

EXPLORING THE STRATEGIES EMPLOYED BY THE GREATER GRASLAND COMMUNITY, MANGAUNG IN ACCESSING BASIC SERVICES

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.....

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LIST OF ABBREVIATIONS AND ACRONYMS

| | |
|--------|--|
| APIC | Africa Policy Information Centre |
| ANC | African National Congress |
| CSIR | Council for Scientific and Industrial Research |
| DA | Democratic Alliance |
| DFA | Development Facilitation Act |
| DIMI | Development Impact Evaluation |
| FSPSDF | Free State Provincial Spatial Development Framework |
| GEAR | Growth Employment and Redistribution |
| GNU | Government of National Unity |
| IDs | Identity documents |
| IDP | Integrated Development Plan |
| SAHRC | South African Human Rights Commission |
| HWP | Housing White Paper |
| IMF | International Monetary Fund |
| MEC | Member of the Executive Council |
| MFMA | Municipal Financial Management Act |
| MMM | Mangaung Metropolitan Municipality |
| MSA | Municipal Systems Act |
| NDP | National Development Plan |
| NFD | National Framework Document |
| NPC | National Planning Commission |
| NUVO | National Unemployed Voters Organisation |
| PSDF | Provincial Spatial Development Framework |
| PARI | Public Affairs Research Institute |
| RDP | Reconstruction and Development Programme |
| RDPWP | Reconstruction and Development Programme White Paper |
| SALGA | South African Local Government Association |
| SDF | Spatial Development Frameworks |
| SPLUMA | Spatial Planning Land Use Management Act |
| UFS | University of the Free State |
| UN | United Nations |
| WB | World Bank |
| WHO | World Health Organisation |
| WPLG | White Paper on Local Government |



CHAPTER 1

SETTING THE SCENE

1.1 INTRODUCTION

There was a spatial arrangement that the colonial-segregation-apartheid systems put in place in South Africa – a physical spatial relationship setup that segregated people mainly according to their race and class. In 1994 a ‘new ideology’ emerged – the delivery of adequate basic services – aiming to make a difference through transforming previously segregated spaces, using ‘new’ legislation and policies. However, there were other forces that prevented the full realisation of this ‘new ideology’ that were and are still at play even today. The key reason why this thesis is important is that it identifies these factors that South Africa need to grapple with towards making just spaces. Just spaces are those that do not constrain adequate access to, and subsequently the provision of basic services.

The following three main factors hinder adequate basic service delivery and access to basic services:

- **Factor 1:** Inequitable political and social relations that produce unequal access to basic services such as water, sanitation, electricity, housing and security.
- **Factor 2:** The Integrated Development Plan (IDP) not guiding action – there is a mismatch between what the legislation says and the actual practices on the ground.
- **Factor 3:** Internalisation of oppression where the ruling party has been reproducing what they were opposed to during the liberation struggle – segregated and unjust spaces.

The study area, namely Grasland in the Mangaung Metropolitan Municipality (MMM) area of the Free State Province, is significant in that it illustrates why some of the spatial planning processes, such as adequate basic service delivery, are not working, and why things are going wrong. Furthermore, the study suggests that it is not useful to look at issues of inadequate basic service delivery from the lenses of spatial planning policy alone, but that we must also explore the practices of citizens through their lived experiences and also broader political processes and struggles. The thesis argues that only then we can start recognising what really is at play and why the legislation is not effective.

The study, therefore, introduces a set of concepts that complement and extend the typical planning frameworks by bringing together two different bodies of work, one in the planning area and the other in the sociological and educational areas.

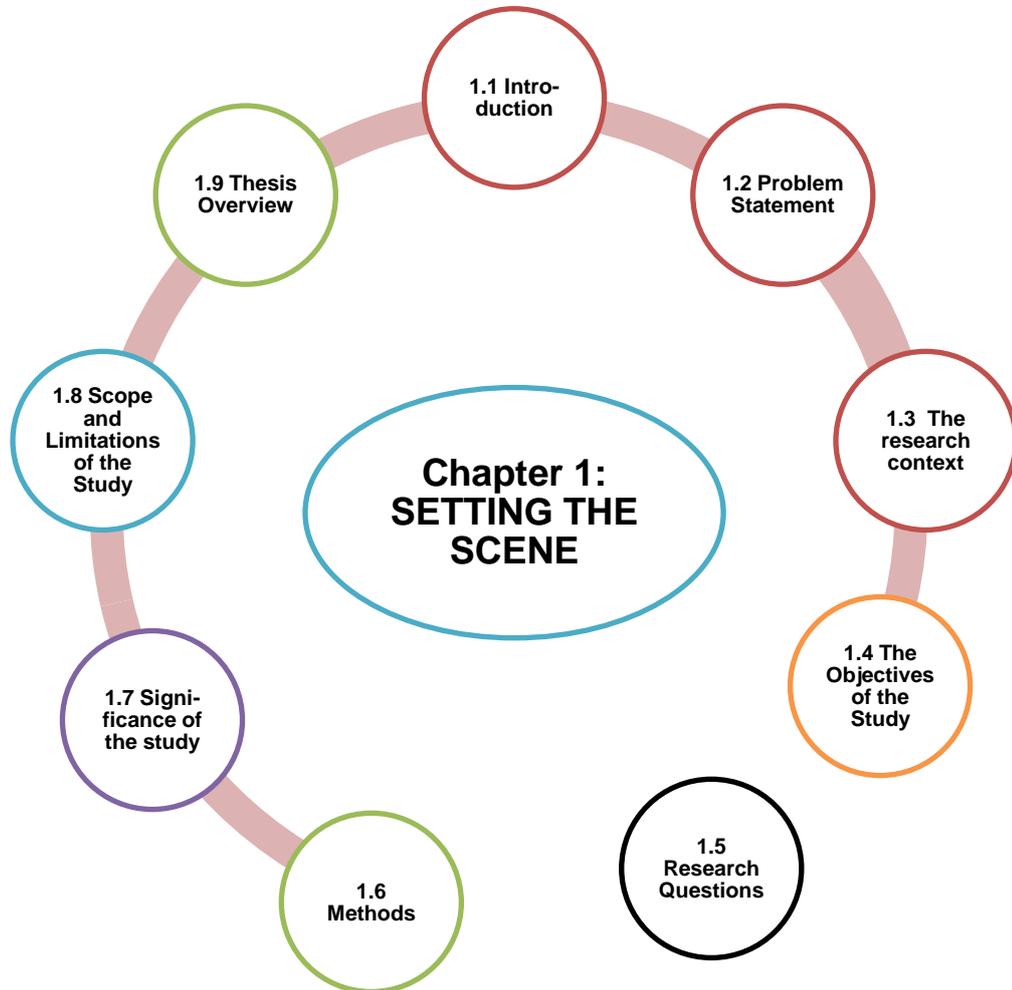


Figure 1.1: Chapter 1 structure

The purpose of this chapter, as indicated in Figure 1.1 is to orientate the reader to the study through an introduction of the problem statement, followed by the research context which will situate the argument within the colonial-segregation-apartheid and post-colonial-segregation-apartheid planning in South Africa. Thereafter, a background to Grasland as the study area will be provided, as well as the research aims and goals, the research question, working hypotheses, methods, the significance of the study, the scope, limitations and definitions of key concepts in which this study is situated.

1.2 PROBLEM STATEMENT

Democracy in South Africa brought excitement of a 'new South Africa', 'a rainbow nation' as some said, which was going to free people and transform the country. According to Mattes (2002:13), South Africa successfully emerged from the shadow of apparently irreconcilable conflict and unavoidable racial civil war to create a common nation. It has negotiated two democratic constitutions and has held four successful nationwide elections for national and local government. Indeed, there are specific examples of how transformation has been achieved. For instance, it has been reported that in some parts of the country basic service provision has increased very substantial since 1994 to 2014. For one, Shai (2013:1) reported that the provision of basic services such as water went up by 6,4% between 2011 and 2012 nationally, with the highest provincial increases recorded in the Western Cape (19,6%) and Gauteng (7,2%).

The *Human Settlement Country Profile* (United Nations, n.d.: online) observes that responsibility for facilitating shelter provision for the poor in South Africa rests with the Department of Human Settlement, and that since 1994 the key mechanism for achieving this has been the housing subsidy. The subsidy provides up to R25 580 (\$4 167) for the poor who meet specific criteria. In the decade since it began, the programme has seen 1.5 million houses being constructed, with approximately six million citizens having received housing. In total it has seen R24.22 billion (\$3.5 billion) being spent on housing for the poor. Simply by providing the poor with an asset in terms of shelter, basic services such as water, sanitation and internal roads, as well as secure tenure, the housing programme has contributed significantly to alleviating poverty.

It has nonetheless been a struggle for South Africa to move towards adequate basic service provision despite the significant changes and roll-out of the above outlined basic services. For some local communities the revolution of basic service delivery has not been uniform, despite the fact that South Africa has the legislated policies and systems in place advocating for such. Consequently, some groups have been left out from basic service delivery and the greater Grasland community, the study area for this research, is one of them. It may be argued that the prevalence of high influx or (in)migration of people from neighbouring countries and the broader movement of rural depopulation (particularly farm evictions) to places like Grasland; is but one of the challenges that has contributed to basic service delivery inadequacies prevalent in the study area.

In South Africa, the notion is that government should provide basic services, whilst the reality tells a different story. For instance, it is clear that the government is struggling to meet all the basic service delivery needs of the people of South Africa. According to Mattes (2002:199) the reality in many South African municipalities is a lack, or inadequate provision, of basic services such as water, sanitation, electricity, refuse removal and other services for which local government is responsible.

It may therefore be argued that even though the post-apartheid context in South Africa provides opportunities for planning as a discipline to contribute towards just spaces (Odendaal, 1999:1), and subsequently adequate basic service delivery, the complexities, contradictions and confusions involved in creating these just spaces – and Grasland is no exception – begs for everyone to take responsibility and not just the government alone as perceived.

In her work back in 1998, four years after democracy, Odendaal (1999:1) raised very crucial questions such as: Do we reverse the inequitable policies of the past, fill in our buffer strips, relax outdated planning legislation, update our structure plans or fundamentally change the way we do planning? Furthermore, are we getting it right or are we simply creating new divisions and reinforcing old ones? Is integration¹ just a post-apartheid pipe-dream? Is collaboration² enough?

The above questions point to a fundamental institutional dysfunctionality, when the formal municipal planning processes are inadequately providing these basic services, or in some instances, are unable to provide them altogether. Such is the situation investigated in the focus of this study, exploring strategies employed by the greater Grasland community in accessing basic services.

¹Odendaal (1998:19) states that deconstructing the way in which planning was used or manipulated as a tool of oppression within the context of seemingly modernist ideals, reveals the relationship between knowledge and power. But in it also are the seeds for the reconstruction of South African cities. Instead of segregation, we are now striving towards integration; instead of top-down blueprint policies, we now try and achieve an integrated approach whereby all role players are included.

²Collaboration in the context of this thesis refers to the collaborative planning approach which views people as living in a world of power relations, which are not external, but a part of themselves. Therefore people have some power to make choices, invent new techniques, use rules in different ways, and bring about change. They even have the power to challenge dominant power structures through dialogue and reflective discourse. In the process, people learn to respect each other, and to build consensus, which respects difference. This is attained through recognising potential cultural dimensions of differences and building shared systems of meaning.

1.3 RESEARCH CONTEXT

A brief historical perspective of segregation generated under colonial-segregation-apartheid and post-apartheid planning in South Africa will be provided in this section, leading to the background of Grasland, the study area as outlined in Figure 1.2 **Error! Reference source not found.** The colonial-segregation-apartheid eras are very significant periods that influenced how South African urban spaces were shaped, even after colonial-segregation-apartheid policies were no longer actively implemented. Additionally, a discussion of the challenges that confront South African cities in the post-apartheid era will follow. The aim here is not to blame either the colonial-segregation-apartheid or the post-colonial planning eras, but to outline how they contribute(d) to the kind of challenges that are crippling the post-apartheid South African city.



Figure 1.2: Colonial-segregation-apartheid planning and post-colonial-segregation-apartheid planning

1.3.1 Colonial-segregation-apartheid planning in South Africa

According to Robson (2011:2), in the early colonial period the land colonised was limited to the Cape Colony; the northern and western borders of which were vague and expanding. Subsequently farmers migrated into the interior. The history illustrates that there was always a complex and unresolved tension between the former colonial settlers (the Dutch) and the British, with the British Imperial planning based on the militaristic and administrative control criteria which was evident in the selection of sites and in the physical layouts of colonial towns (Robson, 2011:2). Hence, as in England, residential class segregation only appeared later in the nineteenth century in colonial cities, reflecting the transition from a mercantile to an industrial base (Harris, 1984 cited by Christopher, 1987:3).

The colonial city imposed and re-enforced racial divisions through physical planning in South Africa. According to Christopher (1987:4), although “South Africa gained its effective independence in 1910 with the granting of dominion status, it was the immigrant White population which assumed political and economic control. The result was the refashioning of South African cities to increase racial segregation and replan the city inherited from the British colonial [nineteenth century] era.”

Consequently, “[e]nactments from 1912 onwards aimed at establishing the cities as ‘the domain of the White man’, where the indigenous population had no right of permanent abode ... [As a result], [r]estrictions were also introduced to circumscribe the residential and commercial choices of other groups, culminating in the programme implementing the Group Areas Act of 1950 (Christopher, 1987:4).

Under apartheid, many laws allowed the ruling white minority to segregate, exploit and intimidate black people and other racial groups (such as people of Indian origin and ‘coloured’ people). Also, under apartheid, racist beliefs were embedded in law and any criticism of the law was suppressed. These exclusionary laws had many social, political and economic ramifications that have outlasted the laws themselves. These range from spatial imbalances to challenges with implementation of integration policies, post-apartheid. Oelofse (2003:91) argue that “the principles of racial segregation [in South Africa] resulted in patterns of urban development characterised by the spatial segregation of the population on the basis of their racial classification”. These authors argue that this corresponded to a large extent with income -based segregation (the economic aspect), given that white people earned higher incomes than other racial groups.

South African cities were therefore characterised by fragmentation, separation and low-density sprawl in the late eighties and nineties. In Du Plessis and Landman (2002:3), Dewar breaks down these characteristics as follows:

- ***Low-density sprawl***

This characteristic, manifested in three processes that determined the pattern of growth: the first was speculative sprawl, which involved wealthier people seeking to privatise amenities and becoming the target group for developers, who target places of beauty to build their privatised ‘resorts’ or ‘country estates’. The second process, giving rise to low-density sprawl, was the development of low-cost housing schemes on the urban peripheries. A third process was illegal squatting by people who could not find a place in a designated housing area, or legal rights to reside in the cities and towns which lay

within “white South Africa” and who sought a location closer to their places of work or other family members.

- **Fragmentation**

Another feature that had emerged under apartheid South African cities reflect a cellular development pattern, since development occurred in relatively discrete pockets or cells, frequently bounded by freeways and/or buffers of open space. The result is a very coarse grain and fragmented urban pattern. As mentioned earlier, the primary reasons for this were the “neighbourhood unit” and “urban village” (garden city concept). An inevitable result of this cellular pattern is a simplified movement hierarchy. Isolated pockets of development are linked primarily by freeways and other limited-access forms of movement, which restrict opportunities in an urban structural sense. These ‘enclosed’ cells emphasise the importance of only a limited number of points, and smaller businesses and public facilities are regularly excluded from these via the land market. At lower levels, the emphasis is almost entirely on local routes within the cells, supposedly to enhance a sense of community and community interaction.

- **Separation**

This included separation of land uses, races and income groups. The separation of places of work and residences was also deeply entrenched in the modernist philosophy of urban management. The dominant urban land-use pattern resembled a series of relatively homogeneous ‘blobs’ of different uses, connected by rapid transport routes. Increasing numbers of poorer people settled on the urban edges, leaving them further and further from urban opportunities.

Du Plessis and Landman (2002:4) conclude by stating that the cumulative impact of these characteristics were cities of inequity, resulting in islands of spatial affluence in a sea of geographical misery.

1.3.2 Post-colonial-segregation-apartheid planning in South Africa

The South African city (urban) form, post-apartheid, still produces fragmentation and is controlled by what it *inherited* from colonial-segregation-apartheid planning, either spatially or socio-economically. The latter is supported by Robson (2011:1) who states that the colonial legacy of Africa has been cited as a major cause for the continued underdevelopment and dependency of Africa on the Western world, and that it has caused many economic and developmental imbalances which continue to thwart development

progress. Hence, Africa is saddled with an economic system, administrative structure and physical layout almost wholly imported from Europe.

Sutcliffe (1996:67) argues that there is a tendency for writers on the South African city to particularise the urban form and forces, giving rise to it as the product of the unique South African combination of colonialism, capitalism and racism. Hence, conclusions are offered which appear to suggest that once the apartheid state has been removed and a national democracy is in place, the apartheid city will fall and be replaced by non-racial, united, non-sexist and free city. Unfortunately, the history of struggles is writ large in the urban environment in South Africa with the patch work quilt created of fragmentation, division, violence, and class, whilst racial stratification acts only to guide emerging struggles which continually strive to shape the new urban reality.

There is no doubt that colonial-segregation-apartheid planning produced convoluted spaces in South Africa. The idea of forcefully separating people spatially and otherwise, using race supremacy for instance, is undoubtedly challenging. According to Spinks (2001:15), clearly South Africa is distinct, in that apartheid designated spaces for social groups (by race and ethnicity). For instance, apartheid manipulated both society and space, in that the *spatial* distancing of black people on urban peripheries reflected and facilitated *social* distancing from white people.

Consequently, South African cities are confronted by many challenges. One of these challenges is that of integrating previously segregated spaces. For instance, the African National Congress (ANC) government set out to reverse the apartheid planned spatial legacies. The latter is supported by Schensul and Heller (2007:2) who state that “[f]ollowing the transition to democratic rule in 1994, the African National Congress (ANC) government set out to reverse the spatial legacies of planned apartheid cities”. Over the past two decades, the ANC-led national and municipal governments have used a range of policies designed to promote integrated development.

However, as Robinson (2008:28) states, while one has a strong sense that history matters in trying to make sense of current trends in local government, the available literature on the past is not always very helpful, as much of the extant historiography of cities is written with reference to the rise, crisis and demise of apartheid rather than with an eye to the wide range of urban processes that have shaped South African cities. Thus, while racial segregation remains a crucial feature of the city, and is arguably being reinforced through some current decisions by local, provincial and national governments, the focus of much historical research in explaining this outcome is on a limited range of state interests and the

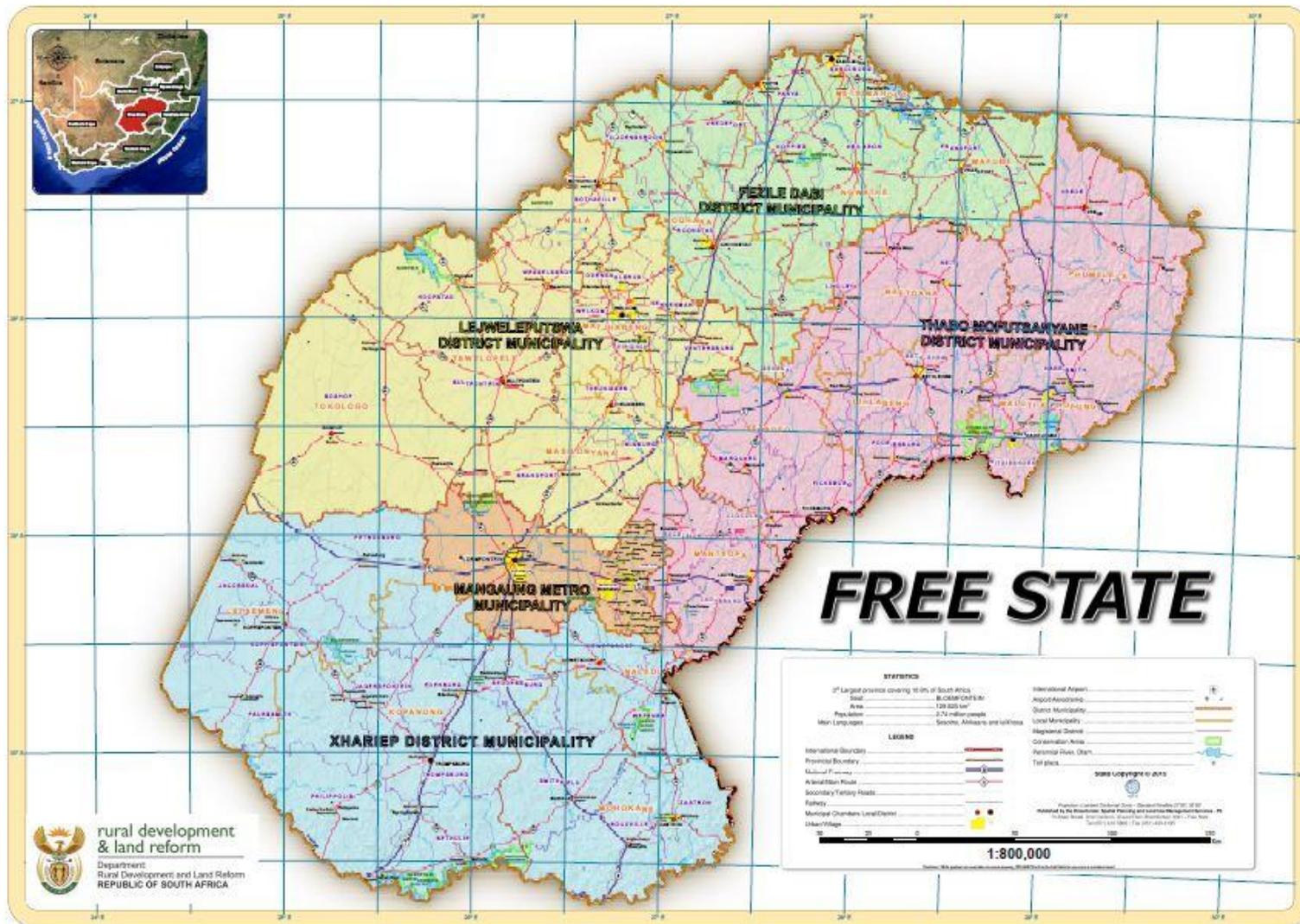
racist demands of white residents and politicians. Hence, traditional municipal functions impacting on land pricing and availability and the significance of local government's financing difficulties in shaping the segregated form of the city, while crucial to understanding the current context, were less relevant to many apartheid-era historians of the twentieth century South African city.

Robinson (2008:29) also points out that the details of urban infrastructure provision, a core political issue of the current period, were not sufficiently attended to, except insofar as their absence was often the basis for political protest. So, it was these moments of protest as much as state efforts at political control and spatial organisation that attracted more attention. These arguments raise a serious issue for consideration in how one approaches the historical background in relation to the current issues within the post-apartheid planning era, in light of the absence of the historical material that speaks to a variety of issues on the historiography of South African cities.

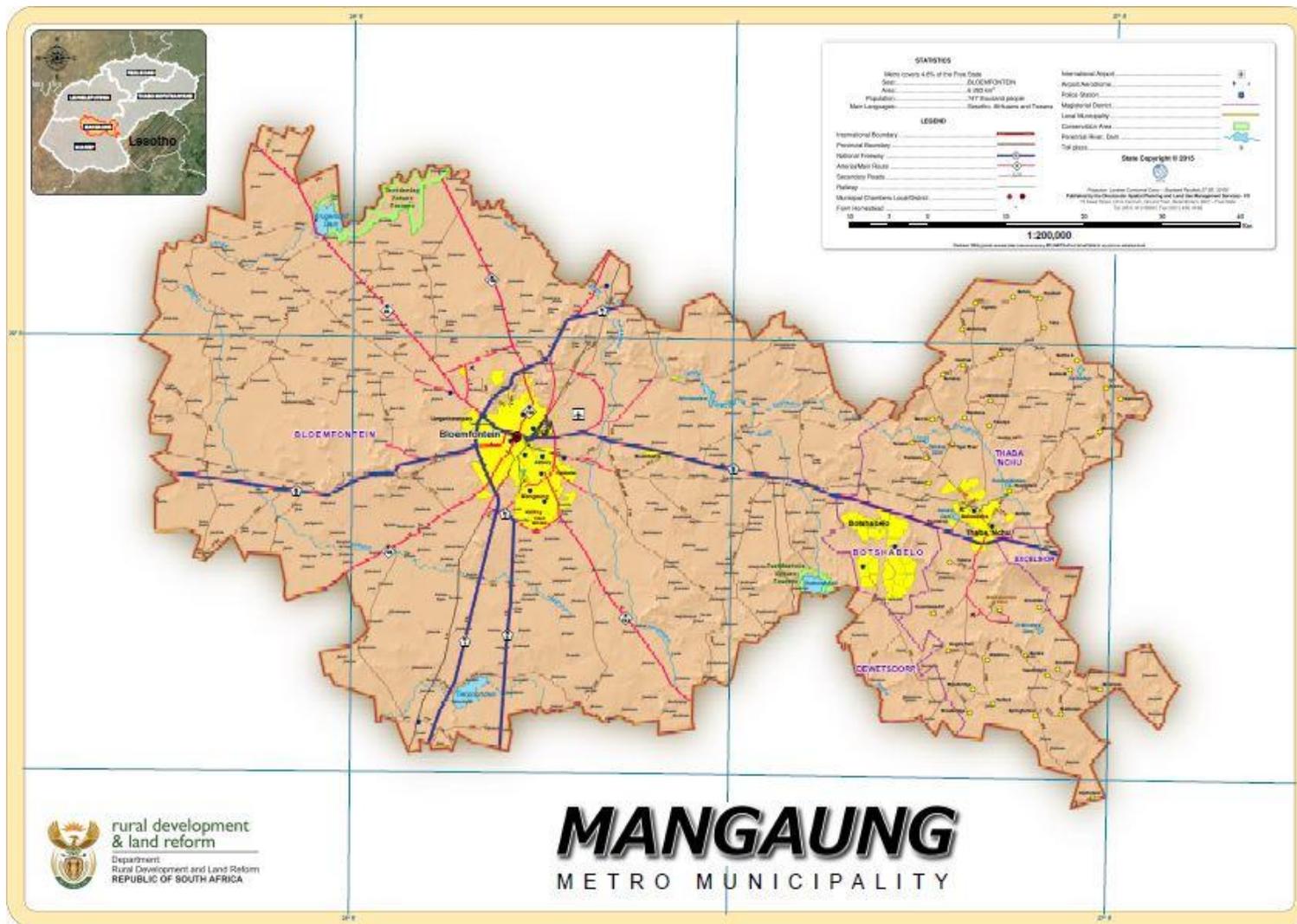
1.4 BACKGROUND OF GRASLAND

This study was conducted within the MMM area in the Free State Province of South Africa (Map 1.1). The Mangaung Municipality became a Category A municipality in May 2011, which is a municipality that has exclusive municipal executive and legislative authority in its area. The MMM covers 6 863 km² and comprises three urban centres (Bloemfontein, Botshabelo (55 km east of Bloemfontein) and Thaba Nchu (12 km east of Botshabelo) (Map 1.2), which are surrounded by an extensive rural area. It is centrally located within the Free State and is accessible via national infrastructure, including the N1 national road (which links Gauteng with the Southern and Western Cape), the N6 (which links Bloemfontein to the Eastern Cape), and the N8 (which links Lesotho in the east with the Northern Cape in the west via Bloemfontein).

