is shown by the inability to develop workable policies, due to "inadequate funding, poor data collection systems and monitoring";*
- *The fragmented housing policy and administrative systems distributed between the spheres of government;*
- *A decrease in overall national housing expenditure;*
- *A restructuring of government urban policy rather than decentralizing "which would have increased economic efficiency and political accountability – and by extensions, a reduction in poverty";*
- *Neo-liberal macro-economic policies, (e.g. Growth, Employment and Redistribution Policy - GEAR) which have further created marginalization and poverty with a consequently higher unemployment rate;*
- *The increase in population who fall into the gap market[20]*
- *A lack of satisfactory integrated housing environments;*
- *Unexpected growth of informal settlements along the urban peripheries, (17-18)*

There are further constraints listed in the report, thereby showing additional disparities.

Overall, Tomlinson (2015) argues that the issue does not lie in the policies themselves, but rather how these policies have been interpreted and implemented. This is an essential point, as many of the City of Cape Town's policies seem to be

progressive – yet the progress made has been inefficient and insufficient to meet the demands of a growing and urbanizing population. Tomlinson (2015) notes that another significant issue is that constitutional clause number 26 '*everyone has the right to have access to adequate housing*' has no time reference, therefore creating an 'entitlement syndrome' - as named by numerous City officials. All three spheres of government (national, provincial and local), have a role in the delivery of housing and serviced plots. Initial post-apartheid housing policy gave only a small role to local government, very purposefully; with the idea that the private sector would drive the delivery of housing to bypass the political transformations that were occurring in local government (Tomlinson, 2015). The National Housing Act of 1997 shifted this thinking, as it clearly stated that the private sector would act as contractors instead of driving delivery and allowed room for local government to step in.

Within the context of the City of Cape Town, the Department of Housing merged with transport authorities to form the Transport and Urban Development Authority (TDA) in 2017. As a relatively new government body, experts in the field initially thought this had the potential to provide better housing opportunities as they would be planned together with the transport links required to access socio-economic opportunity. However, two interviewees strongly felt that the 'urban' department of the TDA was fading into the background, with many recent policies heavily focused on transport (via Transit-Oriented Development).

Lastly, many of my interviewees commented on the poor monitoring and evaluation frameworks used to assess the implementation process. The commitment undertook by the ANC government to build 'one million low-cost housing units' in five years drove the M&E frameworks to largely be based on measuring the number of units

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[19] In recent years, residents of informal settlements increasingly want to be visible to the state. Previously, the likely course would be to demolish the structures built on illegal land. With the PIE Act and precedents such as the Grootbroom Case – citizens are more willing to fight for their land than to remain invisible.

[20] "*The gap market is made up of households earning too much to qualify for subsidized housing, just above R3 500 a month, and too low to qualify for mortgage bonds, earning about R15 000*" (Fuller Center Report), 15

delivered (Charlton & Kihato, 2006). The processes of locating land (i.e. closer to socioeconomic opportunity), beneficiary selection, capacity building, and knowledge transfer should all be included in M&E. To realistically assess whether efforts in housing delivery are empowering previously marginalized populations and alleviating poverty, I believe social indicators should be mandatory. For example, once NGOs are on the ground in communities, and whilst waiting for bureaucratic procedures to be completed (such procurement of land), they use the time to build local capacity and provide socio-technical assistance. This is an important aspect to empower citizens (especially those who have not completed higher education) to be able to engage with the City officials meaningfully.

International graffiti artists have work all over Woodstock. New developments have a similar gray palette across Woodstock, adorned with graffiti in attempt to blend in with the rest of the neighborhood.

/05 CONCLUSIONS

The findings of this project provide evidence to support the claim that South Africa is facing a housing paradox which is contributing to a more unequal society. At the scale of *policy and planning*, and through investigating selected housing policies and their critiques, the findings show that design of housing policy in South Africa has not changed significantly enough to have affected the housing landscape and current population. At the scale of the *City of Cape Town*, the findings show that population growth and urbanization rates have caused a higher demand for housing and a large increase of informal settlements. This, coupled with the lack of government capacity at each level, has constrained the successful implementation of policy in the province and city. At the scale of *community* and *dwellings*, through the video interviews and experience working with vulnerable populations, the findings report that individuals and communities are required to contribute incredible efforts and typically endure significant bureaucratic delays in their fight for housing. Marginalized populations who decide to take the fight into their own hands are required to take initiative, mobilize their community, and spend considerable time learning about how to navigate the complex housing policies – all whilst still living in precarious situations and possibly struggling to put food on the table for their families.