Bloemfontein is the sixth largest city in South Africa and the capital of the Free State Province. The city is also the Judicial Capital of South Africa and serves as the administrative headquarters of the province. It also represents the economic hub of the local economy. The area is serviced by an east/west and north/south railway line and a national airport (Mangaung Municipality, IDP Review 2013-2014).



Map 1.1: The Mangaung Metropolitan Municipality within the Free State Province



Map 1.2: The three urban areas of the Mangaung Metropolitan Municipality, namely Bloemfontein, Botshabelo and Thaba Nchu

Grasland³, previously a privately owned agricultural small-holding area, developed as a result of land invasion in the late 1990s. It was intended to be developed by MMM into three phases, as a pilot project. However, over time it has developed on its own into many phases. One of the officials in the Mangaung Directorate, Planning and Economics, insists that so far the MMM does not officially recognise the additional phases, and that about 382 ha of land have been zoned for future development which might incorporate the other phases (Mphambukeli, 2014).

Currently, both the officially and 'unofficially' developed areas cover about 734 ha⁴. Grasland Phase 1 was developed for middle-income households. The focus of the study is on Phases 2 and 3 (also known as Bergman Square), as well as Phase 4 (the Khayelitsha informal settlement⁵), because these areas are all characterised by inadequate basic service delivery such as poor sanitation, security, water, stormwater drainage and roads. Grasland falls within Ward 17 (Phase 1 and 2) and Ward 45 (Phases 3 and 4) of the MMM.

According to the Grasland Eviction Court Order (see Appendix 1) the MMM obtained land for the Grasland Housing Development Project, Phases 2 and 3 for the development of low-cost housing. Phase 2 was developed and 2 831 erven were made available for occupation in June 2004. The development of Grasland Phase 3 came to a dead stop when the land was invaded by homeless people in October 2004. (See Source: Mangaung Metropolitan Municipality

Map 1.3 for the mapping out of Grasland Phases 2 and 3.)

The struggles faced by government in providing basic services are described by Eales (2008:1), who states that "the service challenges are also mainly influenced by the rapid settlement growth across Africa and are playing out in a context where responsibility for service provision is being decentralised to local government; where the skills, systems and structures needed in government for service provision are still maturing. Where settlement outpaces urban planning and service provision, informal settlements develop in areas that are not close to water, sewer or power lines, and are often unsuited to human habitation, let alone development", and subsequently the struggles of the communities in accessing basic services are evident within the case of Grasland, Mangaung, South Africa.

³The study area is usually referred to as 'Grassland' or 'Grasslands'. However, for the purpose of this study, the original Afrikaans name 'Grasland', will be used to refer to the study area. This is done because that is actually the correct word for the area which was previously an agricultural smallholding.

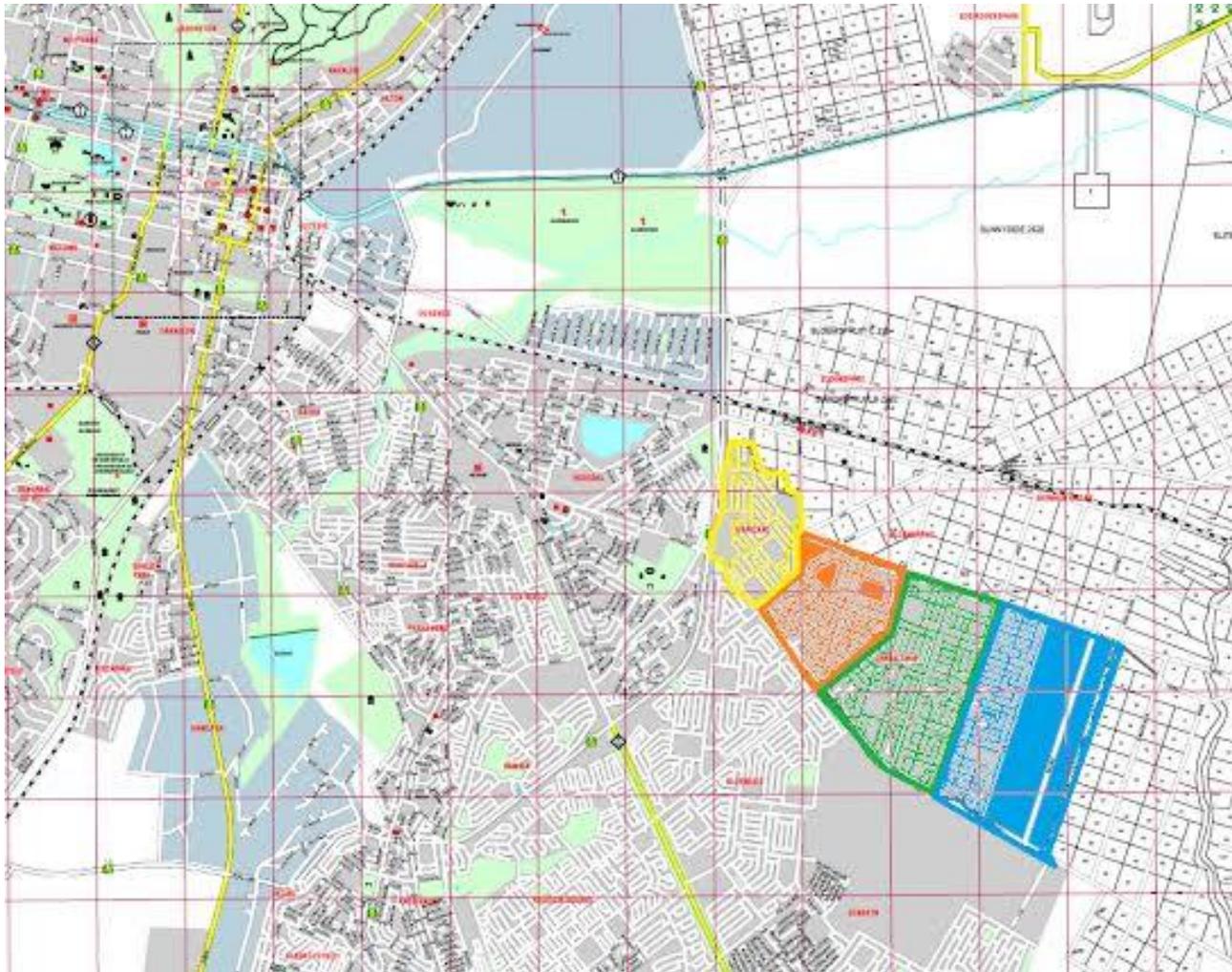
⁴Only Grasland Phases 1, 2 and 3 are formally recognised by the MMM.

⁵Khayelitsha is a Xhosa word meaning 'a new home', attesting to the fact that people have settled in Grasland and are seeing this place as their new home.



Source: Mangaung Metropolitan Municipality

Map 1.3: The mapping out of Grasland Phases 2 and 3 by the Mangaung Metropolitan Municipality



Source: Mangaung Metropolitan Municipality

Key: Phase 1 (Yellow); Phase 2 (Orange); Phase 3 (Green); Phase 4 (Blue)

Map 1.4: The four phases of the study area

1.5 THE RESEARCH AIM AND GOALS

The purpose of the study is to explore the strategies employed by the greater Grasland community in accessing basic services in conditions of inadequate service delivery in and through formal municipal planning processes of the MMM. It is an understanding of the impact of inadequate basic service delivery on communities such as the greater Grasland that this study aims to explore in order to gain an insight on how basic services might be adequately provided.

To achieve the research aim, two specific objectives are listed below:

1. To ascertain the strategies employed by the Grasland residents to access basic services (water, housing, sanitation, security, and electricity), in circumstances of inadequate basic service provision, despite formal planning processes such as the Integrated Development Plan.
2. To explore and reflect on how multiple power relations affect access to basic service delivery within Grasland and the implications for social justice in planning.

1.6 RESEARCH QUESTIONS

The research questions are:

1. What strategies do people of Grasland employ to access basic services in conditions of inadequate basic service delivery in and through formal municipal planning processes of the Mangaung Metropolitan Municipality?
2. How do power relations affect access to basic services within the community of Grasland and what are the implications for social justice?

1.7 RESEARCH METHODS

This study is based on a qualitative research design grounded on the phenomenological approach. Phenomenological research design approaches are less commonly used in urban and regional planning practice. Urban and regional planning as a discipline tends to contribute to a physical layout and subdivision to the neglect of the human experiences. According to Creswell (2013:76), a phenomenological study describes the common meaning for several individuals of their lived experiences. The basic purpose of phenomenology is to reduce individual experiences with a phenomenon to a description of the universal essence. "The specific phenomena" that the study concentrated on was the

lived experiences of the Grasland residents, as they articulated them, the effects of inadequate basic service provision and the strategies they employed in accessing them.

Hence, instead of just simply presenting a credulous account of power relations in Grasland, the study follows what Moore (cited by Pieterse, 2008:5) suggested, namely that instead of simply mapping typologies of power, alternative perspectives could emphasise the practices through which power operates, the symbolic and material effects power produces, and its performance.

A non-random purposive snowball sampling strategy was used for the study. This research strategy “typically proceeds after a study begins and occurs when the researcher asks participants to recommend other individuals to study” (Creswell, 2005:206). Access to Grasland was gained through local contacts and the sample was therefore “picked up along the way, analogous to a snowball accumulating snow” (Sommer, n.d.: online). A total of 20 interviews with an average duration of 120 minutes each were conducted; relevant meetings such as the “One-Hour Citizen Consultation” meeting called by the MMM Mayor, the N8 Corridor development public participation process were also conducted over a period of nine months. Out of the 20 interviews, three were conducted with the relevant ward councillors of Grasland and secretary of a nearby ward, respectively. One interview was conducted with an MMM official. These interviews provided a balance of views between the residents, the ward councillors, the municipality and the general context of the study area.

1.8 SIGNIFICANCE OF THE STUDY

This study is significant in that it makes an effort to understand the experiences of the people of the greater Grasland community. The researcher invested time and stayed in Grasland during the data collection. According to Campbell and Marshall (1998:118), “the frames of reference of individual planners [are] usually divorced from the context of everyday practice”. Through observing their daily lives, how they struggle to forge a sense of belonging, what Yiftachel (2001:129) term *collective identities*, which are a long-term consequence of urban and regional planning practice. These lived experiences which influence the shaping and reshaping of collective identities, are less commonly explored in planning scholarship. The researcher, therefore, gained insights on the nature of dynamics that influence or not influence the kind of emerging urban social spaces.

Consideration of issues other than just infrastructure development whenever development planning is carried out, is therefore important. Gillingwater (1975:2) supports the latter as he

argues that a tentative exercise in trying to explore what constitutes the nature and practice of planning by an examination of the roles of social, economic, political, historical and administrative components of societal relations vis-à-vis planning is vital. Gillingwater (1975:2) further argues that these societal relations, on the one hand, give the impression of stability and yet appear to be in a state of continuous change and of apparent integration, but creating the impression of being in continuous conflict, of presenting a picture of consensus, but a consensus which appears to be based on a degree of coercion which seems to be at the very least paradoxical, if not highly questionable. These and other paradoxes are crucially important for any study of the nature and practice of public planning, especially with regard to its general social acceptability or total rejection, to its complex social legitimation, or simple political destruction.

This study, therefore, offers a holistic perspective of understanding the dynamics in a particular area and in this case the greater Grasland community. Furthermore, it offers an understanding of the nature of power relationships and how communities organise themselves and the platforms they use to access basic services.

1.9 SCOPE, LIMITATIONS AND DEFINITIONS

As outlined earlier, the main objective of the study is to explore the strategies employed by people of the greater Grasland in accessing basic services, under conditions of inadequate basic service delivery, despite the IDP processes of the MMM. The research was carried out in order to understand the impact of planning on society and its political consequences, as people search for a sense of belonging influenced by a collective identity that the urban social spaces create.

Within the scope of this thesis, however, most time was spent in the local community and less in the local government institutions. The nature of challenges that planners face in implementing action plans such as the IDP were not fully explored, as the researcher focused more on gaining an understanding of the kind of challenges ordinary people face and the decisions they were forced to make. Hence, the point of departure for this thesis is from the local community perspective.

Another limitation is that during the period of collecting data, which spanned over a period of nine months, it proved difficult to secure interviews with the MMM officials. Telephonic calls and personal visitations to the MMM offices as an attempt to secure interviews proved unfruitful.

The above is a limitation in that the planners' views were under-explored. The planners might have provided sound reasons for their struggles, if any in implementing the IDP and providing adequate basic services to the greater Grasland community.

The working definitions of which the study is situated are presented in Table 1.1.

TABLE 1.1: WORKING DEFINITIONS

| | |
|----------------------------|---|
| Housing | “Housing is meant to provide basic human needs for shelter and security by providing protection against climatic conditions (excessive heat and cold) and unwanted intrusions from insects, rodents and environmental nuisances such as noise that may be harmful for health and well-being. Furthermore, housing contains household activities and possessions” (Lawrence, 2004:491). |
| Service delivery | The efforts of all layers of government and parastatals to deliver effective and efficient services to their clients (the citizens) (Shezi, 2013). |
| Citizenship | Within the South African context, citizenship is assumed to mean democratic citizenship in a country governed under democracy. Yiftachel (2011:129) defines democratic citizenship as “full and equal membership in a political community, and entails a combination of legal, political, economic, and cultural rights and capacities. In most recent formulations, full citizenship also means the extension of collective rights to national, ethnic and religious minorities”. |
| Social Justice | The researcher adopts the holistic definition of Bell (Bell, 1997:1), which is seen as a foundation for choosing the topic. “Social justice includes a vision of the society in which the distribution of resources is equitable and where all members are physically and psychologically safe and secure. In the latter society, individuals are both self-determining (able to develop their full capacities), and interdependent (capable of interacting democratically with others). Furthermore, social justice involves social actors who have a sense of their own agency as well as a sense of social responsibility toward and with others and the society as a whole.” |
| Oppression | “A system that maintains advantage and disadvantage based on social group memberships and operates intentionally and unintentionally, on the individual, institutional and cultural levels” (Hardiman, Jackson & Griffin., 2007:58). |
| Urban Fragmentation | Socially and spatially disconnected urban areas in terms of basic services, access to opportunities and physical linkages. |
| Power | ‘Power’ as a concept is contested and there is no one agreed upon definition. See Appendix 2 for the mapping out of the evolvement or conceptual development of the concept of power from the political sciences to the social science and the humanities discourses. |

1.10 THESIS OUTLINE

Chapter 1: Setting the Scene

This chapter is an introductory chapter which provides an overview of the research background, objectives, the research questions, the methods and a background to Grasland, the study area. The significance of the study is also explained and in addition the scope and limitations of the study is provided. Lastly, the structure of the thesis is introduced.

Chapter 2: Complexities and the Limits of Promises

Chapter 2 provides a discussion on the reviewed literature relevant for this study. Furthermore, the chapter situates the literature review within the context of cities of the Global South with regard to the challenges they face. It argues that governments over time have been planning under pressure and instead of producing socially just spaces; they [governments] reproduce and perpetuate informality and poverty. Further considerations on the reviewed literature for each basic service are presented in Chapter 6. This was done to create a structural flow of understanding for each basic service.

Chapter 3: Conceptual Framework

A conceptual framework is explored and constructed for this thesis. In the first section 'planning theory', in particular the concept of 'planning' and the theoretic debates surrounding it, are discussed with the aim of emphasising the significance of the key concepts and their relationship to the reviewed literature. Planning practice in relation to social justice theory will also be elucidated. The concept of power which is one of the central interests of this thesis will also be conversed. The reviewed literature provides a theoretical and conceptual framework to be applied in the succeeding chapters of this thesis.

Chapter 4: The Regulatory Framework – A Western Burden Contour?

The legal framework in which power relations unfolds, such as the Constitution of South Africa, Act 108 of 1996, the Municipal Systems Act of 2000, the Development Facilitation Act (DFA), Act 67 of 1995, to mention but a few, will be discussed. The focus will be to explore how this legislative framework has shaped political actions and possibilities of South African local communities, in particular, Grasland, Mangaung.

Chapter 5: The Question of Method

The purpose of this chapter is to describe the research methodology, to explain the sample selection, to describe the procedure used in designing the instrument and collecting the data and to provide an explanation of the methods used to analyse the data.

Chapter 6: Analysis and Synthesis of Findings

Chapter 6 provides a detailed report on the findings of the research for this thesis. It does this in a form of four articles, of which two are published conference proceedings. This chapter considers the responses from the respondents as they described their lived experiences, the effects of inadequate basic services on their lives and the strategies they employed in order to access these basic services. In each article a synthesis of the research findings through an in-depth discussion is provided at both the theoretical and practical levels.

Chapter 7: Conclusions and Recommendations

This chapter reveals that the root causes of inadequate basic service provision in South Africa is not just the failure of the ANC government, nor was it the failure of the Nationalist government. It is rooted in power relations that are often invisible but manifest as inequality. These power relations further mark many convolutions evident in the city. The chapter also illustrates a level of 'internalisation' of oppression from the politicians, who end up producing urban spaces implementing the very same things they were opposed to in the first place.

CHAPTER 2

COMPLEXITIES AND THE LIMITS OF PROMISES

2.1 INTRODUCTION

The following structure is used in Chapter 2.

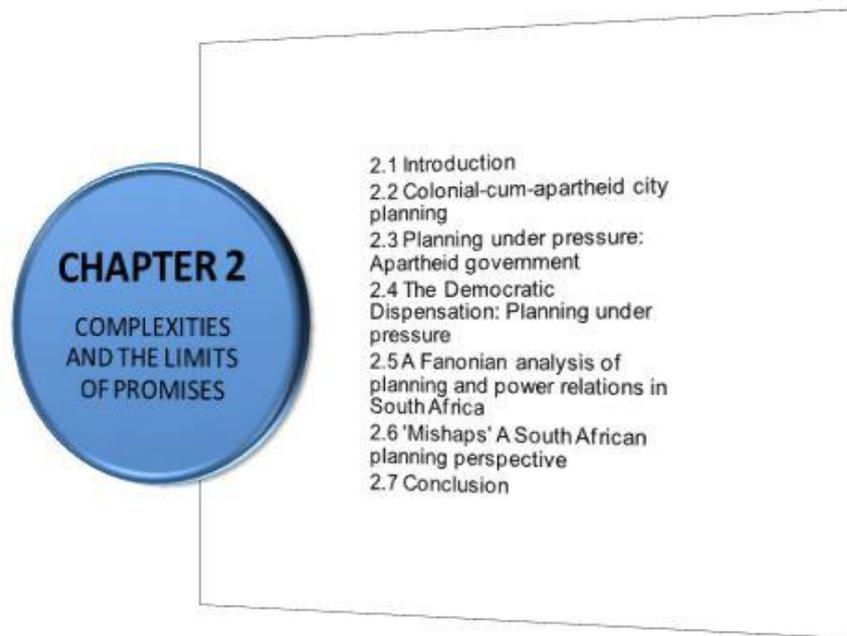


Figure 2.1: Chapter 2 structure

There is a constant social unrest in the world, as people see that governments are corrupt, incompetent, greedy, selfish, dishonest, confused, misguided, oppressive and careless as the institutions that were elected to solve problems have become problems themselves. So, globally the whole world is frustrated by the defects of their governments as it seems the governments are confused and cannot address the issues. As a result many are demanding transparency, fairness ... and social justice (Munroe, 2014).

Dr Myles Munroe's quotation above, underline the struggles related to governments' duties to enhance holistic development of society. But then, the institutions responsible for addressing social ills, continue to constantly undermine people's right to access adequate basic needs. This chapter sets out to discuss the vacillations of complexities and limits of promises born out of forces which have influenced and continue to influence planning processes in cities, specifically in South Africa.

It has been acknowledged that cities in general, and in particular of the Global South, are confronted by an uncertain conjuncture as global capital, state catastrophe, structural adjustment programmes and a “mised non-profit sector collude to create a world of ‘megaslums’” (Kihato & Napier, 2013:91). These ‘megaslums’ are “characterised by overcrowding, poor or informal housing, inadequate access to safe water and sanitation, and insecurity of tenure” (Davis cited by Kihato & Napier, 2013:91-92).

Furthermore, the intertwined circumstances of unavoidable inequalities – such as access to basic services, disadvantage, structural racism, poor health compounded by the prevalence of epidemics such as Ebola and HIV/Aids, as well as systemic violence – remain a contributing factor towards producing a growing class of people who are negatively affected due to political incapability (Pieterse, 2005:140).

Consequently, our cities are politically intense with a very uncertain future. We then live in the world of hope and fear which is very tricky to grasp and very uncertain. This makes cities complex systems. As quoted by Herbst and Mills (2012:1-2):

[A]ll countries possess innumerable and at times dramatic social, economic and political fault lines, nowhere more so than in Africa as the continent’s colonial history has given rise to often fragmented and weak states, made up of many nations and cutting across geographic, racial and religious boundaries. Additionally, the post-independence state has been virtually bereft of legitimacy in the eyes of large segments of its own population.

Furthermore, efforts to correct these ‘fault lines’ often produce divisions, what Herbst and Mills (2012:2) refer to as:

[C]atastrophic African failure: the Rwandan genocide and Nigerian civil war (which each costs millions of lives), the Sudanese civil war and Darfur conflict (another million) and so on, various Congolese conflicts (anywhere between one and five million) and so on.

However, Africa is far from alone. From Yemen in India, Brazil to China, Israel, Palestine, Afghanistan and Iraq, Sri Lanka to Guatemala, fault lines exist.

The ‘fault lines’ or burdens are not just an African or Asian ‘thing’ as noted by Herbst and Mills above; they are the original master pieces of the West which was ‘perfected’ in Africa through the processes of colonisation. According to Lushaba (2006:3), relating Africa’s past encounter with Europe to the period of early modernity, is the key to understanding the contemporary development deadlock in Africa. As a result the developmental challenges in Africa continue to disregard even the evidently well-reasoned progressive models.

Lushaba’s articulation is supported by Attwell (2006:3-4) who states that:

Modernity is, of course, a notoriously baggy concept that resists narrow definition ... It refers not only to the technology and the emergence of an administered and industrialised society, but also to the fluid but powerful system of ideas that we inherited from the bourgeois revolutions of Europe in the late eighteenth century – ideas such as autonomy, personhood, rights, and citizenship ... There is no escape clause for the encounter with modernity unless one is to accept isolation or eccentricity. In practice, however, people facing this situation make a continual effort to translate modernity's promises into their own situations and histories, indeed to de-Europeanise them wherever possible.

It is not within the scope of this thesis to trace the history of Africa's encounter with the West; rather, the broader attempt is to explore the effects of what the researcher call the "Western burden contours" which were imposed on Africa, and how these were in turn internalised by different structural social groups, consciously and unconsciously, and how this internalisation has played out in urban spaces. The effects of "Western burden contours" and the broader challenges connected with them speak to issues of power and its use, abuses and impact on an individual and societal level.

2.2 THE COLONIAL-CUM-APARTHEID CITY PLANNING

Williams (2000:167) argues that "for the most part of its colonial-cum-apartheid history, the [South African] city reflected the racist planning frameworks of the successive white-controlled governments". Furthermore, as Williams (2000:167) asserts:

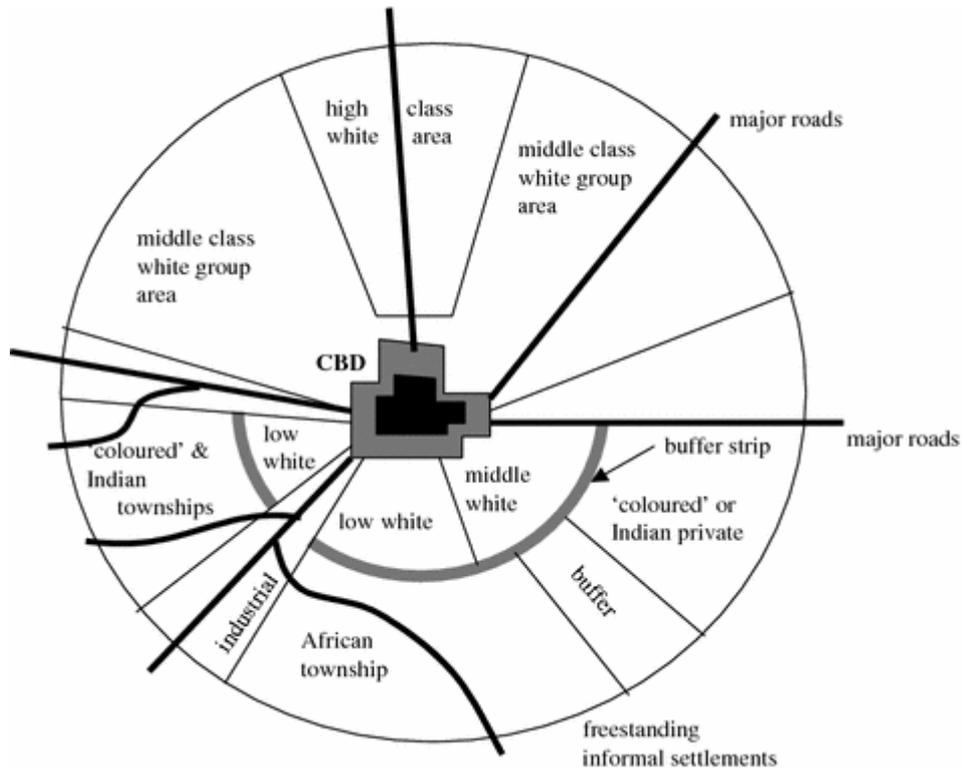
[A] situation made quite explicit on 30 May 1952, in a speech in Parliament, by the then Minister of Native Affairs, Dr Hendrick F Verwoerd, when he declared:

- *Every town or city, especially industrial cities, must have a single corresponding black township.*
- *Townships must be large, and must be situated to allow for expansion without spilling over into another racial group area.*
- *Townships must be located an adequate distance from white areas.*
- *Black townships should be separated from white areas by an area of industrial sites where industries exist or are being planned.*
- *Townships should be within easy transport distance of the city, preferably by rail and not by road transport.*
- *All race group areas should be situated so as to allow access to the common industrial areas and the CBD [central business district] without necessitating travel through the group area of another race.*

- *There should be suitable open buffer spaces around the black township, the breadth of which should depend on whether the border touches on densely or sparsely populated white areas.*
- *Townships should be a considerable distance from main and more particularly national roads, the use of which as local transportation routes should be discouraged.*
- *Existing wrongly situated areas should be moved.*
- *Everybody wants his servants and his labourers, but nobody wants to have a native location near his own suburb (cf Cape Times, 14 July 1949; Cape Times, 31 May 1950; Durban City Council, 1951).*

“Separate development”, better known as the apartheid policy, had, in Verwoerd’s view and leadership, been planned as a *development* strategy. However, Verwoerd cannot be blamed or accorded credit for the invention of the policy. The idea of separating people was conceptualised and created by the French Revolution. Therefore, Verwoerd was merely a vessel in which the ideology of a national self-governing monarchy was almost fully achieved (Venter, 1999:416-17). Dr Verwoerd’s deliberations, outlined above, however, missed a very crucial aspect such as the high urban population increase through procreation and migration of black people, who were then occupying 13% of the land forcefully allocated to them in the Bantustans, and the subsequent currents of high migration and urbanisation. Hence, “the notion of ‘the city’ and ‘urbanisation’ took on both practical and mythological significance under Apartheid” (Smith, 2004:2).

Spinks (2001:7) argues that though separation in the city was realised, as Figure 2.2 shows, apartheid was not a fixed plan that simply transformed from theory into an urban spatial form; however, it ultimately had to answer to local (e.g. black urbanisation and resistance) and international pressures such as sanctions and lack of security of investment. Eventually the high population growth of African people in city centres, previously reserved for low and middle class white people, played a vital role in ending separate development. However, the apartheid’s urban spatial form still persists and is influencing the post-apartheid era urban spatial form (Spinks, 2001:17).



Source: Napier (2002:3)

Figure 2.2: The spatial formation of the South African city

2.3 PLANNING UNDER PRESSURE: APARTHEID GOVERNMENT

According to Du Plessis and Landman (2002:2-3), separate development was in place long before apartheid was introduced and institutionalised in South Africa. Thus human settlements had mainly been influenced by race and class divisions, cemented by policy before 1948. The consequences of these policies gave rise to unequal, fragmented, sprawled and poorly performing cities that were challenging to govern (Du Plessis & Landman, 2002:3). Further discussion on the characteristics that influenced the increase of dispersal in South Africa is provided in this chapter.

What the above argument indicates is that the apartheid government planned under pressure of some sort, for instance, factors such as economic growth influenced the population explosion in urban areas. Consequently, the apartheid government's reaction to use influx laws as means of controlling the situation contributed to their planning under pressure. It may further be argued that such planning under pressure in this context emanated from the Nationalist government's unpreparedness to share economic resources with African people. Thus, "the apartheid policy ensured that the inevitable process of

urbanisation should take place under the worst possible conditions, that the black workers should be subjected to complicated influx control regulations and harassed by the application of humiliating pass laws” (Oppenheimer, 1984:2).

The roots of inadequate basic service provision currently experienced in South Africa are to be found in the apartheid policy, as articulated by Oppenheimer (1984:2). For instance, inadequate basic services were embedded in the influx control processes which meant that there were not just shortages of housing, or poor quality of such housing; but that there was no security of tenure in urban areas, particularly for African people. Oppenheimer (1984:2) further expresses this phenomenon of inadequate basic service provision in South Africa:

[T]he persistence of government to utilise a policy which pretended that the presence of black urban population was a temporary phenomenon ... resulted in a permanent housing shortage; that such houses were built ... of poor quality; with no security of tenure for urban blacks; that the black residential areas... developed as dormitory towns with minimal or no provision for normal social amenities; that educational needs should be grossly neglected; and that the blacks being envisaged as temporary wage labourers in European businesses, should be prevented from developing businesses of their own.

Maylam (1995:35) notes that the “exclusionary dimension of influx control tended to be self-defeating” with so many inadequacies that are visible today in South Africa, proving that the apartheid government planned under pressure to fully realise the separate development strategy.

2.4 THE DEMOCRATIC DISPENSATION: PLANNING UNDER PRESSURE

The above section showed how the apartheid policy was implemented and the challenges brought through this. The consequences for the democratic government are that planning was and is under pressure for the following reasons: service delivery expectations by the public and balancing policy shift and security of tenure.

2.4.1 Service delivery expectations by the public

As a result of planning that had been for the white privileged, the current democratic government has been planning under pressure in relation to providing adequate basic services and integrating previously segregated spaces within a context characterised by an eruption of inhabitants.

In his article titled “South Africa’s encroaching crisis”, Max du Preez (2014:1: online) raises an important question:

[S]urely it must have been expected that the end of influx control in the late 1980s and the destruction of the Bantustans in 1994 would have opened the floodgates of rural people wanting to move to the cities? The proportion of South Africans living in urban areas increased from 52% in 1990 to an estimated 65% to 67% in 2014 – an annual rate change of 2%. And yet little planning was, and is, being done to cope with this huge movement of citizens.

In this chapter the researcher names and discusses some of the pressures under which the democratic government has been, and is, planning. In other words, there are pressures inherited through the apartheid policy, and consequently there are continued pressures that the ANC ruled government are facing. The service delivery expectations and shift in policy pressures are but two of many pressures under which the democratic government of South Africa is planning. Other pressures include corruption, poverty and unemployment.

Most social groups, in particular black or African people, after years of oppression by the colonial-cum-apartheid dispensations had hoped that the ANC elected government was going to improve the socio-economic quality of their lives and liberate them from social ills such as poverty, unemployment and illiteracy, created by the colonial-cum-apartheid history. Callinicos (1996:1) supports the previous statement by stating that there were critics who argued that black people who elected the ANC in April 1994 voluntarily voted with the conviction that the political revolution characterised by black popular rule would quickly usher in a makeover of the country’s socio-economic system. With the ANC having won the elections, they expected employment opportunities, adequate human settlements, and educational opportunities.

However, the past years in South Africa has been characterised by an increase in service delivery protests by local communities against municipalities. These service delivery protests are perceived by those who participate as protesters, as protesting against the non-delivering of essential services and opportunities, against corruption, or against those who abuse the spirit of the Constitution by victimising the poor to pay for municipal services (Pieterse & van Donk, 2008:52).

Service delivery protests in South Africa are one piece of evidence that points to a government planning under pressure, and subsequently a government that is unable to provide adequate basic services. Also, the rapid population growth in urban areas, resulting in the presence of informal settlements where, as Tshikotshi (2009:6) posits, residents

complain about waiting for state subsidies housing for years, is further evidence that supports the argument that the ruling government is planning under pressure.

Callinicos (1996:1), mentioned earlier, was correct as he predicted that the expectations of many black South Africans were surreal as the Government of National Unity (GNU), as with regimes elsewhere, had to be concerned about improving competitiveness and lowering public expenditure. At the same time, the majority of people had expectations for speedy improvement in their material circumstances. Hence, the analysts' arguments were correct as they predicted a bleak future for South Africa. Indeed people's anticipations had to be postponed, possibly indefinitely (Callinicos, 1996:1).

2.4.2 Balancing policy shift and security of tenure

It was on 24 May 1994 that the then President Nelson Mandela stated in his Inaugural Address to a Joint Sitting of Parliament cited by the White Paper on Reconstruction and Development (South Africa,1994:4) that [his] government's obligation was to construct a people-centred culture of independence, freedom from want, freedom from domination and fear. These freedoms were therefore fundamental to the promise of safeguarding human self-worth that the ANC had made to the people of South Africa.

Prior to the first democratic ballot and its subsequent victory, the ANC had campaigned on the Reconstruction and Development Programme (RDP), which outlined numeral explicit policy intentions aimed to further both socio-economic upliftment and development over a five year period (Callinicos,1996:9-10). The policy objective included:

[B]uilding one million houses; creating 300,000 to 500,000 non-farm jobs a year; redistributing 30 percent of agricultural land; providing clean drinking water for the 12 million people currently denied access to it; introducing adequate sanitation for the 21 million people without it; supplying electricity to 19,000 black schools, 4,000 clinics, and two thirds of homes, all then without it; redressing the imbalance in access to telephone lines (then one line for 100 blacks, 60 for 100 whites); and a ten year transition to compulsory schooling with class sizes to be no more than 40 by the year 2000.

To some extent, the above listed objectives have been met, such as the improvements in home ownership. This has meant many people have received title deeds as proof of property ownership and are no longer paying rent but are instead paying rates towards services such as waste collection. Furthermore, the promise was also to eradicate or upgrade informal settlements by 2014 (Mukorombindo, 2014:1): a declaration that was made by the Department of Housing (later changed to the Department of Human Settlements in mid-2009) (Julyan, 2011:1).

Certainly, it cannot be disputed that a number of informal settlements have either been eradicated or upgraded from 1994 to date. Furthermore:

[T]he conventional belief in most housing policy making is that the best approach to improving security of tenure in informal settlements is through the provision of legal title – or land tenure legalisation. It is hoped under this approach that titles and thus security of tenure will then encourage residents to upgrade their housing and settlements through their own efforts (Kiddle, 2010:885).

Many people have also received 'formal' houses which are referred to as 'RDPs', from the RDP which aimed to reconstruct and integrate segregated South African spaces.

In South Africa, the issuing of legal title deeds is perceived as an important strategy that can assist the government in mitigating poverty-related challenges. However, Charlton and Kihato (2006:252) argue that a sophisticated understanding of the multifaceted nature of poverty has been adopted, but with serious limitations. That is to say that the indicators used to assess the impact of housing, remain quantitatively focused around elements such as the numbers of subsidies approved and numbers of title deeds transferred – measures which, in themselves do not necessarily demonstrate a contribution to poverty alleviation.

It is not, however, within the scope of this chapter to discuss in detail the dynamics and challenges created by factors such as how the RDP houses were rolled out and the challenges they have presented to the recipients as a result of corrupt tenders awarded through the abuse of government procedures. It is vital though to highlight what Smith (cited by, Huchzermeyer & Mayekiso, 2003:2) correctly states, that “despite the improvement of service infrastructure in poor parts of the city, the apartheid legacy has been carried largely intact into the new era, and that the major structural reforms that were required to alter the trajectory of urban change did not occur. Hence, “new forms of fragmentation and segregation are emerging in response to South Africa’s changing position within the global economy” (Harrison et al., 2003:2).

The above statement by Harrison et al. is supported by many authors (Duiker, 2000; Gotz, 2004; Mpe, 2001 and Biehl, 2002 on equivalent processes in Brazil, as cited by Pieterse, 2005:140). Simone and Abouhani (2005:14) maintain that the prevalent interconnected social ills such as discrimination, poverty, systematised racism, poor wellbeing and systemic violence are producing a growing class of people who are excluded from the mainstream society as embodied reminders of our party-political system’s inability to govern effectively.

There were challenges with the RDP policy. Many writers (Charlton & Kihato, 2006:252; Callinicos, 1996:9-10; David Smith cited by Harrison et al., 2003:2) deem the RDP to be a leftist basic needs oriented approach, that emphasised poverty alleviation and job creation, together with grassroots participation in the development process and empowerment of historically disadvantaged groups, in contrast to the Growth Employment and Redistribution (GEAR) strategy, a neo-liberal approach that “stressed privatisation, deregulation and trade liberalisation” (Peet, 2002:54). GEAR sought to achieve sustainable economic development through an increased focus in export production and private sector involvement (Bek et al. and Mutchien et al. cited by Kotze & Taylor, 2010:200). This shift in policy was a direct result of a government planning under pressure.

2.5 A FANONIAN ANALYSIS OF PLANNING AND POWER RELATIONS IN SOUTH AFRICA

Painter (2011:144) described Fanon as a psychiatrist, revolutionary theorist and anticolonial activist. Drawing on Fanon’s work in his book *The wretched of the earth* (1967), the researcher argues that Fanon recognised certain factors that apply to the South African context today. Fanon understood the relationships or forces at work on the colonised people’s psyche which is what South Africa is grappling with today and which prevent it from providing adequate basic services. Therefore, the researcher utilises a comparative approach of the factors identified by Fanon in order to understand what is happening in South Africa today, in other words, a situational analysis of the country. The stance of the researcher is therefore to apply a Fanonian analysis to the current situation of inadequate basic service delivery in South Africa.

The Fanonian analysis is also influenced by Gibson (2011) who clearly locates the lived practices of South African people, post-apartheid, as they struggle towards attaining their freedom. Gibson (2011:11-12) posits that a Fanonian assessment of post-apartheid South Africa start by attempting Fanon’s bold stretching of Marxism from *Les damnés*, that in the colonies, “you are rich because you are white, you are white because you are rich”. To illustrate the contradictions presented by the post-apartheid epoch and its realities, Gibson (2011:12) further suggests that at the first glance, the binary view of associating whiteness with wealth seems to describe apartheid.

However, argues Gibson (2011:12):

[It] doesn’t quite seem to be applicable to ‘multicultural’ South Africa where powerful new Black elite has emerged. Indeed, South Africa is producing three times more

dollar millionaires than the global average and the fourth most in the world. Even in the context of the global crisis, luxury cars are on back-order (see Fanon 1968:155) and new gated communities for the new Black and old white national and international bourgeoisie are still springing up like mushrooms (see Fanon 1967:43-44). And yet behind the glitz and sheen lurks quite a different reality, one that is even expressed in UN and World Bank data. Report after report makes the same statements but the facts need to be reiterated since the majority of the world's public, who welcomed the end of apartheid, are not fully aware that the socioeconomic situation has shockingly worsened for the majority of South Africans.

Painter (2011:146) makes a case that “Gibson’s book does a number of things, and does them very well as it extends and historicises the by now familiar leftist critique of South Africa’s transition and post-apartheid political economy by locating it within Fanon’s almost prophetic diagnostics of the fault lines of postcolonial independence and transformation.”

In the following sections, the researcher relies heavily on Fanon’s work. The following comparatives will be discussed:

1. Colonial rule and the middle class coming into power.
2. An underdeveloped middle class.
3. Abuse of power through a claim to nationhood.
4. The national *bourgeoisie* stepping into the shoes of the former European settlement.

Subsequently, the different comparative factors have been adopted by the researcher in the following way:

2.5.1 Colonial rule and the middle class coming into power

This first comparison pertains to what Fanon (1967:19-20) positions as “the national middle class who takes over power at the end of the colonial regime, as an underdeveloped middle class which has practically no economic power, and in any case it is in no way commensurate with the *bourgeoisie* of the mother country which it hopes to replace.” When the apartheid government came into power in 1948, after it had been under the rule of the British colonisers, it was led by an underdeveloped middle class Afrikaner (national *bourgeoisie*) political group which had no economic power at the time, and initially relied heavily on international banks and later on the revenues that were generated from the Bantu administered regions (revenues generated from beer halls as mentioned earlier, for instance) in South Africa.

This can also be the case for the current ruling party. The ANC government after years of struggle for the liberation of African people, took over power in 1994. In this transition

process, it inherited the apartheid government's debt of about R86.7 billion (*The Economist*, 1999:1). For instance, the Africa Policy Information Centre (APIC) report (1996:2), submits that at the release of Nelson Mandela from jail, the transnational banks furnished him with a bill for £11.3 billion. As a result, in 1996, South Africa transferred an incredible £2 300 million in interest as debt repayments to the multinational bank institutions; money taken away from reconstruction and free health care provision to the entire population.

Given the above stated comparison, the researcher posits that through a transitional debt repayment relationship between the colonial owners of the means of production and the South African elites (the national *bourgeoisie*) a coming-into power-merger ensued. Consequently, the interests of underdeveloped poor, working and lower middle classes, those who have access to some political but limited economic power, whether they vote ANC, Democratic Alliance (DA) or other political parties, have been undermined.

2.5.2 An underdeveloped middle class

The second comparison speaks to what Fanon (1967:120) contends as “the national underdeveloped middle class that is easily convinced it can advantageously replace the [elite] of the mother country”. According to Kotze and Taylor (2010:198), when South Africa embarked on an inclusive democracy in 1994 under the ANC as the ruling party, South African society was still characterised by severe inequalities, with a Gini coefficient¹ of 0.64 in 1995 (See also Borat & Van der Westhuizen, 2013:6). The Gini coefficient placed South Africa as the most unequal country in the world (Harmse, 2013:2). With the political liberation and its associated euphoria, however, many communities expected the material benefit of liberation through a better life for all.

Fanon is supported by Khosa et al. (cited by Kotze & Taylor, 2010:200) who suggest that, “given the inheritance of domination, discrimination, which was influenced by a systematic destruction of black households' lifecycle ... and the biased nature of basic service delivery under colonialism and apartheid, the democratically elected state faced a formidable challenge. The challenge was not only to establish new democratic forms of governance, but also to fundamentally transform society.”

¹The Gini coefficient measures the degree of inequality present in society, on a scale of 0, representing perfect equality (i.e. everyone has an equal income), to 1, representing perfect inequality (i.e. one person accrues all the income (Hofmeyer, 2009:99).

2.5.3 Abuse of power through a claim to nationhood

Fanon (1967:119) asserts that for a very long time the native politician (in the context of this thesis, mainly black and some white elite politicians) devotes his energies to ending certain definite abuses – forced labour, corporal punishment, inequality of salaries, limitation of political rights – and this fight for democracy against the oppression of mankind will slowly allow the confusion of neo-liberal universalism to emerge, sometimes laboriously, as a claim to nationhood. The latter argument is part of the third comparison, in that it clearly illustrates that the ANC-led government has not really changed much in terms of the inherited spatial characteristics of South Africa as spaces and communities are still segregated. Instead, those politicians who had dedicated their energies in fighting oppression are now the same people who are abusing power under the auspices of nationhood.

Furthermore, Fanon (1967:120) argues that the same independence drives the middle class into a corner and intensify (factions eminent within the ruling political party today in South Africa) within its ranks to catastrophic reactions (prevalence of corruption in government), and the fact that now the abuse of power overwhelms the under-developed middle class (a native politician). Furthermore; the complexities and the limits of the promises the under-developed middle class made to the marginalised, obliges it to send out frenzied appeals for help to the former ‘mother country’ (in the context of this discussion, the mother country is equated to the countries of the North and West).

Consequently, the shift, for instance, in policy from the RDP, “a leftist basic needs oriented approach”, was one of the “catastrophic reactions” that Fanon refers to (Peet, 2002:54).

Some scholars (Marais cited by Kotze & Taylor, 2010:201) argue that even though Thabo Mbeki as the President of South Africa was successful to some extent in achieving sufficient economic growth in order to ensure some level of redistribution of resources to transform South Africa socially and economically, GEAR failed to address the inequalities such as poverty, maintenance of infrastructure and adequate basic service delivery that are still prevalent in South Africa today.

Marais (cited by Kotze & Taylor, 2010:201) suggests that this success came at a price: rising unemployment exacerbated by privatisation led to thousands of job losses, and increased crime and poverty lines. Thus, Lushaba (2006:34-35) argues that, “eager to attract the much-touted foreign investment, African countries are advised to create an alluring market-friendly environment and that creating such an environment entails,

amongst other things, liberalising capital markets, abolishing foreign exchange controls, etc.”.

Fanon (1967:119) further argues that it so happens that the unpreparedness of the educated classes, the lack of practical links between them and the mass of the people, their laziness and their cowardice at the decisive moment of the struggle, will give rise to tragic mishaps. The researcher argues that within the South Africa context, it is the state (which is the ANC-led government) that engages with activities such as securing investments and borrowing money from institutions such as the World Bank (WB) and the International Monetary Fund (IMF).

2.5.4 The national *bourgeoisie* stepping into the shoes of the former European settlement

As a fourth comparison, in terms of an analysis based on Fanon (1967:122), the national *bourgeoisie* – which here is portrayed by the new political elite – steps into the shoes of the former European settlement: doctors, lawyers, business owners, traders, and transport agents. The national *bourgeoisie* considers that the dignity of the country and its own welfare requires that it should occupy all these posts and it insists that all the big foreign companies (which offer them opportunities of investment amongst many) should pass through its hands, whether these companies wish to keep on their connections with the country (through permissions by the national *bourgeoisie*), or open it up. The national middle class discovers its historic mission: that of intermediary. Fanon continues by stating that, seen through the state’s eyes, its mission has nothing to do with transforming the nation; it consists, prosaically, of being the transmission line between the nation or “the people” and a rampant capitalism, though camouflaged, which today puts on the mask of neo-colonialism (recolonialisation).

A practical example in support of what is argued above is that the legislative framework in South Africa mandates local governments to be developmental. According to the White Paper on Local Government (South Africa, 1998:23), “developmental local government is a local government that is committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs in order to improve the quality of their lives”. This, however, has not happened in the Free State, particularly within the MMM, the study area for this research. Grasland is an area characterised by the presence of migrants from the Eastern Cape, Transkei (a former Bantustan, now part of the Eastern Cape Province), Gauteng and Botshabelo (a local township about 45 km to the eastern side of the MMM) as well as immigrants from Lesotho,

Somalia, and Pakistan. These are people who are affected by social issues such as unemployment, crime, and HIV /Aids. It is an area which is also characterised by a lack of service provision such as water, housing, sanitation and stormwater drainage.

Nonetheless, the clash or the 'disconnect'² that exists between planning and democracy speaks to the institutional arrangements in South Africa which, if they do not work, impedes social justice. For instance, even though the Constitutional Court confirmed that municipal planning within the schedules of the Constitution included land development applications stating that the "municipal sphere is not a junior partner" (De Visser, Steytler & Powell, 2012:6). However, in the Free State, at the time of writing this thesis, all land use planning applications were approved at a provincial level by the Member of the Executive Council (MEC). This was happening even though the new Spatial Planning Land Use Management Act (SPLUMA) of 2013 mandates that they be approved at a local or municipal level. These ('disconnects') observations, start to speak to issues of institutional dynamics of power relationships and the impact thereof on nature of social change. However, the highlighted institutional arrangements might be set to change when SPLUMA, together with the municipal bylaws that will replace the provincial ordinance comes into effect, sometime in 2015.

According to Thomas (cited by Allmendinger, 2001:1) the scope, content and direction of planning are shaped by political struggles at various spatial scales in which the protagonists (and lines of cleavage) arise from the conflicts of interest endemic in capitalist society. Moreover, planning exists to help the market and support capitalism, not challenge and supplant it. Whatever the reason, Allmendinger (2001:1) argues there is a growing disenchantment with the outcomes of planning. This is partly due to the trend of an increasingly politicised population challenging government, and it is clear that planning has lost its way.

Additionally, provincial party-political rivalries lead to a 'disconnect' between local development planning, provincial development planning and the implementation of actions such as the Integrated Development Plans (IDPs). Moreover, it is noted that it is almost impossible for a provincial and local government to plan, fund and execute a cross-border development strategy, even when they share similar resources, such as the maize industry, a tourist route or a road linking different towns (Atkinson, 2012). It seems therefore, that the

²The term *disconnect* was used by Atkinson (2012) to describe the toxic nature of power relationships between political parties and government institutions in the Free State.

post-colonial, post-apartheid South African city is a contested space in terms of incoherent planning arrangements.

Bennis and Slater (1968:20) argue that our society is geared to the hypothesis that little in it is permanent, save for a few values so ambiguous as to have no effect on behaviour. But if change is truly chronic it becomes itself a stable condition and must therefore depend upon factors which are unchanging. We are so attuned to the changes that we often overlook the stable conditions upon which they depend (Bennis & Slater, 1968:20). Hence, the researcher's approach to this piece of work, aims to improve her understanding of the nature of social change, within the practice of urban and regional planning.

Gillingwater (1975:5) maintains that theory develops whilst mostly separated from the understanding of practice, in a way which certainly gives him the impression that a crack exists – that is possibly widening – between theory and practice, between original intentions and eventual form of impact, and a concomitant extension of the division of labour between those who primarily 'think' and those who primarily 'do'.

As Yiftachel (2006:214) theorises:

[I]t is symptomatic, then, that despite repeated calls in the literature to 'bring the city back', and some exciting and grounded theoretical work on planning concepts such as 'just cities', 'network society', 'partitioned cities', 'mongrel cities', 'technocratic cities' and urban informality, such effort has remained at the margins of the theoretical debate. Most theorists who write in the leading journals have remained focused on decision-making and planners' interaction with clients and power-brokers, thereby refraining from studying the messy interactions between planning policies, spaces and people.

2.6 'MISHAPS': A SOUTH AFRICAN PLANNING PERSPECTIVE

From a planning perspective, a number of mishaps unfolding today in South Africa can be highlighted, despite the apparent ending of colonialism and apartheid. The mishaps depict a picture of "cities and towns in South Africa that reflect a sad picture; an inherited footprint from the past with urban environments characterized by fragmentation and spatial dislocation, separation and mono-functional zoning, and by low-density suburban sprawl which results, in a city of inequity, experiencing rapid changes in user patterns, and in many cases an environment of fear" (Landman, 1999:1-2).

For one, the mishap unfolded when the Development Facilitation Act (DFA), Act 67 of 1995, was adopted in order to facilitate development and establish a single set of principles and

procedures in South Africa as means to remove many of the obstacles contained in planning legislation from the past, was unsuccessful (Nel & Viviers, 2012:5). The DFA was conceptualised as an interim legislation to override a mass of historically inherited planning legislation and to pave the way for the development of new planning law.

This legislation, according to these authors, was particularly concerned with trying to address the spatial distortions of apartheid and move from a fragmented and racially-skewed approach to planning and decision-making to a more holistic and integrated approach. However, the DFA did not replace the previous acts and ordinances; rather it provided an additional parallel process for development applications that could be utilised by the provinces, thus not addressing the *status quo* of planning and development legislation in South Africa, leaving an “extraordinarily complex and inefficient legal framework, with planning officials in all spheres of government having to deal with numerous different systems within the jurisdiction of each province, and indeed within most municipalities” (Nel & Viviers, 2012:5).

Another mishap is the undermining of the nature of “power and complexity” in the city. For instance, basic service protests are not just about residents seeking access to basic services. The protests are also influenced by other factors such as “councillors in particular standing accused of, among other things, corruption and nepotism” (Nleya, 2011:3). Within the South African context, it is thus crucial to appreciate the constitutive nature of power and complexity in the city as any analysis of urban conditions and future prospects must come to terms with the dimensions of complexity and the ways in which it is sutured by various dynamics of power (Pieterse, 2008:4). One of these dynamics of power, according to Fanon (1967:119-120), is the position of the national under-developed middle class which takes over power, at the end of the colonial regime (by extension to South Africa, at the end of the apartheid regime), but practically has no economic power.

As an illustration of “power and complexity” in the city, the ruling party in the Free State Province where the research was conducted, as elsewhere in South Africa, , namely the ANC, functions primarily on the basis of provincial power-structures, which the national leadership finds difficult to manage or control (Atkinson, 2012:1). This thesis argues that the difficulty of controlling provincial–local power structures is a result of the ANC’s preoccupation with the economic growth affairs and local power plays, to the neglect of transforming the fragmented spaces that currently exists within the region.