The Graphic Housing Policy Index shows the many different acts of legislation related to housing, as well as the numerous institutional shifts and changes over the years. The list of policies and roles of each sphere of government is somewhat disorganized – especially as the policies are on various government websites. The goal of the Graphic Housing Policy Index is to make all housing-related policies, regardless of the sphere of government, chronologically available in one place. The atlas shares stories of displacement which has broken up various communities and sheds light on the lack of socioeconomic opportunities present in cases like the one of Blikkiesdorp, Delft. The forced displacement is evocative of the apartheid era

and causes immeasurable stress for families and individuals.

The overall findings of this project regarding the disparities between policy and implementation point to a lack of organization, stability, and capacity to implement policy throughout the tiers of government. The different layers of bureaucracy, between all three government spheres, that are required to complete any housing delivery project significantly prolongs the process, and the lack of communication between spheres of government and internal departments contributes to limitations of successful implementation. In the various meetings that I attended with City officials regarding specific projects[21], it became apparent that departments were often unaware of the services that another department provided. This demonstrates how departments, bound by the budget structures, work in silos. Integration of these departments and, at the very least, a basic understanding of the services provided by closely related departments may increase the chances of successful implementation. The political will to change policies moving forward also hinders efforts of changing the housing landscape significantly. Empirical findings of policy research are well-grounded, yet the most resounding research recommendations seem to be lost through the process of writing the final policy documents.

The issues faced post-apartheid are extremely complex and will require tremendous efforts to resolve. The government should be commended for the explicit intentions and policies written to better this, although the situation today shows that South Africa still faces an enormous housing crisis. In a discussion document titled "*Towards a 10-year Review: Synthesis Report on Implementation of Government Approaches*", published by The Presidency in 2003, a tri-dimensional approach is taken to better understand poverty through income, human capital (services and opportunity) and assets. The housing provision efforts are intended to target a reduction in asset poverty. The conclusions of the

findings in this report are nevertheless relevant today:

"(T)he advances made in the First Decade by far supersede the weaknesses. Yet, if all indicators were to continue along the same trajectory, especially in respect of the dynamic of economic inclusion and exclusion, we could soon reach a point where the negatives start to overwhelm the positives. This could precipitate a vicious cycle of decline in all spheres. Required are both focus and decisiveness on the part of government, the will to weigh trade-offs and make choices, as well as strategies to inspire all of society to proceed along a new trail." (102)

Stakeholders who are involved in influencing policy (such as government officials, academics, NGOs and social housing institutions) must ensure that new policies more carefully consider the capacity of the various tiers of government to allow for more consistency and quality implementation. Monitoring and Evaluation frameworks should go beyond the quantitative measure of units delivered and begin to explicitly investigate socio-economic indicators to better understand the multi-faceted problem of poverty to be able to successfully alleviate it. Further research could be done into institutional capacity within these issues and how it has developed over time, monitoring and evaluation frameworks, practical strategies to guide implementation at each level of government, and strategies to manage other influences which affect implementation. It is essential for data collection to be more reliable and better managed by the government. In one meeting it was brought to my attention that although data sets are recorded by the government, a private company is hired to clean the data and it is then sold back to the City. This process can occur multiple times for the same data set – showing the lack of communication between internal departments. To successfully measure the efforts of post-apartheid housing policy, consistent, accurate and reliable data collection is fundamental.

The deep scars left by the apartheid era altered the housing landscape and have proved difficult to transform. Only by integrating our government departments, collecting more reliable data to better understand the issues faced, widening the package of housing policies and programs available – by specifically, focusing on informal settlement upgrading – can we achieve significant progress to fulfil the post-apartheid promise that so many citizens are counting on.

Vulnerable populations build small rooms in their yard for their children. Some people choose not to join the housing waiting list, having witnessed their parents lives pass by whilst on the very same waiting list.

[21] During my research at the Development Action Group, I participated in meetings on open projects to observe. This including meeting with various City departments, provincial departments, Social Housing Institutions and other stakeholders.

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Housing Beneficiaries (video interviews):
Aunty Pam, personal communication, July 29, 2018

Najuwa Gallant, personal communication, August 10, 2018

Nomakhaya Matshaya, personal communication, August 14, 2018

Zama Mgwatyu, personal communication, August 28, 2018

Adnaan Hendricks, personal communication, August 29, 2018

Experts in the field:
Crystal West (Program Manager, Development Action Group), personal communication, July 7, 2018

Zama Mgwatyu (Program Manager, Development Action Group) personal communication, July 15, 2018

Malcolm McCarthy (General Manager, National Association of Social Housing Organisations), personal communication, August 13, 2018

Mercy Lufthango-Brown (Research Officer, African Centre for Cities) personal communication, August 28, 2018

Two City Officials (anonymous), personal communication, August 2 & 28, 2018

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