2.7 CONCLUSION

This chapter, firstly, reflected that as a result of politically intense cities, their future is very bleak. It discussed that the bleakness was necessitated by the fact that governments are planning under pressure as a result of constant social unrest. The chapter further established that the tussles related to governments' duties to enhance holistic development of society, through the institutions responsible for addressing social ills, constantly undermine people's right to access to adequate basic services.

Secondly, the chapter generated a discussion about the colonial-cum-apartheid planning history; highlight the notion of the 'city' and 'urbanisation' that took both practical and mythological significance under apartheid. Revealing that apartheid for instance was not a fixed plan which simply changed from theory into an urban spatial form, but had to ultimately answer to local and international pressures of high urbanisation, resistance and sanctions.

Thirdly, the discussion subsequently moved away from blaming the colonial-segregation-apartheid or democratic government, but highlighted the pressures that they were and are planning under. For instance, it was noted that separate development in South Africa had already been put in place long before apartheid was introduced and institutionalised. Thus, human settlements were mainly influenced by race and class divisions, cemented by policy even before 1948.

The chapter further discussed that the democratic dispensation – despite the apparent ending of colonialism and apartheid – is planning under pressure and has not succeeded in influencing the change of the urban spatial form. A Fanonian analysis of planning and power relations in South Africa was adopted to frame the argument about a government planning under pressure. Consequently, four comparative factors were adopted from Fanon's work. Each factor pinpointing to 'mishaps' produced such as the abuse of power and the complexities associated with it, unfolding today in South Africa. These directly influence inadequate provision of basic services. Hence, the focus of the study as highlighted in Chapter 1 was to explore the strategies employed by the greater Grasland community in accessing them.

The following chapter will provide a discussion on the conceptual debates regarding some key relevant concepts in which the study is situated.

CHAPTER 3

CONCEPTUAL FRAMEWORK

3.1 INTRODUCTION

It was stated in Chapter 2 that there are complexities influenced by a number of pressures, regarding how governments have and are planning in cities. It was also argued that these pressures are mainly influenced by power relations, to which South Africa is no exception.

The purpose of this chapter is to present a conceptual framework in which this thesis is situated and which will be applied to the succeeding chapters. The chapter is made up of six sections (Figure 3.1). In the first section, the concept of *planning* and the theoretical debates surrounding it are discussed. The aim is to emphasise the significance of the key concepts and their relationship with the reviewed literature in Chapter 2. The second section will critically discuss the concepts of *power* and *power relations* which are central interests of the researcher's work. The third section will discuss the concept of *oppression*. The fourth section will unpack the concept of *social justice* in relation to planning practice followed by a discussion on the concept of *citizenship* as the fifth section. Lastly, the concept of *human settlements* will be discussed.

3.2 THE CONCEPT OF 'PLANNING'

The point of departure in this section is to explore the concept of 'planning'. There is no fixed definition of what 'planning' means. Wildavsky (1973:128) postulates that numerous interpretations of the concept of planning have been provided, and asks: "How does one evaluate a phenomenon when there is little agreement about what it is? How can one say that planning is good or bad or in between when there are no accepted criteria for determining degrees of success or failure?"

The term *planning* therefore, covers a multiplicity of possible interpretations and it is no overstatement to say that the concept of planning is confusing because of its inherent ambiguity (Gillingwater, 1975:5). Commenting on defining planning, Friedmann (2011:132) writes: "no two of us could agree on the nature of the beast we wanted to theorise. None of those who wrote comments wanted to be 'fenced in' by any definition of planning discourse, however loose and encompassing it may be. Definitions were somehow perceived as limiting their freedom to call theory whatever they wished it to mean."

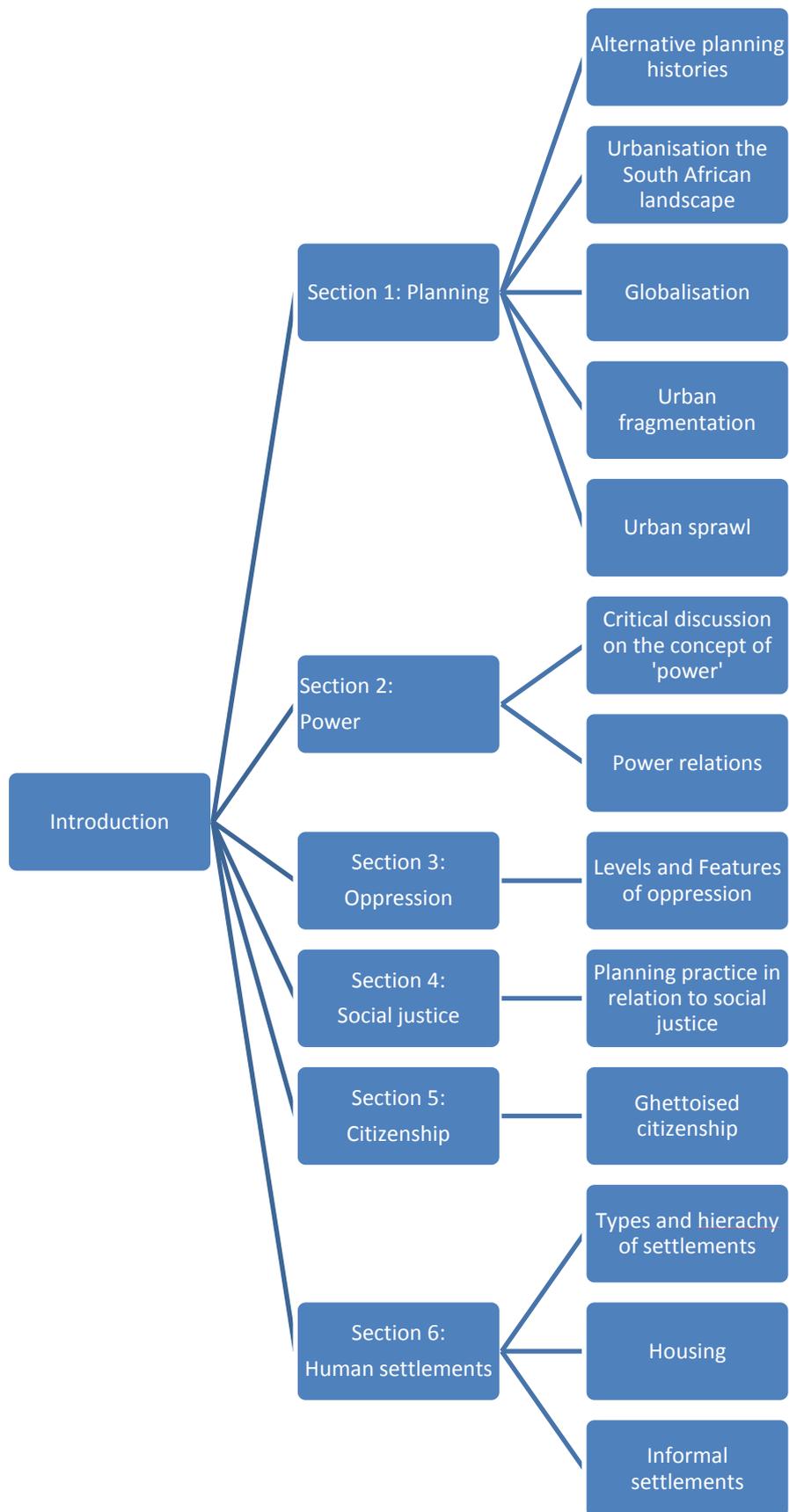


Figure 3.1: Chapter 3 structure

The Oxford English Dictionary (2010:1117) describes planning as a noun, meaning “*the act or process of making plans for*”. Roget’s Thesaurus (n.d.: online) conveys a more inclusive and formidable list of synonyms for planning: “[A]pproach a problem, attack, make a plan, design, draft, blueprint, project, plan out, map out, lay out, organise, systematise, rationalise, schematise, methodise, schedule, programme, phase; contrive, devise, engineer, hatch, concoct, mature.” As Peter Hall (cited by Gillingwater, 1975:5) posits, “in the general sense of planning we mean, take thought to determine an action or a series of actions beforehand”.

Another view is that planning is a simple action permeating human conduct at an individual and every social level (Alexander, 1981:135). In other words, planning is an activity that takes place within a process. Planning can be imagined as a process with an end goal. Within the context of urban and regional planning, Chadwick (1848:24) defines planning as a method that includes the organisation of spatial configurations over a period. However, Chadwick (1848:24) suggests that “it is not the spatial patterns which are planning: they [spatial patterns] are the objects of a process, a process which can be seen independently of them”.

These definitions show that the focus of planning has mainly been on the spatial patterns and related processes to the neglect of the human factor. This point Chadwick (1848:24) marks very clearly when he argues that for a very long time, there has “been an over-concern with the content of plans rather than the nature of the process of planning, with physical artefacts rather than with qualities of human judgement”. Chadwick’s assertions speak directly to the nature of planning and the role of planners as drivers of the planning process.

The significance of urban planning as a process is that it embroils human action. This view is supported by Chadwick (1848:25) when he hypothesises that “planning is future-oriented, and thus optimistic, for it assumes man’s ability to control his own destiny, at least within certain limits”. Additionally, the nature of planning as future oriented and controlled by humans connects planning and rationality. Hence, Chadwick’s (1848:25) point is that because planning involves man firmly with the environment and life, planning is accomplished by human creatures for human creatures.

On the other hand, a systems view of planning is provided by Watson (2009:2260) who views “planning as a central tool through which government manages spatially defined territories and populations: the issue of power is therefore inextricably linked to an understanding of planning systems”. Watson’s view indicates that planning is not only a

human activity but is intrinsically linked to societal and institutional structures. It is a view that ties with Forester's definition (cited by Yiftachel, 2006:214) which views planning as, "the organization of hope", a definition which Yiftachel contends, overlooks not only the ubiquitous reality of planning's 'dark' and 'grey' restrictions, but also that planning, in most locations, is a chief controller of space.

This raises the question whether we should define planning in an analytical way. For instance, do we describe critically what it actually does, or in a normative way, do we describe what we think planning should be doing. The researcher argues that we should define planning in a normative manner and describe critically what it actually does.

A consideration that planning is interrelated to human and systems activities is therefore necessary. This is a point clarified by Chadwick (1848:25):

[T]he point of view, the systems view, of planning to be advanced here, is related fundamentally to human beings, their behaviour, their abilities; it [planning] is not, as those who may misunderstand appear to think, something inhuman and life-denying. Planning is a human activity and a systems view of planning is concerned with making the most and best use of human abilities: planning is a human conception and seeks human decision and participation.

What is particularly interesting to the researcher about the conceptualisation of 'planning' is that it was mostly coined in the 'North-West'¹. Consequently, if in the 'North-West' there has been pugnacious debate in trying to come to an agreement of what planning is, how much more confusion is there in the African continent? The former observation is supported by Friedmann (2011:132) who maintains that "from the beginning, then, planning theory was being conceptualised as a bi-continental, Euro-American enterprise. And as such it has remained."

Furthermore, Friedmann (2011:132) mentions some of the difficulties he has discovered that were inherent in his undertaking to define the concept of planning, such as:

- *The problem of defining planning as an object to be theorised;*
- *the impossibility of talking about planning disconnected from actual institutional and political contexts;*
- *the several modes of doing planning theory – normative, positive, critical, and paradigm-shifting and the dilemma of choosing among them; and*
- *the difficulty of incorporating power relations into planning discourse."*

¹'North-West' is a term coined by Yiftachel (2006). He argues that "most theories emerging from the north-west have therefore concentrated on *planners rather than planning*".

Friedmann is supported by Sandercock (1998:4), who maintains that there is no presentation of principles of influence/information/control to the field of planning and that there is no analysis of the ideology, status, sex, social construct, or cultural ancestries or prejudices of planners, or of status, gender, or ethnic effects of the planners' work. Most interestingly, Sandercock (1998:4) notes that "there is little soul searching about planning's failures", arguing that "we are squarely in the modernist tradition that equates planning with progress not just in terms of subject matter but also in terms of historical method".

Consequently, Yiftachel (2006:213) opines that most theories developing from the 'North-West' have therefore concentrated on *planners rather than planning*, with planning being a displayed activity of visibly channelled conversion of space. What he argues is that the emphasis on planners and decision procedures has left a specific vacuum for those functioning in the various 'South-Eastern' locales where policy-making is generally less clear and structured, and where community involvement and discussion processes are repeatedly observed as 'lip service', or controlled and manipulated by the government, within a context influenced by the need to construct what appear as realities.

The position of this thesis is not to reject entirely the North-West conceptualisation of planning, but to argue that this conceptualisation of planning does not do justice to African contexts as it presents some challenges regarding its application because of the complexities outlined in Chapter 2. This is clearly evident to Yiftachel (2006:213) when he argues that the argument is not to mock the many valuable features of purposeful planning and the necessity to study planning practices, but rather to review what seems to be a *misleading equilibrium* concerning practical and applicable aspects.

This misleading equilibrium, argues Yiftachel (2006:213), is disconcerting, not only since understanding needs to be accumulated and theorised on all aspects of urban planning, but correspondingly because approaches to decision-making and planning practices may change or be long forgotten, while the substantial inheritance of these resolutions remains for ages to come. For instance in South Africa, the origins of planning is a field of study which, to date, has not been examined in great detail and neither have their impact been analysed (Oranje, 2014:2). The lack of a detailed understanding of the origins of planning in South Africa has meant that governments continue to plan with little to no understanding of the realities or needs of the citizens.

3.2.1 Alternative planning histories

The work of Leonie Sandercock (1998) “has been promoting the idea of alternative planning histories, those told by the oppressed and marginalised social groups engaged in city-building processes” (cited by Friedmann, 2011:135). This influenced the researcher’s work, as Friedmann (2011:135) says that “[Leonie’s work] de-professionalizes planning and shifts attention to political conflict”, and her primary focus is “social justice for those whose voices have been silenced”. The researcher’s impression of Sandercock’s work is that it calls for an urgent need for the world and, in particular South Africa, to rethink how planning has been and is being shaped by the current dominant modes of thinking, as well as by previous and current realities.

For instance, the ANC government tends to blame the apartheid government for what is not going ‘right’ in the country – it perceives its inability to adequately provide basic services (water, sanitation, electricity, etc.) as a direct cause of the apartheid regime. However, some South Africans contest the blaming of the apartheid government, and in turn blame the ANC-led democratic government. Their (the opposers of the ANC government) argument is that the ANC government has had 20 years to plan ‘correctly’ as there is no longer apartheid. Both arguments are valid for this thesis, because whilst governments plan under pressure in different epochs, ‘emerging communities’ like Grasland have to negotiate and survive within that space.

3.2.2 Urbanisation: The South African landscape

There is no one agreed-upon definition of what urbanisation is. Mark (2014:1) defines urbanisation as the method through which rural societies develop to form cities, or towns. However, Fiedler (2014:ix) posits that urbanisation can be understood in various ways: as a destruction of the landscape or as a route towards freedom from earthly constrictions. Furthermore, others like Mark (2014), base their definition of urbanisation on the size of the population. According to Mark urbanisation began in ancient Mesopotamia² in the Uruk³ Period (4300–3100 BCE) for reasons scholars have not yet agreed on. Mark (2014:1) state

²“Mesopotamia (from the Greek, meaning 'between two rivers') was an ancient region in the eastern Mediterranean bounded in the northeast by the Zagros Mountains and in the southeast by the Arabian Plateau, corresponding to today’s Iraq, mostly, but also parts of modern-day Iran, Syria and Turkey. The 'two rivers' of the name referred to the Tigris and the Euphrates rivers and the land was known as 'Al-Jazirah' (the island) by the Arabs referencing what Egyptologist J.H. Breasted would later call the Fertile Crescent, where Mesopotamian civilization begin” (Mark, 2009:1).

³“Uruk was one of the most important cities (at one time, the most important) in ancient Mesopotamia. According to the Sumerian King List, it was founded by King Enmerkar sometime around 4500 BCE. Located in the southern region of Sumer (modern day Warka, Iraq), Uruk was known in the Aramaic language as Erech which, it is believed, gave rise to the modern name for the country of Iraq (though another likely derivation is Al-Iraq, the Arabic name for the region of Babylonia). The city of Uruk is most famous for its great king Gilgamesh and the epic tale of his quest for immortality but also for a number of ‘firsts’ in the development of civilization which occurred there. It is considered the first true city in the world” (Mark, 2011:1).

that, however, it is speculated that a particularly prosperous and efficient village drew the interest of other, less prosperous, tribes who then attached themselves to the successful settlement. Some countries regard any town with a population of more than 2 500 as urban, and others set a minimum of 20 000.

However, Godfrey and Julien (2005:137) postulate that descriptions grounded on population size do not sufficiently register significant dynamics such as inhabitants' concentration, the accessibility of healthcare, or the quality of the infrastructure which are vital factors more imperative than mere population statistics. They furthermore claim that urbanisation, as a universal all-encompassing concept, is unable to categorise movements of people within towns and cities.

The concept of urbanisation is defined by Mabin (1992:12) as a process of population movement towards densely populated and mainly non-agricultural settlements, whilst Beall (2000:428) describes urbanisation as a transformation in the quantity of urban residents and as a conversion from a rural society to one in which a rising percentage of the population resides in metropolises.

Within the context of the Global South, even though population explosion is taking place at a rapid rate, Firman (2004:221) posits that urbanisation in undeveloped nations is happening at lower levels of *per capita* income with an economic context that is dissimilar to that of the Global North-West in which cities emerged historically. Furthermore, as Cohen (cited by Firman, 2004:221) argues, the latest suburbanisation in developing states is categorised by the unprecedented scale of city revolution, while the direction of urban change is more strongly affected by the global economy than ever before. Some argue that "in many ways the traditional rural–urban distinction made by scholars is becoming redundant as a result of the emergence of new globalising processes" (Cohen cited by Firman, 2004:221).

In South Africa, urbanisation was mainly influenced by the movement of people from rural (countryside) to urban areas in search of income security. However, as claimed by Mabin (1992:19), African people all over South Africa struggled to live and to gain greater access to the accretions of prosperity characterised by the cities, and thus, whether through singular or through joint movements, began to remake the nature of urbanism in the country.

It can be posited that South African urbanisation was and is still highly influenced, therefore, by mainly the movement of people across international borders and inside South Africa.

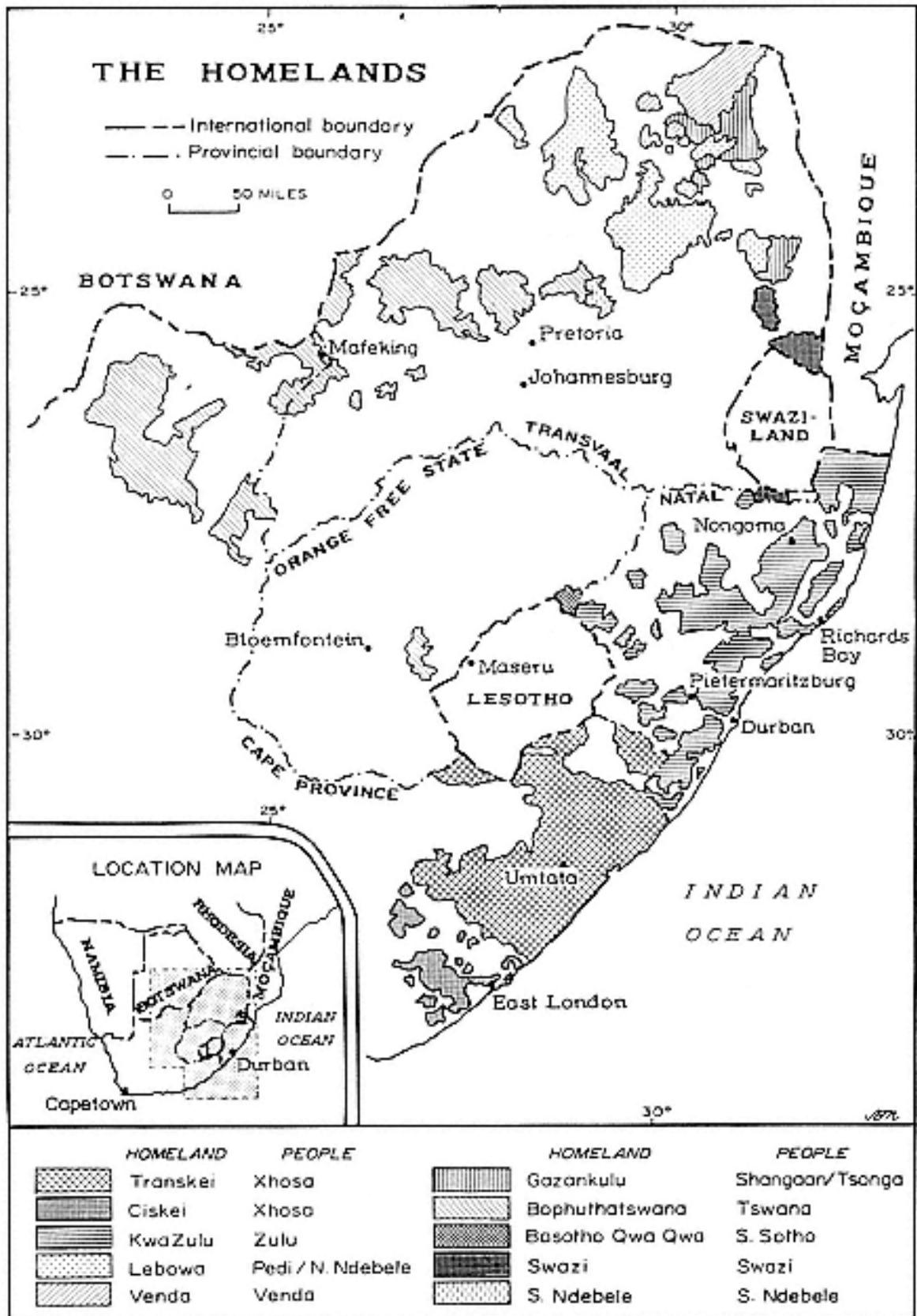
Within a context that was characterised by Bantustans, also called the Homelands (Map 3.1), pass laws and influx control (Mabin, 1992; Murray, 1988), this movement has put pressure on governments to provide adequate basic services. Moreover, the assumption made by the ANC-led government that migrant labour is temporary and was caused by the Nationalist government's policy of separate development, has prevented it from putting in place a realist urbanisation policy as a means to move towards providing adequate basic services for all urban dwellers (Crankshaw & Parnell, 1996:233).

3.2.3 Globalisation

'Globalisation' is a very slippery concept that is interpreted and defined in many different ways. Santos (2002:2) posits that an evaluation of readings about the processes of globalisation tells us that globalisation is multidimensional, and encompasses socio-economic, political, traditional, lawful and religious dimensions which are interconnected. This view is supported by Low and Barnett (cited by Harrison, 2003:13), who postulate that "[g]lobalisation is a talismanic term, a seemingly unavoidable reference point for discussions of our contemporary situation".

Authors such as Low and Barnett (cited by Harrison, 2003:13) have warned that globalisation is "a highly politicised discourse of prediction and projection which works to drastically foreclose the realm of choice, decision, responsibility and strategy", and also becomes "the grand narrative which justifies the end of all other narratives of social change".

It is common knowledge that globalisation is a major contributing factor to the way in which today's cities are fragmented (Harrison, 2003:16). Consequently, globalisation has put pressure on many cities to compete internationally as liveable cities and this in turn has contributed to the challenge of fragmentation faced by many cities, especially when the context and circumstances does not allow for global trading which, it is assumed, will assist with the provision of adequate basic services.



Source: Butler, Rotberg and Adams (1977:3)

Map 3.1: The Bantustans

3.2.4 Urban fragmentation

Fragmentation is a process of dissection of natural systems into spatially isolated parts (Hobbs, Reid, Galvin & Ellis, 2008:25). Harrison (2003:15) argue that fragmentation, comparable to globalisation, is a slick notion, what they call “a catchphrase that everyone recognises and yet no-one seems able to define with any precision. Hence, in the dialogue of globalisation there are many scopes to disintegration, yet they all are linked with the meta-narrative.”

Harrison (2003:15) posits that the beginning process that adds to the diverse dimensions of fragmentation is the amplified discrepancy within the labour market. As towns connect to global networks, so the new and progressively rich commercial elite surfaces that is able to function globally, while an emergent underclass attends the elite. Hence, this creates a dumbbell-shaped social structure as the numbers of people at either end of the social spectrum increase and the traditional middle-class declines in numbers and influence.

3.2.5 Urban sprawl

Urban sprawl is not crisply defined (Hobbs et al., 2008:29) and means different things to different people, thus this diffusion of views can impede useful discussion. The term *urban sprawl* refers to excessive spatial growth of cities (Brueckner, 2000:161). The latter author argues that although cities must grow spatially to accommodate an expanding population, the claim is that too much spatial growth occurs and if this allegation is correct, current public policies should be altered to restrict the spatial expansion of cities. Although this argument is from a United States context, it is one of the arguments that are relevant to a South African context, in that spatial expansion has been an issue that colonial-segregation-apartheid-democratic governments have grappled with and directly speaks to inadequate basic service provision.

For the purpose of this thesis an operational definition of urban sprawl is that it is an uncontrollable process whereby the local government, due to political (fear of losing votes) and economic reasons (fear of losing investment opportunities), have a minimal control of invaded land. If they do have control, they become overwhelmed with the scale in which they need to ‘formalise’ the invaded land, which in most cases was previously an agricultural land at the outskirts of the city.

3.3 THE CONCEPT OF ‘POWER’

The mapping out of the conceptual development of power is important for this study, particularly since the avoidance or ignorance of how power and power relations impact negatively on the provision of adequate basic service delivery, is often neglected within the planning discourse. Hence, the idea is to provide some conceptual boundaries for this study in relation to power. Power’s original conception was situated within the political, and later in the social sciences discourse (see Appendix 2) which highlights the development of power within the ‘North-West’ context. The list in Appendix 2 is not exhaustive, as many other authors have written widely on the subject of ‘power’.

3.3.1 Critical discussion on the concept of ‘power’ and ‘power relations’

In this study ‘power’ is an all-inclusive yet fluid concept that is context-based. In Mangaung – Grasland 2 and 3 (Bergman Square) and 4 (Khayelitsha) – there are people who are waiting, and have been waiting (not protesting nor doing anything about their situation) for the government to provide adequate housing, water, sanitation, security and electricity for a long time. On the other hand, there are people who are not silent and do not accept being oppressed by the local government’s governance system and have strategised to access basic services. It is, however, Foucault’s (1981:778) conceptualisation of power and the analysis that accompanies it, that this thesis mainly draws upon for its conceptual thinking around the concept of power and power relations.

Lemke (2010:32) posits that “Foucault’s analytics of power consists in the fact that it escapes any neat classification as it is not part of the symmetrical tradition, nor does it belong to the asymmetrical line of interpretation”. Lemke is supported by Sadan (2004:54) who opines that Foucault was content with the contradictions that his work presented in his approach towards the conceptualisation and understanding of power, particularly since Foucault suggested that anyone could make use of his knowledge production without necessarily committing herself to the entire theory.

The researcher therefore “will make use only of the principal points of Foucault’s thought on the subject of power and the research of power” (Sadan, 2004:54). Foucault’s points illustrate that power is not necessarily repressive or does not need to be, but it can be used to enable just spaces. Taken from an interview with Michel Foucault conducted by Michael Bess (1988:2) the following responses are of interest in how Foucault principally understood power:

Question: You were saying a moment ago that you are a moralist ...

Foucault: In a sense, I am a moralist, insofar as I believe that one of the tasks, one of the meanings of human existence—the source of human freedom—is never to accept anything as definitive, untouchable, obvious, or immobile. No aspect of reality should be allowed to become a definitive and inhuman law for us.

We have to rise up against all forms of power—but not just power in the narrow sense of the word, referring to the power of a government or of one social group over another: these are only a few particular instances of power.

Power is anything that tends to render immobile and untouchable those things that are offered to us as real, as true, as good.

Question: Can power be something open and fluid, or is it intrinsically repressive?

Foucault: Power should not be understood as an oppressive system bearing down on individuals from above, smiting them with prohibitions of this or that. Power is a set of relations. What does it mean to exercise power? It does not mean picking up this tape recorder and throwing it on the ground. I have the capacity to do so—materially, physically, sportively. But I would not be exercising power if I did that. However, if I take this tape recorder and throw it on the ground in order to make you mad, or so that you can't repeat what I've said, or to put pressure on you so that you'll behave in such and such a way, or to intimidate you—well, what I've done, by shaping your behaviour through certain means, that is power.

Which is to say that power is a relation between two persons, a relation that is not on the same order as communication (even if you are forced to serve as my instrument of communication). It's not the same thing as telling you "The weather's nice," or "I was born on such and such a date."

Good. I exercise power over you: I influence your behaviour, or I try to do so. And I try to guide your behaviour, to lead your behaviour. The simplest means of doing this, obviously, is to take you by the hand and force you to go here or there. That's the limit case, the zero-degree of power. And it's actually in that moment that power ceases to be power and becomes mere physical force. On the other hand, if I use my age, my social position, the knowledge I may have about this or that, to make you behave in some particular way—that is to say, I'm not forcing you at all and I'm leaving you completely free—that's when I begin to exercise power. It's clear that power should not be defined as a constraining act of violence that represses individuals, forcing them to do something or preventing them from doing some other thing. But it takes place when there is a relation between two free subjects, and this relation is unbalanced, so that one can act upon the other, and the other is acted upon, or allows himself to be acted upon.

Therefore, power is not always repressive. It can take a certain number of forms. And it is possible to have relations of power that are open.

Hence, Foucault attempted to explain that a power relation can unfold without physical violence but where a voluntary or involuntary exchange can go beyond the usual notions of power as repressive. Lemke posits that Foucault presented a differentiation concerning power and domination and that Foucault (cited by Lemke, 2002:53) stressed:

We must distinguish the relationships of power as strategic games between liberties – strategies that result in the fact that some people try to determine the conduct of others-and the states of domination, which are what we ordinarily call power. And, between the two, between the games of power and the states of domination, you have governmental technologies.

It can be argued that in Grasland “power relations take place between two free subjects” (1988:2). When the MMM is forcing people of Grasland, for instance to improvise in accessing sanitation because they [the municipality] have inadequately provided the basic service, they are exercising their power over people of Grasland. They have political and class power to provide basic services, but through perhaps their dysfunctional institutional settings, do not deliver it. This rationale is supported by Friedmann (2011:205) who states that there are “structural features that contributes to the differences in planning practice”, namely:

- Degree of local autonomy.
- Role of politics.
- Democratic traditions.
- Level of economic development.
- Prevalence of corruption.
- Planning education curricula.
- Political involvement of civil society.
- Profession status of planners.
- Institutional setting.
- Official language of planning discourse.

It may be argued that these differences in planning practice are produced by power relations. Power relations here are manifested through manipulation by the government over the people. Hence the idea of governmentality which, according to Torres (2013:1-2), “draws attention to the kind of rationality embedded in the actions aimed at understanding and controlling the various aspects of people's lives”. Furthermore, he postulates that this process influences central characteristics of people's survival, including concerns of well-being, shelter, labour, recreation, contentment and affluence.

However, for the purpose of this thesis, the state, although a critical role player in power relations, will not be discussed in detail; rather the focus is on the discourse produced by power relations from a constituency perspective, and in this case, the Grasland community. The focus on how the frame of reference is produced also speaks to the question of method. In the chapter '*The order of discourse*', Foucault (1981:48-78) analysed the internal economy of a discourse which was done in a manner that is different from the methods of traditional exegesis or linguistic formalism. A system of functional correlations between discourse and its relations to institutions was provided.

Furthermore, there are dominant (primary) and subordinate (secondary) discourses which take place at conscious and unconscious levels, and these discourses sketch the complexity of power relations. Thus, as Choules (2007:463-464) states, inequality, both within societies, and between people, is perpetuated by the ongoing unjust delivery of resources and control, influenced by not only unconscious, but by deliberate but resilient powers, which serve to ensure that the inequitable distribution of resources and power struggles continue.

3.4 OPPRESSION

Oppression shakes the very core of being human and it destroys visions, dreams, purpose, drive and enthusiasm. The concept of oppression is therefore very relevant to my work as it provides a conceptual framework for analysis of the construction and maintenance of social inequality upon which injustice is predicated. At the same time, it provides concepts for arguments of ways and means of contributing to the construction of just spaces.

[O]ppression refers to systemic constraints on social groups that are not necessarily the result of the intentions of the tyrant. Hence, oppression in this sense is structural, rather than the result of a few people's choices or policies and its causes are embedded in unquestioned norms, habits and symbols, in the assumptions underlying institutional rules and the collective consequences of following those rules (Young, 2000:41).

Additionally, oppression, as Young (2000:41) asserts, refers to the immense and profound prejudices members of certain structural social groups endure as a result of often unconscious expectations and responses of well-intentioned individuals in everyday relations, media and traditional generalisations and structural features of administrative orders and market apparatuses – in short, usual practices of daily life. Young contends that we cannot therefore eliminate this systematic oppression by getting rid of the rulers or

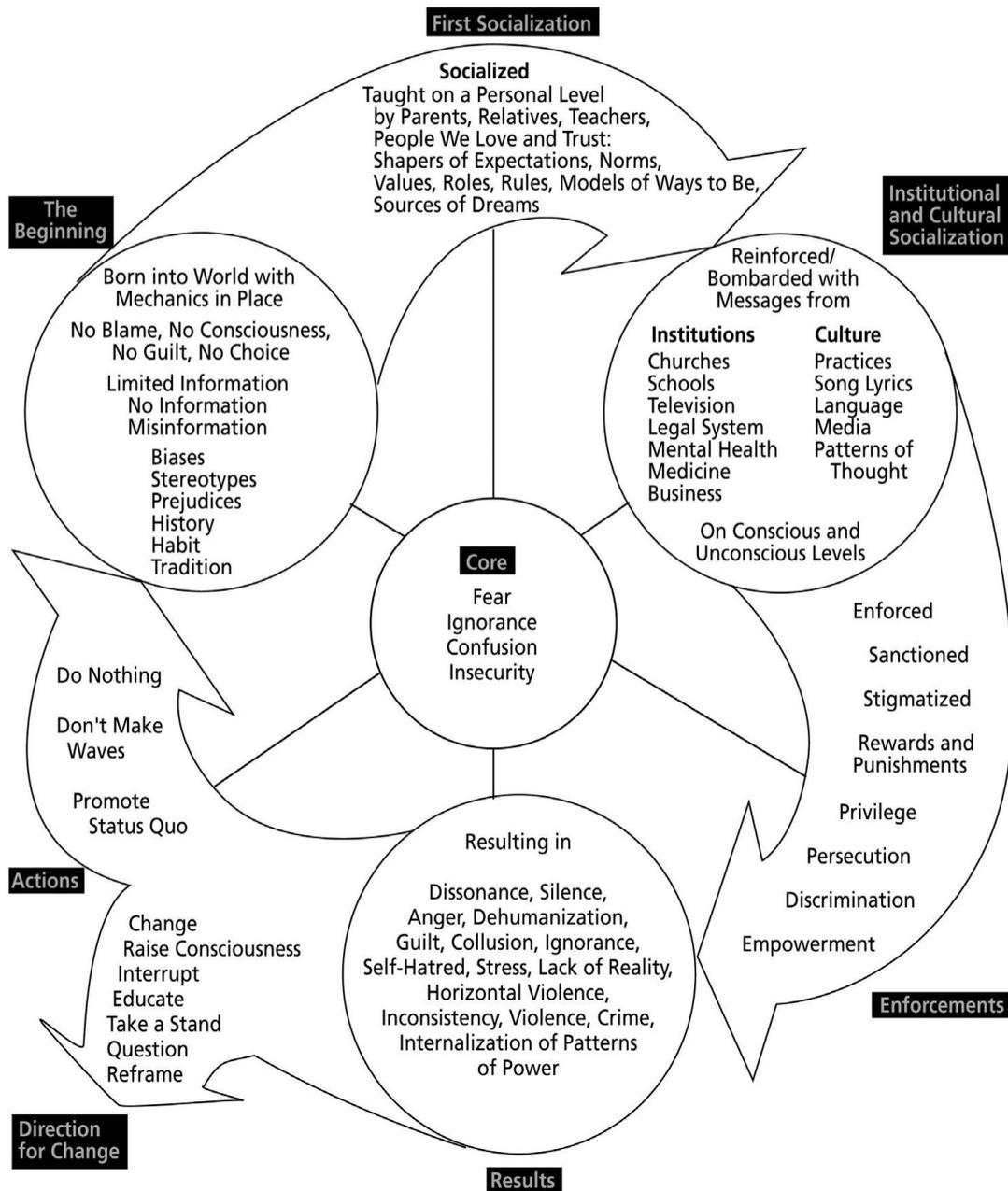
making some new laws, because oppressions are systematically reproduced in major economic, political and cultural institutions.

The systematic character of oppression implies that an oppressed group need not have a correlate oppressing group. For instance, while structural oppression involves relations among groups, these relations do not always fit the paradigm of conscious and intentional oppression of one group by another (Young, 1990:4). Therefore:

[T]o understand the meaning and operation of power in modern society we must look beyond the model of power as 'sovereignty', a dyadic relation of ruler and subject, and instead analyse the exercise of power as the effect of often liberal and 'human' practices of education, bureaucratic administration, production and distribution of consumer goods, medicine, and so on. Hence, the conscious actions of many individuals daily contribute to maintaining and reproducing oppression, but those people are usually simply doing their jobs or living their lives, and do not understand themselves as agents of oppression (Foucault cited by Young, 1990:41-42).

However, Foucault does not propose that within a structure of subjugation, singular individuals do not deliberately hurt others in dominated structural social groups. For example, a sexually assaulted woman, the battered black youth, the locked-out employee, the homosexual man hassled on the street, are preys of deliberate actions by recognisable oppressing structural social groups (Young, 1990:5).

One useful model that helps us understand how oppression operates, is the Cycle of Socialisation (Figure 3.2) by Bobbie Harro (2000:16) that sets out how we are conditioned to think and act in ways that promotes oppression. Harro (2000:15), states that in attempting to understand what roles we have been socialised to play, how we are affected by issues of oppression in our lives, and how we participate in maintaining them, we must understand that we get systematic training in how to be each of our social identities throughout our lives. This entails that the systematic nature of oppression calls for an understanding of its structural nature and not just what individuals do.



Source: Bobbie Harro (2000:16)

Figure 3.2: The cycle of socialisation

3.4.1 Levels of oppression

Oppression exists when one social group knowingly or unconsciously exploits another social group for its own benefit, hence: oppression = power + privilege and occurs at the following three levels (Hardiman et al., 2007:39-40):

1. **Individual level:** Beliefs or behaviors of an individual person, conscious or unconscious actions or attitude that maintains oppression.

2. **Institutional level:** *Institutions such as family, government, industry, education, and religion shape, and are shaped by, the other two levels. The application of institutional policies and procedures in an oppressive society run by individuals or groups who advocate or collude with social oppression produces oppressive consequences.*
3. **Societal/Cultural level:** *Society's cultural norms perpetuate implicit and explicit values that bind institutions and individuals; cultural guidelines, such as philosophies of life, definitions of the good, normal, health, deviance, and sickness, often serve the primary function of providing individuals and institutions with the justification for social oppression.*

3.4.2 Features of oppression

Additionally, oppression cannot just be a straightforward philosophy or a set of principles that emphasises dominance of one structural social group over another, nor can it be random violence, harassment, or discrimination towards members of target social groups; it is more than that (Hardiman et al., 2007:36).

Five features of oppression as highlighted by Hardiman et al. (2007:36-37) are:

- 1) **Pervasive:** *oppression fuses institutional and systematic discrimination, personal bias, bigotry, and social prejudice in a complex web of relationships and structures that saturate most aspects of life in our society.*
- 2) **Restrictive:** *Oppression denotes structural and material and material constraints that significantly shape a person's life chances and sense of possibility.*
- 3) **Hierarchical:** *Oppression also signifies a hierarchical relationship in which dominant or privileged groups benefit, often in unconscious ways, from the disempowerment of subordinated structural social groups.*
- 4) **Complex, multiple, cross-cutting relationships:** *Power and privilege are relative, however, since individuals hold multiple and cross-cutting social group memberships. For instance, as a black woman I am part of the subordinated structural groups but in terms of class I am part of the dominant structural social group, middle class.*
- 5) **Internalised:** *Oppressive beliefs are internalized by victims as well as benefactors. Oppressor doesn't have to exert any more pressure, because we now do it to ourselves and each other. Thus, divide and conquer now works.*

This thesis will show in Chapter 6 that the above features were very much evident in Grasland and will be discussed in some detail.

3.5 SOCIAL JUSTICE

In this section the meaning of social justice is discussed. The reason for doing this lies in the fact that social justice is one of the fundamental ideas that the researcher advocates both a human and a planner. However, defining social justice is not easy as it is a complex term that is used differently in multiple discourses for different reasons; thus, social justice has no universal definition and, as Miller (cited by Visser, 2001:5) posits, advancements in disciplines of politics and sociology require that social justice discourses can, and in fact should, be shaped and revised in view of how policy-makers and the societies they represent, understand social justice.

Furthermore, Visser (2001:5) advances that the studies related to the definition of social justice, suggest that both empirical results and academic concerns are currently misplaced from the text of geographic theorisation of social justice. This suggests that considerations in several pragmatic environments are hugely different and more widely located in geographical and historical contexts than current debates suggest. Consequently, it is within this backdrop of the widely interpreted and conceptualised theories of social justice; that this section attempts to provide some definitions of social justice in relation to a conceptual framework encompassing some theories of social justice.

The lack of a universal definition of social justice, according to Chetty (1998:9), is influenced by its subjective nature as it invokes dissimilar meanings in the minds of different groups and individuals. For instance, events which could seem like social aberrations today, such as repression, imperialism, and racial segregation, were at one stage thought lawful and publicly deemed as impartial by particular structural social groups of people. This was influenced and depending upon the social views prevailing at that point and location within that epoch.

For the purpose of this study, social justice is defined as values, process and practices for empowerment that disallow oneself to be oppressed, the promotion of values that disincline one to oppress others, and practices that enable equality and justice. Hence, the researcher adopts the holistic definition of Bell (1997:3):

Social justice is includes a vision of society in which the distribution of resources is equitable and all members are physically and psychologically safe and secure. We envision a society in which individuals are both self-determining (able to develop to their full capacities [and capabilities]) and interdependent (capable of interacting democratically with others).

Furthermore, social justice includes actors who have a sense of their own agency, as well as a sense of social responsibility toward and with others and the society as a whole. Therefore, Bell (1997:3) believes that the route for achieving social justice should be democratic and participatory, inclusive and affirming of human agency and human capacities and capabilities for working collaboratively to create change.

For Choules (2007:463) social justice refers to a society committed to equality of (negotiated) outcomes for all in which power and resources are equitably distributed and nobody is excluded from full participation in society on the basis of factors such as gender, religion, ethnicity, socio-economic group, nationality, ability/disability, or sexuality .

However, advancing a social justice practice in a society saturated with repression is no simple act. Accordingly, social justice attempts to challenge and influence the change of structural and systemic injustice in which certain groups are singled out for less favourable treatment and others are privileged. It refers to a utopian vision for the world, a process or way of being in the world and to a set of values (Bell, 1997:1).

3.5.1 Distributive social justice

There has been a need for countries to provide assistance for often marginalised citizens, resulting from discriminatory and oppressive practices embedded in society. Consequently, the attempt to provide assistance to marginalised social groups often produces different standards or perceptions of what social justice is. One of these standards is the view of social justice as distributive. Distributive social justice refers to the distribution of goods such as infrastructure, water, and electricity. However, even though this section provides a discussion on distributive social justice, the point of departure for this thesis is that it does not only discuss distributive social justice, but attempts to adopt a holistic view of the meaning of social justice, including what the researcher terms 'critical social justice theory'.

3.5.1.1 Rawls' definition of social justice

The argument that society's goods must be distributed equally is strongly conveyed by Rawls (1985:223) who contends that the correct principles of justice are those that would be agreed to by free and rational persons, placed in the 'original position' behind a veil of ignorance: not knowing their own place in society, their class position, race or sex, age, their abilities or intelligence, or strengths, or even their conception of the good. Accordingly Rawls (1985:223-225) derives two principles of justice to regulate the distribution of liberties, and of social and economic goods in the real world. These principles are:

- 1) **Principle of equal liberty:** Each person has an equal right to the most extensive liberties compatible with similar liberties for all (Egalitarian).
- 2) **Difference principle:** Social and economic inequalities should be arranged so that they are both (a) to the greatest benefit of the least advantaged persons, and (b) attached to offices and positions open to all under conditions of equality of opportunity.

Hence, Rawls (1999:21) differs with the notion of utility as he posits that utilitarianism does not protect people from being suppressed by institutional organisations. Instead, he argues that utilitarianism allows for a certain degree of subordination and privileges those that are born advantaged. Hence, Rawls' thinking was that a theory of justice cannot let disadvantages to some be justified by advantages to others.

3.5.1.1.1 Critique of Rawl's theory

Kymlicka (cited by Johnson, n.d.: online) argues that:

[W]hile Rawls rules out inequalities determined by both social circumstance and talents and abilities, he appears to allow inequalities based on choices and efforts. But this conflicts with his [Rawl's] own Difference Principle, which allows no inequalities that are not to the benefit of the least well-off position in society and open to all. In any event, Rawls holds that it is not how inequalities are determined which makes them just or unjust. Rather, it is whether inequalities, however determined (at least, consistently with the Liberty Principle), are to the benefit of the least well-off and open to all.

While distributive issues are crucial to a satisfactory conception of justice, argues Young (1990:15), it is an error to condense social justice into just delivery of services. Furthermore, Rawls (cited by Young, 1990:16) describes a "conception of just as providing in the first instance a standard whereby the distributive aspects of the basic structure of society are assessed". According to Young (1990:16), the difficulty with the distributive supposition is that it tends to centre thoughts about social justice on the distribution of quantifiable things, such as properties, revenue, and capital, or on the distribution of social positions, especially careers. Furthermore, this focus tends to disregard the social organisation and the established context that often help control distributive arrangements (Young, 1990:15-16).

3.5.2 Critical social justice theory

The inclusion of a "critical social justice theory" is based on the fact that social justice cannot be naively defined and incorporated in planning, especially in those contexts, like that of South Africa, that are characterised by the prevalence of inherited spatial, social,

ecological and political inequalities. Young (cited by Uhde, 2010:152) “emphasizes that the goal of a critical theory is to uncover, with the help of a critical imagination, the emancipative and normative potential of certain elements of reality, whilst at the same time grounding the theory in an existentially experienced conflict between ideals and practice as forms of injustice”.

Unlike Rawls, Young (1990:15-17) maintains that contemporary theories of justice are dominated by a distributive paradigm, which tends to focus on the possession of material goods and social positions. This distributive focus, however, obscures other issues of institutional organisation at the same time that it often assumes particular institutions and practices as given.

Some distributive theories of justice explicitly seek to take into account issues of justice beyond the distribution of material goods (Young, 1990:24). They extend the distributive paradigm to cover such goods as self-respect, opportunity, power and honour. Hence, this extension can be termed as “critical social justice theory”, because the focus is not just to distribute good, but to take into account how, by whom and for whom these goods are distributed. Young (1990:27-30) further argues:

[As] a result of the extension of the distributive paradigm to be more inclusive of social issues and organisation, serious conceptual confusion results, from attempting to extend the concept of distribution beyond material goods to phenomena such as power and opportunity. Hence, the logic of distribution treats non-material goods as identifiable things or bundles distributed in a static pattern among identifiable, separate individuals. Thus, the reification, individualism, and pattern orientation assumed in the distributive paradigm, moreover, often obscure issues of domination⁴ and oppression⁵ which require more process-oriented and relational conceptualisation.

Additionally, Young (1990:33) posits that “oppression and domination should be the primary terms for conceptualising injustice because distributive models of power, rights, opportunity, and self-respect work so badly”. Young further argues that, the concept of justice should not be conceived primarily on the model of distribution of wealth, income, and other material

⁴Young (1990:38) claims that “domination consists in institutional conditions which inhibit or prevent people from participating in determining their actions or the conditions of their actions. Persons live within structures of domination if other persons or groups can determine without reciprocation the conditions of their action, either directly or by virtue of the structural consequences of their actions. Thorough social and political democracy is the opposite of domination.”

⁵Young (1990:38) posits that “oppression consists in systematic institutional processes which prevent some people from learning and using satisfying and expansive skills in socially recognized settings, or institutionalized social processes which inhibit people's ability to play and communicate with others or to express their feelings and perspective on social life in contexts where others can listen. While the social conditions of oppression often include material deprivation or maldistribution, they also involve issues beyond distribution.”

goods. Subsequently, these models suggest that theorising about justice should explicitly limit the concept of distribution to material goods, like natural resources, or money. Instead, she argues that the scope of justice is wider than distributive issues – there may be additional non-distributive issues of justice such as decision-making, division of labour and culture (Young, 1990:33).

3.5.2.1 Young's definition of social justice

Social justice is defined by Young (1990:37) as “the entrenched settings that make it conceivable for everyone to acquire and utilise sustaining skills in socially recognised settings, to share in decision-making, and to articulate their viewpoints, understanding, and outlooks on social life in contexts where others can listen”. Hence, this understanding of social justice specifies a certain range of distributive outcomes, especially since social justice in modern industrial societies requires a societal commitment to meeting the basic needs of all persons whether or not they contribute to the social product. Young argues that if persons suffer material deprivation of basic needs for food, shelter, health care, and so on, then they cannot pursue lives of satisfying work, social participation, and expression (Young, 1990:37).

What is particularly interesting about Young's (1990:37) definition of social justice is that she contends that social justice equally requires participation in public discussion and processes of democratic decision-making where all persons should have the right and opportunity to participate in the deliberation and decision-making of the institutions to which their actions contribute or which directly affect their actions. Young (1990:37) further suggests that such democratic decision-making processes should regulate decision-making not only in government institutions, but in all institutions of collective life, including, for example, production and service enterprises, universities, and voluntary organisations. Hence, social justice is the elimination of institutionalised domination and oppression.

Young (1990:33) posits that the scope of justice is wider than distributive issues, comprising everything political. Hence, it is argued that politics influences the perpetuation of injustice whilst claiming to promote justice; especially where “more powerful individuals and institutions, often have more interest in maintaining the status quo than changing the processes and their outcomes” (Young, 2003:18). For Young (2006:114), “structural injustice is a kind of moral wrong distinct from the wrongful action of an individual agent or the wilfully repressive policies of a state. Structural injustice occurs as a consequence of

many individuals and institutions acting in pursuit of their particular goals and interests, within given institutional rules and accepted norms.”

Hence, argues Uhde (2010:153), for Young oppression and domination are social practices, which are accomplished in intersubjective interactions and which cannot be comprehended by the reasoning of distribution, because it is not simply a case of the unjust distribution of opportunities, rights, resources or recognition, but also a case of the established or institutionalised processes in which some people are not able to exercise and develop their capabilities, express their own opinion and experience and participate in defining conditions for actions. Consequently, these institutionalised processes, according to Young, perpetuate structural injustice.

3.5.2.1.1 Critique of Young's social justice theory

Some critiques of Young argue that her proposition that domination can be eliminated by way of inclusive democratic dialogue and recognition of social and cultural difference is not a sufficient condition for the elimination of oppression, although a necessary condition for the struggle against oppression (Uhde, 2010:164).

Frazer (1997:129) claims that in everyday life experiences we do not encounter an either/or choice between social politics and cultural politics, redistribution and recognition, although it is possible in principle to have both. Hence, in her critique of Young, Fraser (1997:129) points out that the remedy for at least two of Young's structural injustice (oppression and domination), the two most clearly related to social class, involves the redistribution of material resources. Fraser argues that, while redistribution would not automatically dissolve other kinds of injustice, such as economic exploitation and marginalisation, which generate and reproduce the material inequalities of class, these problems are not answered by the politics of recognition and respect for difference that Young advocates. Fraser (1997) identifies three different kinds of differences:

- The first kind is identified in oppression which “stunts skills and capacities”. Fraser (1997) argues that some, though not all, are rooted in class difference, and this kind of difference should be eliminated.
- Her second type of difference is found among culturally marginalised groups, and is associated with positive attributes which are undervalued or not recognised by dominant groups or cultures (for example qualities such as nurturance, relationality, and so on). Fraser (1997) believes that the latter should not be eliminated, but universalised

because they are good qualities for everyone to possess and it should not be left to those who 'specialise' in the development of these qualities – paradigmatically women – to carry the whole burden of and responsibility for them.

- The third type brings Fraser closest to Young's "politics of recognition". Fraser seeks to define justice as involving issues of both economic distribution and cultural recognition, and to show that these two irreducible aspects of justice are not necessarily incompatible. Struggles for distributive and cultural justice can be made more compatible, for instance, if they are pursued through strategies that promote group de-differentiation rather than strategies that exacerbate the differences – and hence potential resentments – between individuals or between groups. Thus, Fraser (1997: argues that struggles for cultural and economic justice do not inevitably conflict and, further, should be combined.

According to Fraser (1997:128-129), Young seems to find it difficult to develop a sustained focus on the hidden and not so hidden injuries of class. Although she does touch upon them she has a rather easy acceptance of the need for redress, without any serious consideration of what a politics of redistribution might involve.

3.5.2.2 Hayek's definition of social justice

Hayek's view (cited by Visser, 2001:34) of social justice is that its meaning is multiple and diverse, located and bounded to multiple interpretations of the human condition. Consequently, he challenges the notion that there can be a theory of social justice that captures this diversity. Leary (2002:1) stated that the notion of social justice needed to be attacked, according to Hayek, because, despite its meaninglessness, it was used "to insinuate that we ought to consent to a demand of some particular group".

Justice for Hayek, intended to mean the "rules of just conduct"⁶, and Leary posits that Hayek believed the rules to be the result of the process of social progression. Hence, for Hayek the term *justice* "can be properly applied only to deliberate human actions". For instance, Hayek posits that a "free market is by definition made up of the deliberate actions of many individuals, but because these actions are uncoordinated, responsibility for their remote results cannot properly be attributed to the relevant individuals". Consequently, a

⁶Strictly speaking, only human conduct can be called just or unjust. If we apply the terms to a state of affairs, they have meaning only in so far as we hold someone responsible for bringing it about or allowing it to come about. A bare fact, or a state of affairs which nobody can change, may be good or bad, but not just or unjust" (Hayek, 1982:198).

tribute of the term *justice* to the results of exchanges in a free market is a “category mistake” (Leary, 2002:1).

3.5.2.2.1 Critique of Hayek’s justice theory

According to Gray (cited by Leary, 2002:31-32), Hayek’s argument in opposition to the notion of social justice disappoints on several grounds:

First, his narrow conception of social justice, as the imposition on a market-based society of a particular distribution of wealth by an authoritarian - socialist - government, ignores social democratic conceptions on which wealth is redistributed according to democratically determined criteria that follow after the market processes have been completed. Secondly, Hayek’s restriction of the conception of justice to the ‘rules of just conduct’ encounters overwhelming difficulties. Apart from the grounds for doubting his evolutionary explanation of their nature and origin, Hayek fails to avoid the ‘naturalistic fallacy’⁷. Hayek denies the possibility of a normative justification for the rules that evolved in our moral traditions. However, he provides just such a justification in the reason he advances for regarding a market-based society as superior to a socialist society: the power of the market to generate the knowledge and wealth necessary for the survival of our civilisation. The rules evolved to underpin spontaneous orders ... may not be sufficient to provide essential guidance to a free society: rules of limited government, and rules to prevent breaking of rules which are in the obvious public interest when it is in our private interest to do so.

[In addition] rational constructivist intervention in social processes may also be necessary when the biases inherent in spontaneous orders bring them into conflict with other orders on which human survival depends, as in the case of a clash between the demands of the market order and those of the natural order.

Hence, according to Leary (2002:25), “Hayek’s condemnation of the notion of social justice as a category error begs the question” in dispute, namely, how justice is to be defined.

3.5.2.3 Nozick’s definition of social justice

The view of social justice held by Nozick (cited by Visser, 2001:34) advocates for the following:

⁷“In promoting spontaneous orders – orders that evolve in a process of cultural evolution – as ‘efficient’, ‘beneficial’, and ‘advantageous’, Friedrich A. Hayek (1899-1992) has often been attributed the belief that there is something desirable about them. For this reason, he has been accused of committing the naturalistic fallacy, that is, of trying to derive an ‘ought’ from an ‘is’. It appears that Hayek was quite aware of the charge, and vigorously disputed it: ‘I have no intention to commit what is often called the genetic or naturalistic fallacy,’ he wrote (1988, p. 27). Taking their cue from such remarks, Douglas Glen Whitman and Bruce Caldwell, among others, have argued that Hayek in fact denied that evolved orders tend to be desirable. According to their reading, Hayek’s theory of cultural evolution is a purely explanatory – not justificatory – device” (Angner, 2004: online).

[R]ecognition of an initial state of affairs which can be accepted as just and advances that to argue that any outcome will also be just provided that it arises from a just process of property transfers. Thus, no particular distribution is just in itself. Where the transfer of property was not agreed to by the holder of that property, the rectification of this position is sought by retracing the line of ownership and re-instating ownership to the most distant legitimate owner of that property.

Young (1990:28) argues that Nozick's theory does not, however, take into account structural effects of the actions of individuals that they cannot foresee or intend, and to which they might not agree if they could. Nevertheless, Young (1990:28) agrees that Nozick's criticism of end-state theories⁸ for ignoring social processes is apt. Hence, this thesis argues that there is no single approach of working towards a socially just society, but strongly agrees with Young's (1990:15) conception of social justice as the elimination of institutionalised domination and oppression.

3.5.3 Planning practice in relation to social justice

For a social justice definition that relates to urban planning specifically, Harvey (cited by Thomas (2012:361) suggests that plans and policies that support social justice must avoid six possible forms of oppression, namely: marginalisation, powerlessness, violence, and cultural imperialism, the exploitation of labour in the workplace or the home, and environmental degradation. Likewise, Fischer (cited by Thomas, 2012:361) echoes Harvey's warnings about the difficulty of definition: he suggests that a call for social justice is "an invitation to engage in a discourse" rather than a simple two- or three-part phenomenon. He notes that deliberative discourse could lead to anything from improved participation to social and political transformation.

Authors such as Pratt and Smith (cited by Visser, 2001:1675) posit that the "[u]niversalist concerns about social justice are accommodated by insisting that governance institutions propagate equality and equity in the process". Furthermore, "this 'new' position is increasingly expressed in theoretical work concerned with social justice generally ... and in policy guidelines for the 'developing world' in particular ... This reworked position has become a 'new' normative statement of what social justice ought to be, though its proponents are reluctant to develop it as a theory in itself" (Visser, 2001:4).

⁸End-state approaches to justice, Nozick argues, operate as though social goods magically appear and get distributed. These ignore the processes that create the goods and produce distributive patterns, which they find irrelevant for evaluating justice. For Nozick, only the process is relevant to evaluating distributions (Young, 1990:28).

3.5 Citizenship

Citizenship is a fluid and often contentious concept. There is no universal definition of what citizenship is. The concept has evolved over time to mean different things within different contexts. According to Bachmann and Staerke (2003:10), while the idea of citizenship may nowadays be universal, its meanings are not; definitions of what it entails to be a citizen vary significantly across national contexts, since domestic laws about who are citizens vary from state to state. Some (Dunne, 2006:7) argue that a strong link between citizenship and modernity exists and that as moderns we have inherited two different conceptions of citizenship from the ancient world (Pock cited by Dunne, 2006:7).

The first of these is the Roman idea of citizenship as a legal status, entitling a person to certain defined rights and immunities in exchange for some degree of loyalty and allegiance. Pock argues that we still have this idea today; it is what a passport guarantees to its holder in terms of rights to residence, travel, security, welfare, ownership and disposal of property and legal redress in the case of any infringement of these rights (Dunne, 2006:7).

As Honohan (cited by Dunne, 2006:7) argues, we have also inherited a more robust conception of citizenship from the Athenian *polis* or city-state. Here, citizenship was not reduced to a legal status guaranteeing entitlements; it was, rather, a challenging and always precarious achievement, as the dignity of being a citizen was an essential aspect of the dignity of being human, which consisted in the capacity to speak and act – and thus to seek out and live a good life.

Within the South African context, citizenship is assumed to mean democratic citizenship by way of the country governed under democracy. Yiftachel (2011:129) defines democratic citizenship as “full and equal membership in a political community [that] entails a combination of legal, political, economic, and cultural rights and capacities. In most recent formulations, full citizenship also means the extension of collective rights to national, ethnic and religious minorities”. The latter definition is adopted as the working definition for this thesis.

3.6 HUMAN SETTLEMENTS

The Vancouver Declaration on Human Settlements (1976) conceptualised human settlements as meaning “the totality of the human community – whether city, town or village – with all the social, material, organizational, spiritual and cultural elements that sustain it”.

This same conference similarly acknowledged that “the improvement of the quality of life of human beings is the first and most important objective of every human settlement policy”, stating that the foundation of human settlements comprises physical elements and services to which these elements provide the material support. The physical components comprise:

- **Shelter**, namely the superstructures of different shapes, sizes, type and materials erected by mankind for security, privacy and protection from the elements and for his singularity within a community.
- **Infrastructure**, namely the complex networks designed to deliver to or remove from the shelter people, goods, energy or information. Services cover those required by a community for the fulfilment of its functions as a social body, such as education, health, culture, welfare, recreation and nutrition.

A human settlement, according to Bennett (2010:1), is an area where humans live and this place could be anything from a remotely located homestead to a large city (settlement with over 10 million people) and can either be temporary or permanent. The reason why a settlement developed in the first place is said to be its function.

Killian, Fiehn, Ball and Howells (2005:5) suggest that human settlements are distinguished by a range of factors such as landscape, locality, size, proximity and government structures. Therefore, it is not always easy to identify and distinguish between different types of settlements. Conversely, the term *human settlements* is an integrative concept that comprises: (a) physical components of shelter and infrastructure; and (b) services to which the physical elements provide support, that is to say, community services such as education, health, culture, welfare, recreation and nutrition (United Nations, Glossary of Environmental Statistics, 1997:1).

Some human settlements are temporary, claims Bennett (2010:1), including such things as refugee camps. Furthermore, some temporary settlements have over time become permanent such as the Rochina, the largest favela in Rio de Janeiro, Brazil. Bennett (2010:1-3) provides three characteristics of human settlements, namely:

- Site and situation of a settlement.
- Functions of a settlement.
- Settlement hierarchy.

Bennett (2010:2) breaks down these characteristics in the following manner:

1. **Site and situation of a settlement**

The site and situation of a settlement are very different things. The site of a settlement is the land upon which it was built and there are a range of factors that can determine the site of a settlement. These are:

- Wet point site – these are sites close to a supply of water.
- Dry point site – these are sites that avoided the risk of flooding.
- Defensive site – these were sites that were on high ground and allowed the inhabitants to see enemies from a distance.
- Aspect – many settlements in the northern hemisphere are located on south-facing sides of valleys where it is sunny.
- Shelter – away from rain and prevailing winds.
- Trading point – often settlements developed where natural trading points meet, such as along rivers or natural route ways.
- Resources – many settlements developed close to where natural resources could be found.

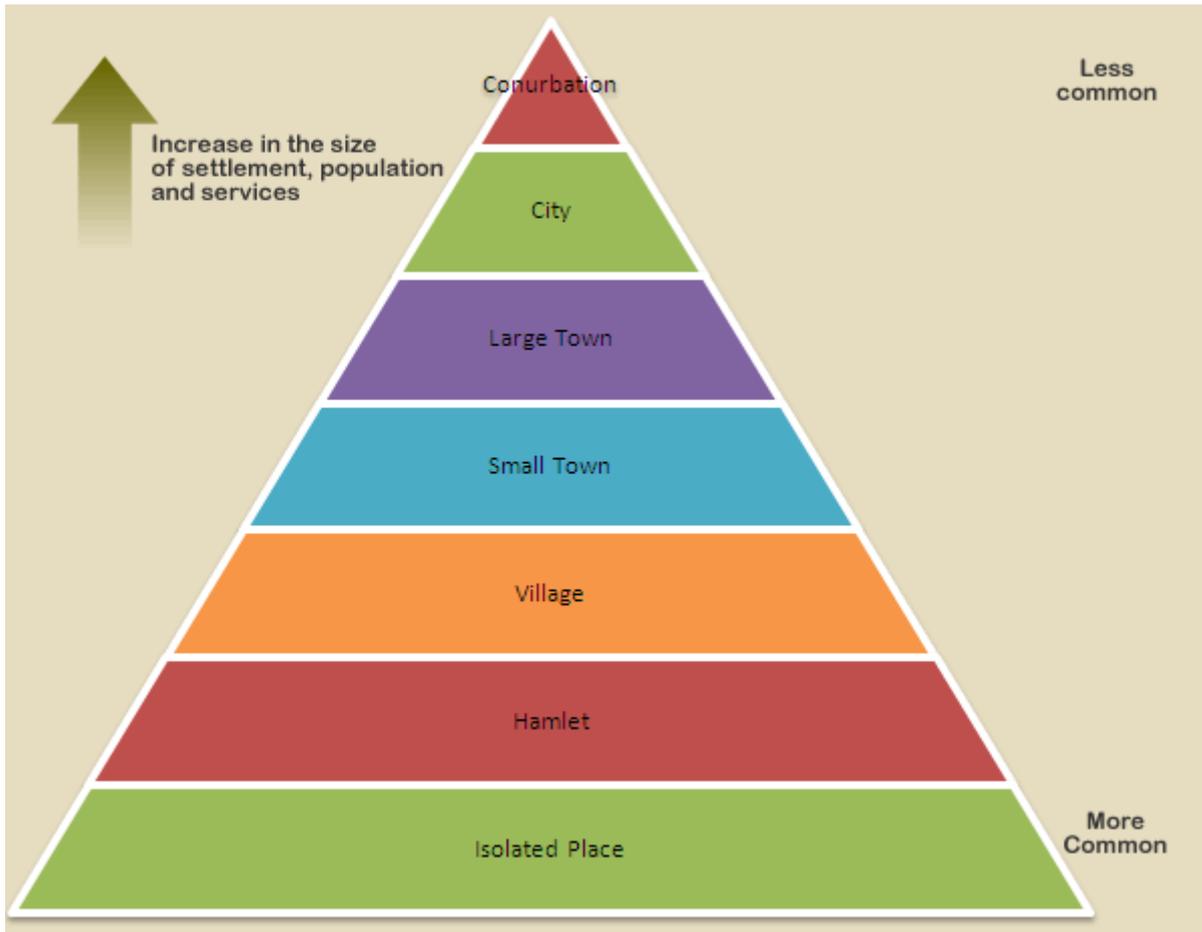
Hence, the situation of a settlement is its location in relation to surrounding human and physical features and usually is described when we are telling someone where a settlement is. For instance, the situation of Grasland settlement is that it does not have adequate basic services although it is only 10 km away from the city-centre.

2. **Functions of a settlement**

Some settlements have multi-functions and these include education, retail and industry. However, when settlements first formed they often had one main function, such as a port, market town or resort.

3. **Settlement hierarchy**

Settlements can be categorised according to their size and shape, resulting in a settlement hierarchy (Figure 3.3).



Source: Bennett (2010:2)

Figure 3.3: Settlement hierarchy

Bennett (2010:3) explains that as you step up the settlement hierarchy, the size of the settlement increases, as does the populace and the choice of services available. For instance, smaller settlements tend to provide only low-order services such as a post office and news agents, whereas larger settlements have more high-order services such as leisure centres and retail chain stores. Consequently, the larger the settlement, the more massive the range of services available, plus the market area or sphere of influence. Also, this is the market area that a settlement services (the distance people will travel to use services).

Bennett (2010:3) concludes that high order services usually have a high threshold. Meaning, they require a greater number of people to use the service in order to remain profitable. This means high-order service such as department stores need a greater number of customers than a low-order service such as a news agent, explaining why there are so few department stores in rural communities.

3.6.1 Hierarchies and types of settlements in South Africa

South Africa has a settlement hierarchy that comprises settlements of varying sizes and geographic locations; places that are urban and rural, planned and unplanned (Kilian et al., 2005:5). Unfortunately, in South Africa the task of providing examples of towns and villages that represent the different settlement types is extremely complex, due to the introduction of wall-to-wall municipalities (Council for Scientific and Industrial Research, CSIR, 2012:10). Nevertheless, TABLE 3.1 provides an example of the classification of settlement types and catchment sizes in South Africa.

TABLE 3.1: CLASSIFICATION OF SETTLEMENT TYPES AND CATCHMENT SIZES

| | Hierarchy of Settlements | Catchment Size (Number of People) | Examples of Settlement Types |
|----------|--|-----------------------------------|---|
| A | Metropolitan cities/regions | >1 000 000 | Johannesburg, eThekweni, Cape Town |
| B | Large cities/small metros | 350 000 – 1 000 000 | Port Elizabeth, Bloemfontein, Pietermaritzburg, Welkom |
| C | Large towns/regional service centres | 100 000 – 350 000 | Nelspruit, Witbank, Krugersdorp, Newcastle, George, Stellenbosch |
| D | Small to medium towns/regional service centres | 60 000 – 100 000 | Ermelo, Harrismith, Mossel Bay, Bethlehem, Bronkhorstspuit, Grahamstown |
| E | Small towns/isolated regional services | 25 000 – 60 000 | Mount Fletcher, Delareyville, Beaufort West, Graaff-Reinet, Kokstad |
| F | Dense dispersed settlements (Large continuous development with 10+ persons per hectare and up to 10km ² in extent) | 10 000 – 100 000 | Ingwavuma, Jozini, Acornhoek |
| G | Villages | 5 000 – 25 000 | Merweville, Stella |
| H | Remote villages (villages more than 20 km from larger settlements) | 500 – 5 000 | Prieska, Pofadder, Loxton, Keiskamma |

Source: CSIR (2012:11)

3.6.2 Housing

Housing is intrinsically linked to human settlements, in that where people reside, there is always a need for shelter, which is a basic human need. Hence, housing is meant to satisfy basic human needs for shelter and security by providing protection against climatic conditions (excessive heat and cold) and unwanted intrusion from insects, rodents and environmental nuisances such as noise that may be harmful for health and well-being. Furthermore, housing contains household activities and possessions (Lawrence 2004:491).

The argument then is that it is everyone's right to have access to adequate housing. This assertion is supported by the UN Habitat (Vancouver Declaration on Human Settlements, 2009:1) when it posits that "adequate housing was recognized as part of the right to an adequate standard of living in the 1948 Universal Declaration of Human Rights and in the 1966 International Covenant on Economic, Social and Cultural Rights". Furthermore, the UN Fact Sheet 21 (United Nations, 2009:3) acknowledges that the right to adequate housing is applicable to all states and that this right should not be defined narrowly, but should be seen as the right to live somewhere in security, peace and dignity.

3.6.2.1 The characteristics of the right to adequate housing

A set of characteristics of the right to adequate housing is clarified mainly in the United Nations' Committee's general comments No. 4 (1991) on the right to adequate housing and No. 7 (1997) on forced evictions (United Nations, Fact Sheet No. 21, 2009:3-5) as follows:

1. The right to adequate housing contains freedoms.

These freedoms include:

- *Protection against forced evictions and the arbitrary destruction and demolition of one's home;*
- *The right to be free from arbitrary interference with one's home, privacy and family; and*
- *The right to choose one's residence, to determine where to live and to freedom of movement.*

2. The right to adequate housing contains entitlements.

These entitlements include:

- *Security of tenure;*
- *Housing, land and property restitution;*
- *Equal and non-discriminatory access to adequate housing;*
- *Participation in housing-related decision-making at the national and community levels.*

3. Adequate housing must provide more than four walls and a roof.

A number of conditions must be met before particular forms of shelter can be considered to constitute 'adequate housing.' These elements are just as fundamental as the basic supply and availability of housing. For housing to be adequate, it must, at a minimum, meet the following criteria:

- *Security of tenure: housing is not adequate if its occupants do not have a degree of tenure security which guarantees legal protection against forced evictions, harassment and other threats.*

- Availability of services, materials, facilities and infrastructure: *housing is not adequate if its occupants do not have safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage or refuse disposal.*
- Affordability: *housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights.*
- Habitability: *housing is not adequate if it does not guarantee physical safety or provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards.*
- Accessibility: *housing is not adequate if the specific needs of disadvantaged and marginalized groups are not taken into account.*
- Location: *housing is not adequate if it is cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or if located in polluted or dangerous areas.*
- Cultural adequacy: *housing is not adequate if it does not respect and take into account the expression of cultural identity.*

4. Protection against forced evictions.

Protection against forced evictions is a key element of the right to adequate housing and is closely linked to security of tenure.

Consequently, as Chaudhuri (cited by Govender, Barnes & Pieper, 2011:335) contends, insecure tenure of housing and inadequate prospects of secure employment make living circumstances challenging for the disadvantaged worldwide. 'Challenging' living circumstances consists of badly built housing from sub-standard quality building materials and inadequate building capabilities; the poor allocation of housing such as on contaminated or disaster prone sites; limited basic services like clean water, garbage collection and sewage treatment.

The above statement raises a very crucial question: How do we ensure the right to security of tenure within a context that bases its housing policy on an income-related capital subsidy? For instance, in South Africa the dominant element of its housing policy is based on an income-related capital subsidy, aimed at purchasing land, securing tenure, delivering infrastructure services and a basic house for qualifying households. The subsidy (as stated in Chapter 1) was meant as a once-off 'contribution' by the state, aimed at meeting the ANC's objective of "housing for all". Furthermore, applicants qualify for the capital subsidy by meeting a range of criteria, most notably by demonstrating South African citizenship, household income below R3 500 per month and supporting dependents where the applicant is single (Charlton & Kihato, 2006:254).

3.6.3 Informal settlements

Informal settlements in South Africa have been continuing to grow despite many attempts to 'do away' with them. Boaden (1990:75) postulates that informal settlements represent the actions of the very poor and not-so poor, to house themselves without the subsidies from government or from employers, which are commonly available to wealthier people. Hence, the informal settlements are the response of people to the reality that alternative, affordable housing is not available. Whether the informal settlement in the form of illegal squatting on land or the building and occupation of illegal structures, is beside the point; the informal settlements in metropolitan areas are an inevitable consequence of the housing shortage.

Mabin (1992:19) remarks that South Africa's informal settlements vary greatly in their setting, population size, density, social stratification, levels of wealth and poverty and social organisation, political division and conflict. People come to live in such settlements for a variety of reasons. Fundamental to their motives is usually the question of finding places to live.

Stokes (cited by Kiddle, 2010:882) proposed that informal settlements in developing countries have the potential to be gradually incorporated into the more formally built environment through a process of incremental housing improvement, initiated and completed by settlers themselves. However, Boaden (1990) disputes the latter statement as a myth – that informal settlements are purely a technical problem that can be overcome by introducing innovative and cheap methods of construction together with affordable levels of services.

3.7 CONCLUSION

This chapter has presented a conceptual framework that builds on the argument in Chapter 2 about the complexities and limits of promises regarding planning, more especially within a context of South Africa. The purpose of this chapter was to present a conceptual framework in which this thesis is situated and to be applied to the succeeding chapters.

The chapter, firstly, highlighted the key theoretical debates regarding the conceptualisation of concepts such as *planning*, *social justices*, and *power*. It acknowledged that the concept of *planning* is confusing because of its inherent ambiguity, and different definitions to illustrate this assertion were provided. It was noted that the thesis does not reject entirely the North-West conceptualisation of planning, but to explain that their conceptualisation of

planning does not do justice to African contexts as it presents application challenges as a result of some of the complexities outlined in Chapter 2.

A discussion on the systematic character of oppression was further provided, emphasising that the society conditions us to think and act in ways that promotes oppression. Thus, the systematic nature of oppression calls for an understanding of its structural nature and not just what individuals do. Hence, the chapter highlighted the situation regarding informal settlements continuing to grow despite many attempts to 'do away' with them. The argument being that this growth of informal settlements represented the actions of people as a response to the reality that alternative, affordable housing is not available in South Africa. Whether this alternative housing was in the form of illegal squatting on land, or the building and occupation of illegal structures, was beside the point. The emphasis was that the informal settlements in metropolitan areas are an inevitable consequence of the housing shortage.

The discussion illustrated that all these complexities produce differences in how, for instance, politicians provide basic services and subsequently relate to the society at large. The next chapter will present a legal and policy framework in which access to basic service delivery is located in South Africa.

CHAPTER 4

THE LEGISLATIVE AND POLICY FRAMEWORK IN SOUTH AFRICA

4.1 INTRODUCTION

For the better part of the last 20 years, the legal and policy framework for planning in South Africa has been in a state of considerable flux. Even before the political and constitutional transformation that took place in 1994, there were ambitious attempts in the late 1980s and early 1990s to reform the planning and land-related laws at both national and provincial levels. However, since 1994 the planning systems in South Africa had been plagued by ongoing uncertainties as to what the substantive scope of planning laws should be, and which planning powers should be exercised by each of the different spheres of government, namely: National, Provincial and Local.

The result of this uncertainty was that the legal frameworks' governing planning and land use management devised by the apartheid and colonial regimes prior to 1994, have remained firmly in place (Berrisford & Kihato, 2008:377). This is evident in the fact that municipalities operate within a complex regulatory and policy framework.

In Chapter 3, this study deliberated on a conceptual framework. The purpose of this chapter is to outline the national and municipal legislative and policy framework of South Africa from a basic services context, starting from the early 1990s to 2014. The chapter will also incorporate a discussion of different arguments and perspectives regarding how, even though the policy and legislative framework is in place in South Africa, it was not adequately implemented, was abandoned, or was not realistic of the context in which it had to be implemented; due to pressures of some sort.

4.2 NATIONAL LEGISLATIVE AND POLICY FRAMEWORK

4.2.1 The White Paper on Reconstruction and Development of 1994

The White Paper on Reconstruction and Development Programme (referred to as RDP White Paper) was envisioned as a policy framework for integrated and coherent socio-economic progress, aiming to mobilise all people and [the] country's resources toward the eradication of the results of apartheid. Its goal [was] to build a democratic, non-racial and

non-sexist future and it represented a vision for the fundamental transformation of South Africa by:

- *developing strong and stable democratic institutions*
- *ensuring representivity and participation*
- *ensuring that South Africa became a fully democratic, non-racial and non-sexist society*
- *creating a sustainable and environmentally friendly growth and development path* (South Africa, RDP White Paper, 1994:7).

Furthermore, the RDP White Paper (1994:8-9) recognised the challenges that the government faced and acknowledged that in order to build a 'new South Africa'; its strategy was based on six principles which were identified as follows:

1. **Integration and sustainability:** This principle recognised that a harnessing of resources through an integrated and sustainable programme, rather than in a piecemeal manner was required at a national, provincial and local level. This [harnessing of resources through an integrated and sustainable programme] was to be carried out by the Government, parastatals and local authorities. Furthermore, business and organisations within civil society were going to be encouraged to work with the RDP framework. Hence, the government committed itself to maximum transparency and inclusivity.
2. **People-driven:** This principle recognised people's aspirations and collective determination as a key resource in driving the process or overcoming the legacy of apartheid.
3. **Peace and security:** Through this principle, the aim was to promote peace and security for all, and the process was to be people-driven. Various forms of violence faced by communities of South Africa were to be combated through the promotion of peace and security that involved all people.
4. **Nation building:** This principle recognised that South Africa is a single country, with a single economy, functioning within a constitutional framework that established provincial and local powers, respect and protection for minorities, and a process that accommodated those who wished to retain their cultural identity.
5. **Meeting basic needs and building infrastructure:** The imagined infrastructural programme was to provide access to modern and effective services such as electricity, water, telecommunications, transport, health, education and training for all people, was envisaged by this principle.

6. **Democratisation:** This principle stated that democracy was not confined to periodic elections, but an active process enabling everyone to contribute to reconstruction and development. Furthermore, there a commitment was made to restructure the Government and its institutions to the priorities of the RDP.
7. **Assessment and Accountability:** It was hoped that the RDP principles were going to inspire the whole society to accept that their individual and collective welfare was best served by enthusiastic pursuit of the goals and programmes of the RDP.

4.2.1.1 A critique of the White Paper on Reconstruction and Development Programme

In their critique of the RDP in 1994, Adelzaduh and Padayachee (1994:16) reflected that:

[A]s an essentially neo-liberal strategy, which is what we are left with, [the RDP] may well generate some level of economic growth: should this happen, the existing mainly white and Indian bourgeoisie will be consolidated and strengthened; the black bourgeoisie will grow rapidly; a black middle class and some members of the black urban working class will become incorporated into the magic circle of insiders; but for the remaining 60-70 per cent of our society this growth path, we venture to predict, will deliver little or nothing for many years to come.

Fast-forward to 1996, Lyons, Smuts and Stephens (2001:276) state that the national RDP office was shut down in favour of line-managed programmes within each ministry, and a few months later the government adopted a new policy, largely microeconomic in focus. Harrison (2008:323) supports this by maintaining that “1996 was the year when the attention of the still-new ANC-led government shifted firmly from the reconstruction of national and provincial government to the creation of a new system of local government.” Consequently, this closure of the RDP office which took place when political and practical difficulties began to emerge (Blumenfeld 1996, cited by Lyons et al., 2001:276), was a result of the government planning under pressure of time to meet the expectations of many South Africans (Lyons et al. , 2001:276). Furthermore, the shift in policy framework, from RDP to the Growth, Employment and Redistribution (GEAR) policy, supports the assertion about a government planning under stress.

4.2.2 The Housing White Paper of 1994

The Housing White Paper (HWP, South Africa, 1994a) was approved by Cabinet in December 1994. The HWP was grounded upon “the fundamental pre-condition for attracting [private] investment, which is that housing, must be provided within a normalised market” (Bond, 2003:46). As part of its Preamble, the HWP acknowledged that “Housing the Nation” was one of the greatest challenges faced by the then Government of National

Unity (GNU). Furthermore, it acknowledged the extent of the challenges that derived from not only the enormous size of the housing backlog and the desperation and impatience of the homeless, but also the extremely complicated bureaucratic, administrative, financial and institutional framework that the GNU inherited from the previous government. Pillay (2008:115) attests that during the 1994 elections, South African towns were symbolised by dire housing backlogs.

Bond (2003:46) claims that “the expected kick-start in housing bond financing as a result of the October 1994 ‘Record of Understanding’¹ the HWP never materialised, but many of the core problems of housing in the post-apartheid era were rooted in the Department of Housing policy makers’ faith in credit” (Bond, 2003:46).

4.2.3 The Development Facilitation Act, Act 67 of 1995

The Development Facilitation Act (DFA) was the first coherent attempt to bring about uniformity in the township establishment, land registration and planning systems, with special focus being placed on low income development (Emdom, 1993:89). Furthermore, the DFA was assumed to be a temporary land regulation legislation aiming to overrule inherited previous planning legislation and to pave the way for the development of new planning law. Mabin (cited by Phuhlisani Solutions, 2007:40) postulates that the DFA was particularly concerned with trying to address the spatial distortions of apartheid, and move from a fragmented and racially-skewed approach to planning and decision-making to a more holistic and integrated approach. Mabin further notes that the DFA required local government to develop Land Development Objectives (LDOs) and to begin to work in a more developmental manner. These objectives were designed as a mechanism for land use planning in local and district municipalities and this was combined with the Local Government Transition Act 1996, which “imposed a major obligation on all local governments to engage in a new form of planning which was ‘termed integrated development planning’ (Mabin cited by The Sustainable Development Consortium, 2007:40).

¹“The Record of Understanding was concluded at a meeting between the State President of the Republic of South Africa and the President of the African National Congress Held at the World Trade Centre on the 26 September 1992. The two delegations agreed that this summit has laid a basis for the resumption of the negotiation process. To this end the ANC delegation advised the South African Government that it would recommend to its National Executive Committee that the process of negotiation be resumed; whereafter extensive bilateral discussions will be held. It was agreed that the practicalities with regard to bilateral discussions will be dealt with through the existing channel” (ANC, 1992: Online).

4.2.4 The Constitution of South Africa, Act 108 of 1996

The legal and policy framework of South Africa is embedded in the Constitution of South Africa, Act 108 of 1996, which is the supreme law of the country. The Constitution's Preamble adopts human rights and freedoms in order to "establish a society based on democratic values, social justice and fundamental human rights".

4.2.4.1 *The Bill of Rights*

In Chapter 2, subsection (1) of the Constitution of South Africa, it is stated that "this Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom". The Bill of Rights further states in subsection (2) that the state must respect, protect, promote and fulfil the rights in the Bill of Rights. In short, the essential rights of the South African people are protected by the Constitution.

Furthermore, the Bill of Rights enshrines the rights of all people regarding basic services in the following sections:

- **Citizenship:** Section 20 – No citizen may be deprived of citizenship.
- **Housing:** Section 26
 - (1) Everyone has the right to have access to adequate housing.
 - (2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.
 - (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.
- **Water and Security:** Section 27(1) states that everyone has a right to have access to (a) sufficient food and water; and (b) social security
- **Sanitation:** Although the right to basic sanitation is not explicitly mentioned in the Bill of Rights, Algotsson, Murombo, Davis, and Poole (2009:13) explain that sanitation and water are interconnected in that without water, many sanitation facilities cannot work and will influence a situation where people will struggle to maintain their dignity and the hygiene standards essential to prevent ill health and the spread of diseases. Hence, Algotsson et al. (2009:13) argue that the extension of the right of access to water opens up the possibility of the judicial enforcement of the right to basic sanitation in terms of Section 27(1)(b) of the Constitution.

- **Electricity:** Like sanitation, although the right to electricity is not explicitly mentioned in the Bill of Rights, electricity is one of those basic services that local government are mandated to provide as per Sections 152(1)(2) and 153 of the Constitution. The provision of electricity through the right to administrative justice, ensures the right of everyone to access basic services, including electricity.

As a result of basic services such as sanitation and electricity, not explicitly mentioned in the Bill of Rights, some arguments about the vagueness of the Bill of Rights have been raised. Smith (2005:76) posits that although additional guidance is provided by the Bill of Rights, some of the provisions, until clarified in the process of substantiating claims, are uncertain. Smith (2005:76) argues that in the context of vagueness of some aspects of the Bill of Rights, everyone should be entitled to the satisfaction of material and security needs, including decent housing and a comprehensive service infrastructure, within an environment superior to that of the existing townships and rural areas.

The Constitution completely changes the face of planning law in South Africa as numerous clauses of the Bill of Rights contained in Chapter 2 of the Constitution apply directly to basic services and the role of planning, while others apply indirectly (Van Wyk, 2012:76). As a general provision, section 7(2) is crucial as it provides that the state, in the form of national, provincial and local government, must respect, protect, promote and fulfil the rights in the Bill of Rights (Van Wyk, 2012:77). Hence:

the duty to respect is a negative obligation requiring the state to refrain from law or conduct that directly or indirectly interferes with the enjoyment of socio-economic rights. So, in the context of land and housing, it means that the state must refrain from depriving people of access to land or housing unjustifiably and from passing laws or engaging in conduct that denies or obstructs such access (Van Wyk, 2012:77).

Furthermore, the Constitution mandates local governments to be developmental and identifies the developmental duties of local government in Section 152(1) and 153(a)(b) of Chapter 7. Section 152 states that the objects of local government are to:

- (a) *provide democratic and accountable government for local communities;*
- (b) *ensure the provision of services to communities in a sustainable manner;*
- (c) *promote social and economic development;*
- (d) *promote a safe and healthy environment; and*
- (e) *encourage the involvement of communities and community organisations in the matters of local government.*

Section 153(a) of Chapter 7 of the Constitution, describes the developmental duties of municipalities and states that a municipality must:

- (a) *structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community; and*
- (b) *participate in national and provincial development programmes.*

Regarding access to basic services, Part A of Schedule 4 in Chapter 14 of the Constitution lists housing, urban and rural development and regional planning and development, as functional areas of concurrent national and provincial legislative competence. Part B lists building regulations, electricity and gas reticulation, water and sanitation services, and municipal planning as local government matters (Tissington, 2011:13).

4.2.5 The Housing Act, Act 107 of 1997

Housing is meant to provide basic human needs for shelter and security by providing protection against climatic conditions (rain, excessive heat and cold) and unwanted intrusions from insects, rodents and environmental nuisances such as noise that may be harmful for health and well-being. Furthermore, Lawrence (2004:491) states that housing contains household activities and possessions.

Khan and Thurman (2001:3) state that the principles, goals and strategies of the HWP were converted into law in the form of the Housing Act, Act 107 of 1997. The Housing Act sets out to provide for the facilitation of sustainable housing development process and subsequently, lays down general principles applicable to housing development in all spheres of government, defines the functions of national, provincial and local governments in respect of housing development and provides for the establishment of the South African Housing Board.

Tissington (2011:13) emphasises that the Housing Act is the primary piece of housing legislation in South Africa with its legally entrenched policy principles initially outlined in the 1994 White Paper on Housing as it provides for a sustainable housing development process for housing development in all spheres of government; it defines the functions of national, provincial and local governments in respect of housing development; and it lays the basis for financing national housing programmes (Tissington, 2011:13).

4.2.6 The Rental Housing Act, Act 50 of 1999

The Rental Housing Act (RHA) came into effect on 1 August 2000 and it is a piece of national legislation that defines the relationship between landlords (lessor) and tenants (lessee) in all types of rental housing. Section 2(1)(a)(i) of the Act stipulates that it is the government's responsibility to "promote a stable and growing market that progressively

meets the latent demand for affordable rental housing among persons historically disadvantaged by unfair discrimination and poor persons, by the introduction of incentives, mechanisms and other measures that improve conditions in the rental housing market” (Tissington, 2011:18).

4.2.7 The National Norms and Standards of 2007

According to Tissington (2011:19-20) in 1999 the National Norms and Standards for the Construction of Stand Alone Residential Dwellings were introduced by the Minister of Housing in terms of section 3(2)(a) of the Housing Act. These provided minimum technical specifications including environmentally efficient design proposals. Hence, on 1 April 2007, these standards were revised in the National Norms and Standards in respect of Permanent Residential Structures (National Norms and Standards), which are contained in the 2009 National Housing Code (Tissington, 2011:19-20).

4.2.8 The National Housing Code: Technical and General Guidelines 2009

The National Housing Code: Technical and General Guidelines (South Africa, 2009:26) specifies that in general, all residential properties created through the National Housing Programme must at least comply with the levels of services indicated in TABLE 4.1:

TABLE 4.1: MINIMUM LEVEL OF SERVICES PERMITTED IN TERMS OF THE NATIONAL NORMS AND STANDARDS

| Type of Service | Minimum Level |
|------------------------|--|
| Water | Single standpipe per stand (metered). |
| Sanitation | Ventilated Improved Pit latrine or alternative system agreed to between the community, the municipality and the MEC. |
| Roads | Graded or gravel-paved road access to each stand. This does not necessarily require a vehicle access to each property. |
| Stormwater | Lined open channels. |
| Street lighting | Highmast security lighting for residential purposes where this is feasible and practicable, on condition that such street lighting is not funded from the Municipal Infrastructure Grant initiative or from other resources. |

Source: The National Housing Code (2009:26)

In respect of stand-alone permanent residential structures (houses) the National Housing Code (2009:27) stipulates:

[T]he minimum size of permanent residential structures to be provided by the means of the housing subsidy should be 40 square metres of gross floor area and that each house as a minimum must be designed on the basis of:

- a) two bedrooms;*
- b) separate bathroom with a toilet, a shower and hand basin;*
- c) combined living area and kitchen with wash basin; and*
- d) ready-board electrical installation, where electricity supply in the township is available.*

4.2.9 The Spatial Land Use Management Act, Act 16 of 2013

Charlton (2008:5) states that land use management in South Africa has its origins in British town planning activities that developed initially in response to the urban impacts of the industrial revolution. These activities were concerned with improving health and safety of urban residents affected by conditions such as overcrowding, pollution, inadequate services, facilities and amenities. Hence, a system of control and regulation was developed aimed at organising urban space and urban activities into ordered, safe, hygienic environments where uses and activities were prescribed and controlled. Since South Africa was colonised by the British, in 1994 it inherited the planning legislation that was enacted during colonisation and subsequently apartheid legislation.

The Spatial Land Use Management Act (SPLUMA) of 2013 is intended to be a framework act for all spatial planning and land use management legislation in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making in this field. The other objects include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments. SPLUMA stems from the Constitution of South Africa which states:

“[T]he State has an obligation to realise the constitutional imperatives in:

- a) Section 24 of the Constitution, to have the environment protected for the benefit of present and future generations through reasonable legislative and other measures, which include a land use planning system that is protective of the environment;*
- b) Section 25 of the Constitution, to ensure the protection of property rights including measures designed to foster conditions that enable citizens to gain access to land on an equitable basis;*
- c) Section 26 of the Constitution, to have the right of access to adequate housing which includes an equitable spatial pattern and sustainable human settlements; and*
- d) Section 27(1)(b) of the Constitution, to ensure that the State takes reasonable legislative measures, within its available resources, to achieve the progressive realization of the right to sufficient food and water;*

The state must do this by:

- *respecting, protecting, promoting and fulfilling the social, economic and environmental rights of everyone and strive to meet the basic needs of previously disadvantaged communities;*
- *sustainable development of land requires the integration of social, economic and environmental considerations in both forward planning and ongoing land use management to ensure that development of land serves present and future generations;*
- *regional planning and development, urban and rural development and housing are functional areas of concurrent national and provincial legislative competence.”*

SPLUMA had not commenced during the writing of this thesis. Hence, Berrisford's (2011:248) arguments that “despite a widely acknowledged causation between old planning laws and the spatial legacy of apartheid as well as a high-level drive to change those laws, South Africa has been unable to effect any major changes to the legal frameworks governing land use and land development”, remains relevant. Furthermore, Berrisford asserts that “[i]ndeed the same laws that were used to implement apartheid’s grand plan of segregation and inequality, remain the tools used by planners across the country to determine whether or not—and on what conditions—land development projects should proceed”.

4.2.10 The National Development Plan: Vision for 2030

The National Development Plan (NDP) was adopted by the ANC-led government in 2012/2013. Zareda (2013:1) states that the ruling government adopted the NDP as its launchpad and blueprint for a future economic and socio-economic development strategy for the country. The NDP is a massive manuscript (over 400 pages in length, presented in 15 chapters) that incorporates almost every aspect of the South African socio-economic landscape – a panoptical reflection crafted by 26 commissioners appointed by the president (Alloggio & Thomas, 2013:108).

The President of South Africa, Mr Jacob Zuma, had appointed the National Planning Commission (NPC) which was responsible for drafting a vision and National Development Plan for deliberation by Cabinet and the Republic of South Africa; and in June 2011 the NPC released a Diagnostic Report and a diagnostic analysis which is represented in Figure 4.1. The Diagnostic Report (South Africa, NPC, 2011:3) set out South Africa’s achievements and shortcomings since 1994, outlining nine primary challenges:

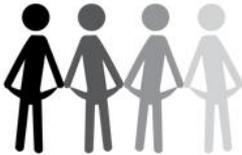
DIAGNOSTIC

The first stage of the National Development Plan process was a diagnostic analysis of where South Africa is now. That led to a diagnostic report which set a basis for the rest of the plan. The commissioners had to start by identifying what needed fixing before they could design the corrective measures.

The diagnostic identifies the substantial progress made since 1994 but makes it clear that there is a lot of work to be done, particularly in education and employment. Here we illustrate the highlights.

POVERTY

The proportion of people living below the poverty line was about:



53%

IN 1995

AND FELL TO

48%

IN 2008

INEQUALITY

South Africa is highly unequal:

RICHEST 20% EARNS 70% OF NATIONAL INCOME



POOREST 20% OF THE COUNTRY EARNS 2.3% OF NATIONAL INCOME



RACE-BASED INEQUALITY

Average incomes are substantially different by race group:



MEDIAN EXPENDITURE PER CAPITA WAS R454 PER MONTH FOR AFRICANS



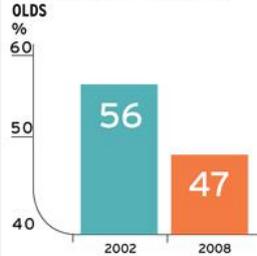
AND R5,668 PER MONTH FOR WHITES

UNEMPLOYMENT

The unemployment rate stood at 23% in 2008

Poor households and the youth suffer most from unemployment

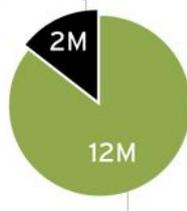
UNEMPLOYMENT FOR 15-24 YEAR OLDS



EDUCATION

Poor public education has led to a large group of school leavers that are not employable and the cost of training them is too high for businesses

INDEPENDENT SCHOOL LEARNERS & TERTIARY STUDENTS



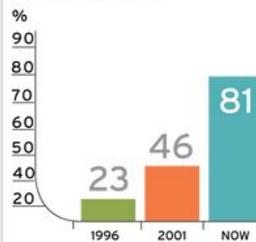
* Many learners drop out of school before completing grade 12

EDUCATION

IN 2006 THERE WERE 5,000 SCHOOLS WITHOUT ELECTRICITY AND SCHOOLS WITHOUT TOILETS



CHILDREN AGED 5 ENROLLED IN FIRST YEAR OF SCHOOL



* Teachers in African schools teach for an average of 3.5 hours a day, compared with 6.5 hours in former white schools

ECONOMY

South Africa has missed a generation of infrastructure modernisation. Net capital formation fell sharply in the early 1980s and recovered somewhat only after 2003

South Africa's economy has been based on natural resource exploitation. This has shaped the location of its cities and has led to social fragmentation and exclusion

HEALTH



SA HAS 17% OF WORLDWIDE HIV INFECTIONS

SOUTH AFRICA HAS 0.6% OF THE WORLD'S POPULATION BUT 17% OF HIV INFECTIONS AND 11% OF TUBERCULOSIS CASES



THE INJURY DEATH RATE FROM VIOLENCE AND ROAD ACCIDENTS IS NEARLY TWICE THE GLOBAL AVERAGE

CORRUPTION

SOUTH AFRICA IS RANKED 54TH OUT OF 178 COUNTRIES IN TRANSPARENCY INTERNATIONAL'S CORRUPTION PERCEPTION INDEX



The Special Investigating Unit estimates that 20%-25% of state procurement expenditure, approximately R30bn a year, is wasted through overpayment or corruption

HEALTH

TOTAL DEATHS HAVE DOUBLED BETWEEN 1998 AND 2008



1998

2008

Source: Business Day Live (2013).

Figure 4.1: Infographic: Diagnostic analysis for National Development Plan (2013)

- Too few people work.
- The standard of education for most black learners is of poor quality.
- Infrastructure is poorly located, under-maintained and insufficient to foster higher growth.
- Spatial patterns exclude the poor from the fruits of development.
- The economy is overly and unsustainably resource intensive.
- A widespread disease burden is compounded by a failing public health system.
- Public services are uneven and often of poor quality.
- Corruption is widespread.
- South Africa remains a divided society.

The NDP also outlines a long-term vision ‘2030’, which “aims to ensure that all South Africans attain a decent standard of living through the reduction of poverty and inequality” (SAGI-SoNA cited by Zarenda, 2013:1). Hence, it identified core elements of a decent standard of living identified as:

- Housing, water, electricity and sanitation.
- Safe and reliable public transport.
- Quality education and skills development.
- Safety and security.
- Quality health care.
- Social protection.
- Employment.
- Recreation and leisure.
- Clean environment.
- Adequate nutrition.

4.2.10.1 A critique of the National Development Plan

Alloggio and Thomas (2013:108) argue that even though the NDP was crafted with careful ‘precision’, to this end it achieves little other than the postponement of the social change for which it advocates. This argument is supported by Manuel (2013:1) who states that “sadly, even after the resources were allocated, no proper implementation plan was put in place and delivery has been sporadic at best, derelict at worst”.

4.3 MUNICIPAL LEGISLATIVE AND POLICY FRAMEWORK

4.3.1 The Municipal Demarcation Act, Act 27 of 1998

The Municipal Demarcation Act (1998:2) provides criteria and procedures for the determination of municipal boundaries. The Act clarifies the status of municipalities and provides the framework for the establishment of municipalities in accordance with the requirements and criteria relating to categories and types of municipalities. The categories and types of municipalities are legislated in Section 155(1) of the Constitution as follows:

- (a) **Category A:** *A municipality that has exclusive municipal executive and legislative authority in its area. Metropolitan municipalities fall within this category.*
- (b) **Category B:** *A municipality that share municipal executive and legislative authority in an area with a category C municipality. Local municipalities fall within this category.*
- (c) **Category C:** *A municipality that has municipal executive and legislative authority in an area that includes more than one municipality. A District municipality falls within this category.*

The Demarcation Act is relevant in that Mangaung changed from a Category B to a Category A municipality in 2011.

4.3.2 The White Paper on Local Government of 1998

The White Paper on Local Government (WPLG) set out the principles and structures of the post-2000 democratic system; and key pieces of legislation such as the Municipal Demarcations Act, the Municipal Structures Act, and the Municipal Systems Act were enacted. Furthermore, the WPLG (1998:23) identifies four interrelated characteristics of developmental local government:

- **Maximising social development and economic growth**
This characteristic states that municipalities should exercise the powers and functions invested in them by the Constitution and assumes that since the municipalities collect large sums of rates, user charges and fees, and since they control the use and development of land they are equally responsible for setting the price and quality of water, electricity, road and subsequently providing these basic services adequately.
- **Integrating and coordinating**
The characteristics acknowledge the role of all stakeholders and state that within any local area many different agencies contribute to development, including national institutions. Furthermore, the characteristic posits that developmental local government must provide a vision and leadership for all those who have a role to play in achieving local prosperity. Hence, poor coordination between service providers could severely undermine the development effort.

- **Democratising development, empowering and redistributing**
Municipalities need to be aware of the divisions within local communities, and seek to promote the participation of marginalised and excluded groups in community processes. Thus, they play a central role in promoting local democracy.
- **Leading and learning**
This characteristic recognises the extremely rapid changes at the global, regional, national and local levels and states that these changes are forcing local communities to rethink the way they are organised and governed. Hence, cities, towns and rural communities are increasingly having to find within themselves ways to make their settlements more sustainable. In practical terms, municipalities can build social conditions favourable to development through:
 - *Building the kind of political leadership that is able to bring together coalitions and networks of local interests that cooperate to realise a shared vision.*
 - *Responsive problem-solving and a commitment to working in open partnerships with business, trade unions and community-based organisations.*
 - *Ensuring that knowledge and information are acquired and managed in a way that promotes continuous learning, and which anyone can access easily and quickly.*
 - *Enhancing local democracy through raising awareness of human rights issues and promoting constitutional values and principles.*
 - *Building an awareness of environmental issues and how the behaviour of residents impacts on the local environment, and encouraging citizens to utilise scarce natural resources in a prudent, careful manner.*
 - *Investing in youth development as a key resource for the future, and building on their creativity and motivation through involvement in civic and development programmes.*
 - *Actively seeking to empower the most marginalised groups in the community and encouraging their participation.*
 - *Empowering ward councillors as community leaders who should play a pivotal role in building a shared vision and mobilising community resources for development.*

All the characteristics outlined above in the WPLG, meant well for all peoples of South Africa. However, as Powell (2012:12) postulates, “by the time the implementation began in 2000 the force of this transformative vision was already spent – overtaken by hard political and economic realities, overwhelmed by the scale of institutional changes involved and the distance between the ideal and delivering practical change”. Thus Powell’s argument also outlines the challenges associated with the full realisation of the vision of the WPLG vision. For instance, she contends that the inconsistencies in local government policy had intensified under the first Mbeki administration. Thus, national policy had created increased expectations about local government’s support for poverty relief, allocating fixed targets for widespread access to basic services. However, Powell (2012:12) maintains that “municipalities were still struggling with basic problems of establishment, and the policy, legislative and fiscal frameworks regulating municipal systems were yet to be completed”. Under the current Zuma administration, some critiques argue that it remains to be seen whether any improvement in policy and legislative framework will be seen. One of the critics is Powell (2012:25) who claims that the Zuma government has sacrificed forward-looking

strategy for crisis management – and it is hard to demonstrate progress when reform is cast as a response to a strategic crisis.

4.3.3 The Municipal Structures Act, Act 117 of 1998

This Act stems from both the Constitution and the WPLG and provides for definitions within categories of types of municipality, the establishment of municipalities, the electoral system, municipal councils, etc. (Craythorne, 2006:18). The main focus of the Municipal Structures Act is on delimiting the powers between district and local municipalities. Section 83(3) stipulates:

A district municipality must seek to achieve the integrated, sustainable and equitable social and economic development of its area as a whole by:

- (a) Ensuring integrated development planning for the district as a whole;*
- (b) Promoting bulk infrastructural development and services for the district as a whole;*
- (c) Building the capacity of local municipalities in its area to perform their functions and exercise their powers where such capacity is lacking; and*
- (d) Promoting the equitable distribution of resources between the municipalities in its area to ensure appropriate levels of municipal services within the area.*

In order to achieve this, Section 19(2) requires that “the municipal council must annually review the following:

- (a) the needs of the community;*
- (b) its priorities to meet those needs;*
- (c) its processes for involving the community;*
- (d) its organisational and delivery mechanisms for meeting the needs of the community;*
- (e) its overall performance in achieving the objectives referred to in subsection 1.*

4.3.4 The Local Government: Municipal Systems Act, Act 32 of 2000

The Parliament of South Africa enacted the Local Government: Municipal Systems Act (MSA), Act 32 of 2000, in order to provide the legislative framework through which the developmental role for local government could be enabled and exercised. One of the roles of local government is strategic planning. The Integrated Development Plan (IDP), according to Section 25 of the MSA, is meant to be an inclusive and strategic plan for the development of the municipality. Moreover, as Berrisford and Kihato (2008:379) state, the Municipal Planning and Performance Management Regulations were promulgated under the MSA to provide for more detailed requirements for Spatial Development Frameworks (SDFs). SDFs are intended to serve as the indicative land use planning instruments that focus on the spatial aspects of development (Berrisford and Kihato, 2008:379).

Furthermore, the MSA compels municipalities to draw up an IDP as a singular, inclusive and strategic development plan that is aligned with the deliberate efforts of surrounding municipalities and other spheres of government (City of Johannesburg, IDP 2006:11).

Preparing an IDP, therefore, is a legal requirement in terms of the MSA; however, that is not the only reason why municipalities must prepare the plans. Section 151(1)(a) to (e) of the Constitution of the Republic of South Africa, the supreme law of the country as stated earlier in this chapter, mandates municipalities with major developmental responsibilities to ensure that the quality of life for its citizens is improved. Hence, the role for local government includes the provision of basic services, creation of jobs, promoting democracy and accountability and eradication of poverty. Thus, preparing an IDP enables the municipality to manage the process of fulfilling its developmental responsibilities. As a result, through the IDP the municipality is informed about the problems affecting its municipal area and, being guided by information on available resources, is able to develop and implement appropriate strategies and projects to address the problems.

4.3.5 The Local Government: Municipal Finance Management Act, Act 56 of 2003

The Local Government: Municipal Financial Management Act (MFMA), Act 56 of 2003, aims to modernise budget and financial management practices by placing local government finances on a sustainable footing. It also aims to put in place a sound financial governance framework by clarifying and separating the roles and responsibilities of the mayor, executive and non-executive councillors and officials. It consequently serves to maximise the capacity of municipalities to deliver services to all its residents, customers, users and investors (South Africa, National Treasury, MFMA Circular 1, 2004:1).

The underlying principles in the MFMA, which form the basis of the key reforms envisaged in the Act, are consistent with other legislation such as the Municipal Systems Act in local government (MFMA Circular 1, 2004). The MFMA anticipates that these principles (transparency, accountability and appropriate lines of responsibility) and the specific reforms that flow from them will encourage a stronger, well-managed and more accountable local government sphere, one that is better placed to meet the emerging needs and expectations of the different communities.

Hence, the MFMA addresses a number of financial and fiscal reforms; the most significant reforms being the new budget process and its link to the IDP. These include new accounting standards and formats, the establishment of audit committees and other internal

controls; improvements to procurement and supply chain management; performance measurement reporting; staff competency levels and new mechanisms to resolve financial problems and misconduct. The MFMA therefore empowers various stakeholders within the municipality around a framework of good governance. Municipalities are expected to reap greater rewards if they implement the MFMA in a spirit that promotes transparency and accountability, rather than merely for nominal compliance.

According to MFMA Circular 1 (2004:2), the MFMA must be read with other complementary national legislation, in order to correctly interpret and fully understand the underlying policy, and these include:

- a) *Sections 230A and 139 of the Constitution as amended in 2002 and 2003, which provides for borrowing and intervention, respectively.*
- b) *Municipal Systems Act, Act 32 of 2000 (as amended by Act 44 of 2003) that aligns provisions relating to the establishment of entities and external providers and deals with the process to prepare IDPs and establish a performance-based measurement system.*

4.3.6 The Regulatory Framework for Integrated Development Plans

Harrison (2008:321) states that the IDP is the principal strategic tool for local planning in South Africa and presents municipalities with an instrument to bring in line budgeting and project implementation with strategic priorities. The requirement for local government to produce contextualised IDPs is legislated in South Africa and rooted in the Constitution of South Africa, Act 108 of 1996, and the Municipal Systems Act, Act 32 of 2000. The Constitution, therefore, mandates the municipalities to practise integrated development planning, it requires a municipality to structure and manage its administration, budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of the community (Craythorne, 2006:138-152).

There are ten objectives extracted from the National Framework Document (NFD, 2003) that the IDPs are meant to achieve that are outlined as follows:

1. *Provide the municipality with a strategic situational analysis that reflects the municipality's most pressing needs, problems and challenges, and their causes;*
2. *Assist the municipality in tackling its most pressing needs, problems and challenges by intervening in a strategic fashion in their causes, and taking into account the municipality's institutional, financial, human, spatial and local economic resource constraints and potentials;*
3. *Assist the municipalities into becoming financially viable and developmental entities that play active parts in local, provincial and national economic development;*
4. *Facilitate the development of representative municipalities;*

5. *Assist in the deepening of democracy in municipal government;*
6. *Assist in overcoming the history of inequitable resource distribution, infrastructure investment and participation in economic activity, and in so doing ensuring more equitable, sustainable, efficient, vibrant and choice-generating and enhancing environments;*
7. *Assist all citizens and communities, but especially marginalized groups, in achieving sustainable livelihoods via the attraction and retention of private sector investment and sustainable local economic development;*
8. *Enhance the municipalities, province and ultimately the country's attractiveness to both local and foreign direct investment;*
9. *Coordinate and integrate the interventions (strategies, policies, programmes and plans) of the municipalities with those of neighbouring municipalities, provincial governments and national government, so as to optimise infrastructure investment and development spending; and*
10. *Assist the municipality in delivering on its developmental promises and obligations.*

4.3.6.1 Integrated Development Plan: Public participation process

The Constitution of South Africa, Section 152(1)(e) states that one objective of local government is "to encourage the involvement of communities and community organisations in the matters of local government". Furthermore, Chapter 4 of the MSA clearly stipulates that municipalities must adopt a "culture of community participation". Section 16(1) says:

[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 –

- (a) *Encourage, and create conditions for, the local community to participate in the affairs of the municipality, including in –*
 - (i) *The preparation, implementation and review of its integrated development plan in terms of Chapter 5;*
- (b) *The establishment, implementation and review of its performance management system in terms of Chapter 6; Contribute to building the capacity of –*
 - (i) *The local community to enable it to participate in the affairs of the municipality, and*
 - (ii) *Councillors and staff to foster community participation, and use its resources, and annually allocate funds in its budget, as may be appropriate for the purpose of implementing paragraphs (a) and (b).*

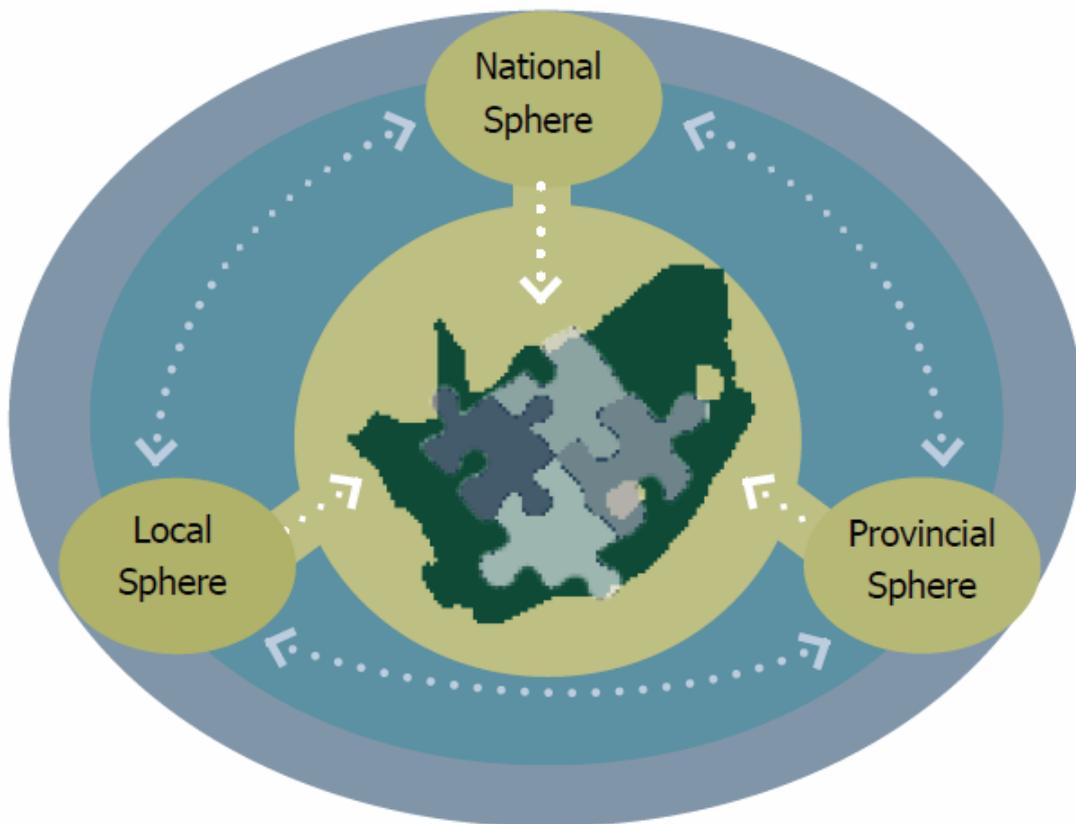
The legal role and responsibility of the local government, therefore, is that of preparing and adopting an IDP that has incorporated all the required components to achieve deepened democracy. However, some scholars such as Harrison (2008:321-322) ask very critical questions:

[W]hether IDPs have served their developmental intention: Have they led to more strategic decision making by municipalities, deeper levels of local democracy, more goal-directed budgeting, more developmental and transformative outcomes, changes in spatial configurations, and better coordinated and prioritised on-the-ground delivery? Has the considerable energy expended on IDPs been worthwhile?

Responses to these questions have largely indicated that the legislation is well articulated, but has not addressed its developmental mandate through adequate implementation. Adam and Oranje (cited by Harrison, 2006:202) posit that “as an instrument of participatory governance, the IDP has managed to achieve a higher level of participation within municipal planning than ever before”. However, Mabin (cited by Harrison, 2006:203) advances that “the IDP as an instrument of developmental local government is not addressing the ‘thorniest issues’; they are steering well clear of radical interventions that would be needed to alter deeply entrenched patterns”.

4.4 INTERGOVERNMENTAL RELATIONS FRAMEWORK ACT, ACT 13 OF 2005

Intergovernmental Relations within the South African context are concerned with the interaction of the different spheres of government namely: National, Provincial and Local. The Constitution declares that all three spheres are distinctive, interdependent and interrelated. According to the Constitution of the Republic of South Africa, Act, No. 108 of 1996, Section 41(2), an Act of Parliament must establish or provide structures and institutions to promote and facilitate Intergovernmental Relations and provide for appropriate mechanisms and procedures to facilitate settlement of Intergovernmental disputes.



Source: DWAF [n.d.]:12

Figure 4.2: Vision of an effective three-sphere government

4.5 URBAN POLICIES AND (NON-)IMPLEMENTATION

It has been widely acknowledged that the challenges of inadequate basic service provision in South Africa are highly influenced by great policies that are not realistic of the context in which they have to be implemented. Moreover, as Berrisford (2011:248) states, in South Africa's case, there are abundant examples in almost all other sectors of governance, such as water, environment and mining, of precisely the type of far-reaching law reforms that the planning system needs. The problem in South Africa is not an inability to change laws, but rather an inability to change planning laws. What has it been about planning that has made it so difficult to change the laws?

Perhaps some of the answers are with what Bond (2003:41) terms "differences in perspective on urban policies and implementation" (TABLE 4.2). Also, the NDP (South Africa, NPC, 2011 cited by Free State PSDF, 2014:31) states that there are two main reasons for the failure to deliver on the development expectations and slow progress in South Africa since 1994, namely a *failure to implement policies* and an *absence of broad partnerships*.

TABLE 4.2: DIFFERENCES IN PERSPECTIVE ON URBAN POLICIES AND IMPLEMENTATION

| Mainstream | Critical |
|--|---|
| <p>a) Existing policies are basically fine (although some, like overly generous housing policy and higher service standards – electricity, indoor taps, flush toilets – that are affordable to low-income people, need tweaking to assure better alignment).</p> | <p>a) Virtually all current state policies are excessively market oriented (too stingy, insensitive to poverty, incapable of integrating gender and environmental concerns, unsympathetic to problems associated with public health and worsening geographical segregation, and even inefficient in terms of untapped economic multipliers).</p> |
| <p>b) Post-apartheid laws, planning frameworks and regulations are sometimes onerous and usually unhelpful.</p> | <p>b) Post-apartheid laws, planning frameworks and regulations are essentially technicist and disempowering, and are generally an inadequate substitute for a transformation in the balance of forces and in residual apartheid-era economic processes.</p> |
| <p>c) Resources allocated for urban regeneration are quite sufficient (large capital grants, plus ongoing central-local subsidies, plus limited local-level cross-subsidies from wealthy and corporate customers to the poor, plus other programmatic funds).</p> | <p>c) Resources allocated are inadequate (by a factor of roughly five from central government, and with regard to inadequate local and national cross-subsidisation).</p> |
| <p>d) Institutional arrangements for urban projects are flawed (due to an excessive emphasis on greenfield developments and housing top-structures).</p> | <p>d) Institutional arrangements are inappropriate (newly demarcated municipalities will struggle to meet small-town and rural needs, are the drive to corporatisation and even privatisation will worsen service inequality).</p> |
| <p>e) Implementation of urban projects is flawed, and because on inefficiencies in municipal delivery, there is a need for more rapid private-sector provision of services (public-private-partnerships, outsourcing, and other forms of municipal services partnerships, which are generally enhanced by larger markets associated with newly demarcated municipalities).</p> | <p>e) Implementation is flawed (municipal management remains rooted in apartheid practices, and developer-driven, bank-centred housing policy drives most funds into new, faraway projects instead of empowering municipalities and communities).</p> |
| <p>f) Communities and workers remain part of the problem (the former have a culture of non-payment, the latter too dogmatically opposed to privatisation and act as a labour aristocracy).</p> | <p>f) Communities and workers are potentially part of the solution (if community and worker control are enhanced).</p> |
| <p>g) While expanded urban infrastructure and services may have positive spin-off benefits, these are not worth calculating and incorporating into decisions regarding the levels of municipal services, capital expenditure or subsidies.</p> | <p>g) Infrastructure and services have extremely important positive spin-off benefits – improved public health, gender equity, environmental improvement, economic multipliers, increased productivity, better educational prospects, desegregation potentials – which are absolutely vital to calculate and incorporate into decisions regarding the levels of services, capital expenditure or subsidies.</p> |

Source: Bond (2003:41)

4.6 CONCLUSION

This chapter has stated that South Africa has put in place a regulatory framework that seeks to guide municipalities in attaining their developmental mandate of working together with the citizens to develop a long-term vision that will guide how basic services are prioritised and provided. However, the chapter clearly demonstrates that although these policies are in place, they are to a large extent (un)implementable due to political power relations and the lack of understanding the complexities involved in planning for sustainable human settlements in South Africa.

In South Africa strategic plans such as the IDPs do not fully ensure the incorporation of social justice, and the strategies that are adopted by municipalities often do not enable the development of an integrated city in which particularly the poor can have access to adequate basic services.

CHAPTER 5

THE QUESTION OF RESEARCH METHODOLOGY

5.1 INTRODUCTION

Justifications of the methodology used for this research is provided in this chapter. Henceforth, the purpose of this chapter is (a) to describe the research methodology; (b) to explain the research design/strategy; (c) to describe the procedure used in designing the instrument and collecting the data; and (d) to provide an explanation of how an entry was gained to the study area.

5.2 DESCRIPTION OF THE RESEARCH METHODOLOGY

Research methodology is a systematic way to solve a problem. It is a science of studying how research is to be carried out. Essentially, the procedures by which researchers go about their work of describing, explaining and predicting phenomena are called research methodology. It is also defined as the study of methods by which knowledge is gained and its aim is to give the work plan of research (Rajasekar, Philominathan and Chinnathambi, 2006:5).

The importance of a research methodology is that it helps the researcher to provide some structure to the research process (method). The research method and methodology are different. According to Rajasekar et al. (2006:5-6), research methods help us get a solution to a problem. On the other hand, research methodology is concerned with the explanation of the following:

1. Why is a particular research study undertaken?
2. How did one formulate a research problem?
3. What types of data were collected?
4. What particular method has been used?
5. Why was a particular technique of analysis of data used?

Hence, Rajasekar et al. (2006:6) argue that the study of research methods gives training to apply them to a problem. The study of research methodology provides us the necessary training in choosing methods, materials, scientific tools and training in techniques relevant for the problem chosen.

A qualitative research was used in this study. Creswell (2013:43) maintains that this [qualitative research] seemingly uncomplicated approach has become more difficult in recent years, meaning that there is no one agreed upon definition of what qualitative research is. Hence, Creswell (2013:43-44) cites Denzin and Lincoln's (1994, 2000, 2005, and 2011) evolving definition of qualitative research as:

[A]situated activity that locates the observer in the world. Qualitative research consists of a set of interpretive, material practices that make the world visible. These practices transform the world. They turn the world into a series of representations, including field notes, interviews, conversations, photographs, recordings, and memos to the self. At this level, qualitative research involves an interpretive, naturalistic approach to the world. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them cited by.

Furthermore, Creswell's (2013:44) definition of qualitative research is that it is a research that begins with assumptions and the use of interpretive/theoretical frameworks that inform the study of the research problems addressing the meaning individuals or groups ascribe to a social or human problem. He argues that to study this problem, qualitative researchers use an emerging qualitative approach to inquiry, the collection of data in a natural setting sensitive to the people and places under study, and data analysis that is both inductive and deductive and establishes patterns or themes. The final written report or presentation includes the voices of participants, the reflexivity of the researcher, a complex description and interpretation of the problem, and its contribution to the literature or a call for change.

The advantage of using qualitative research methods is that they investigate the *why* and *how* of decision-making, be it at personal, institutional or societal levels. Furthermore, qualitative research can involve either semi-structured or in-depth interviews:

- **Semi-structured interviews:** These interviews consist of a questionnaire for the interviewer to record the respondent's answers, and were used to interview the government officials for this study.
- **In-depth interviews:** These interviews allow the interviewer to probe in more depth to ascertain the respondent's underlying feelings towards the topic in question, and were used to interview the residents of the greater Grasland community.

Also, the interviewer follows a guideline of questions, and the answers are recorded, often by tape-recorder for transcription later, or handwritten. The interviewer, although supplied with a guideline, is allowed flexibility to explore issues in greater depth, depending on the circumstances of the particular respondent. Hence, the purpose of qualitative research is to

understand how respondents perceive the main issues of the research, so that some insight may be gained into these issues (Walton & Fowler, 1980:98-99).

The methodology also determines the research design, which will be outlined in the next section.

5.3 RESEARCH DESIGN/STRATEGY

According to Creswell (2009:17) a qualitative research design possesses the following characteristics:

- Data collection takes place by means of open-ended questions and emerging approaches.
- The researcher is able to position himself or herself.
- The meanings of participants are collected.
- Single concepts or phenomenon are being focused on.
- The context and setting of participants are studied.
- Interpretations of data can be made.
- Collaboration with participants can take place.

5.3.1 The descriptive phenomenological method

This study is based on a qualitative research design grounded on the descriptive phenomenological approach. Phenomenological research design approaches are less commonly used in urban and regional planning practice. Urban and regional planning as a discipline tends to be perceived as contributing to a physical layout and subdivision to the neglect of the human experiences. According to Creswell (2013:76), a phenomenological study describes the common meaning for several individuals of their lived experiences with the basic purpose of reducing individual experiences with a phenomenon to a description of the universal essence.

In the descriptive method the researcher makes no interpretations. Rather, he or she analyses the descriptions given by participants and divides them into meaning-laden statements, gathering those meanings that are essential to the construct of the phenomenon being studied. Thus, the researcher is able to bring to written description the structure of the phenomenon of interest. A descriptive phenomenological approach is used when little is known about an issue and the aim of the study is to make clear and understand the most essential meaning of a phenomenon of interest from the perspective of those directly involved in it (Giorgi cited by Penner & McClement, 2008:95).

The specific phenomena (from the Greek word phenomenon, meaning appearance) (Groenewald, 2004:11) that the study concentrated on, was on how people of the greater Grasland community accessed basic services (sanitation, security, water and electricity and housing) in conditions of inadequate basic service provision, in and through the MMM formal processes. In other words, how they narrated their lived experiences in employing these strategies and successively their struggles.

The researcher attempted to capture these experiences through descriptions and she was mindful to allow the descriptions to be captured and told as received from the respondents. As Buts and Shapiro and also Kensit (cited by Groenewald, 2004:11) caution, the researcher must allow the data to emerge, arguing that doing phenomenology means capturing rich descriptions of phenomena and their settings. The latter is supported by Creswell (2013:81) who argues that to fully describe how participants view the phenomenon, researchers must bracket out, as much as possible, their own experiences.

According to De Vos, Strydom, Fouché and Delport (2005:270) in order to accomplish this, the researcher should be able to enter the subject's "life world" or "life setting" (*Sitz im Leben*) and place herself in the shoes of the subject which is done by means of naturalistic methods of study, analysing the conversations and interaction that researchers have with the subjects. Hence, the researcher moved and stayed in Grasland during the beginning phase of data collection and this move allowed her to gain an understanding of the meaning that people in the greater Grasland community gave to their everyday life, and it is this meaning that will be unpacked in the analysis and findings Chapter 6 through two peer reviewed articles and two publishable articles.

Furthermore, the researcher was mainly interested in the subjectivity of the greater Grasland residents. According to Englander (2012:15) phenomenological researchers are interested in the subjectivity of other persons and thus it seems logical that [they] would want to get a description of such subjectivity. Collecting descriptions from others therefore, is also an attempt at a discovery of a human scientific meaning of a particular phenomenon. Hence, phenomenology offers an important shift from a positivist cause-effect focus to one of human subjectivity and discovering the meaning of actions (Giorgi cited by Penner & McClement, 2008:93). There is a general consensus that there is a need for phenomenological research methods that are responsive to both the phenomenon and the subjective interconnection between the researcher and the researched (Finlay, 2009:7).

It can then be argued that the value of a phenomenological approach in theory and practice is that it stresses the uniqueness of local contexts and knowledge at a time that planning is

increasingly coming into conflict with local values, especially over the issue of sustainability (Whittemore, 2014:301). This recognition of conflicting rationalities is of utmost importance, in particular for this study because while planners may wish to eliminate the distortions generated by differences in power, knowledge, and skill, navigating the mire of planning debates via an idealised model of communication can be counterproductive (Whittemore, 2014:301).

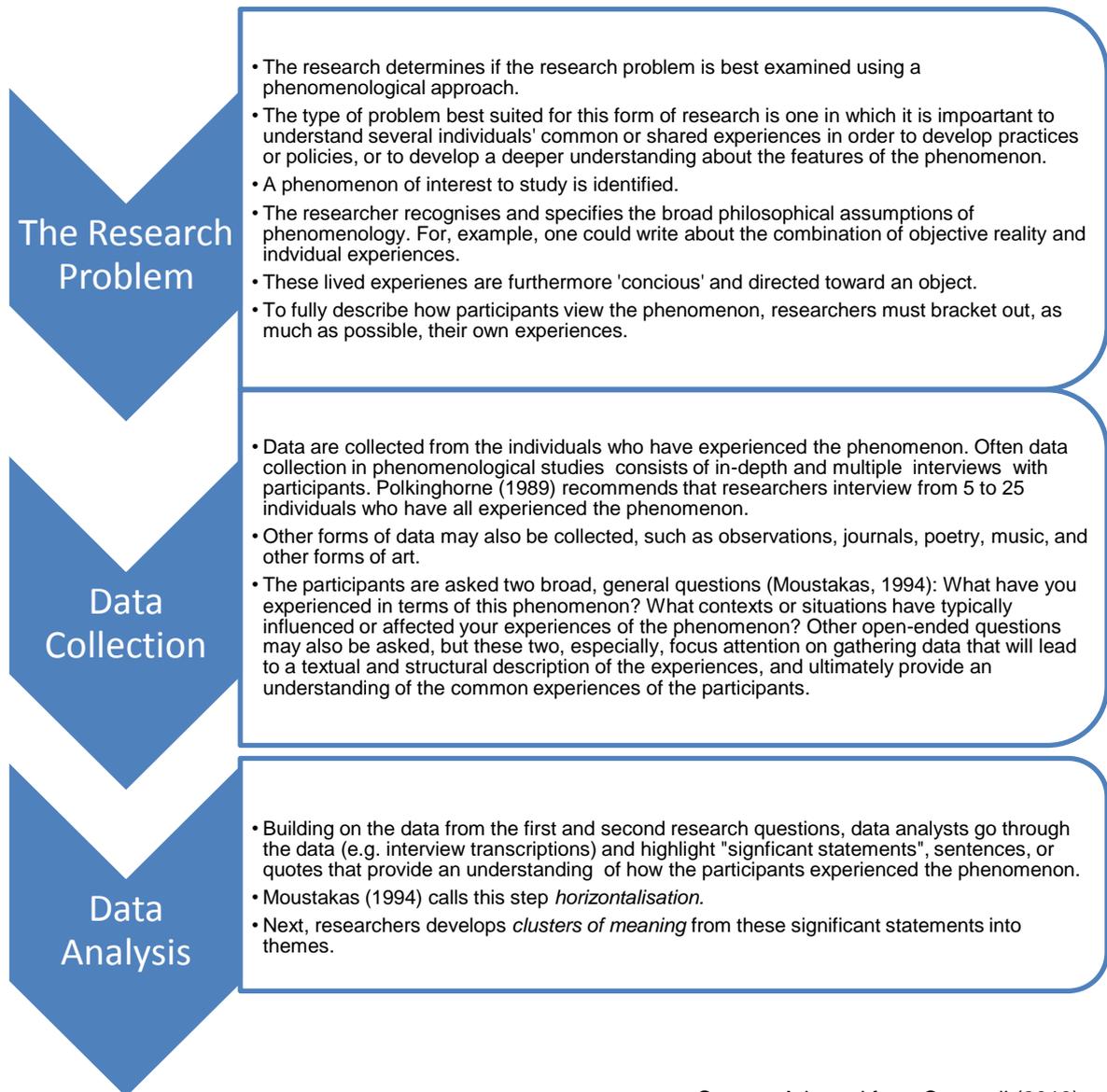
Moreover, the phenomenological approach seeks to understand and interpret the meaning that subjects give to their everyday lives (De Vos et al., 2005:270). Broadly speaking, the purpose of phenomenology is to describe particular phenomena, or the appearance of things, as lived experience (Speziale & Carpenter, 2007). Additionally, Creswell (cited by De Vos et al., 2005:270) regards a phenomenological study as a study that describes the meaning of experiences of a phenomenon, topic or concept for various individuals. Eventually, the researcher utilising this approach reduces the experiences to a central meaning or the essence of the experience being studied.

Although it is argued that phenomenological research is not intended to test a hypothesis, but it is intended to describe a lived experience of the individual (Osborne, 1990). For the purposes of this thesis, 'working hypotheses' were developed due to the fact that the MMM's subjectivity tends to ignore many factors that have hindered their developmental mandate. For instance, they believe that despite the challenges they face within their municipality boundaries, they are adequately providing basic services in Grasland.

5.5 DATA COLLECTION PROCEDURE

According to Englander (2012:15), in order for phenomenological research to achieve the same rigorous quality as natural scientific research, it is important that the research process be methodologically articulated in such a manner that data collection and data analysis are both seen as part of a single, unified process with the same underlying theory of science. Hence, both the data collection and the data analysis need to follow descriptive phenomenology in order to achieve rigor, and in order to meet all the criteria of science, one needs to consider the consistency of method, following the same logic that is part of the same theory of science.

For consistency of method, the study adopted Creswell's (2013:80-83) procedural steps (Figure 5.1) in the process of conducting phenomenological research. A phenomenological method is sound if it links appropriately to some phenomenological philosophy or theory and if its claims about method are justified and consistent (Finlay, 2009:8).



Source: Adopted from Creswell (2013).

Figure 5.1: Procedural steps in the process of conducting phenomenological research

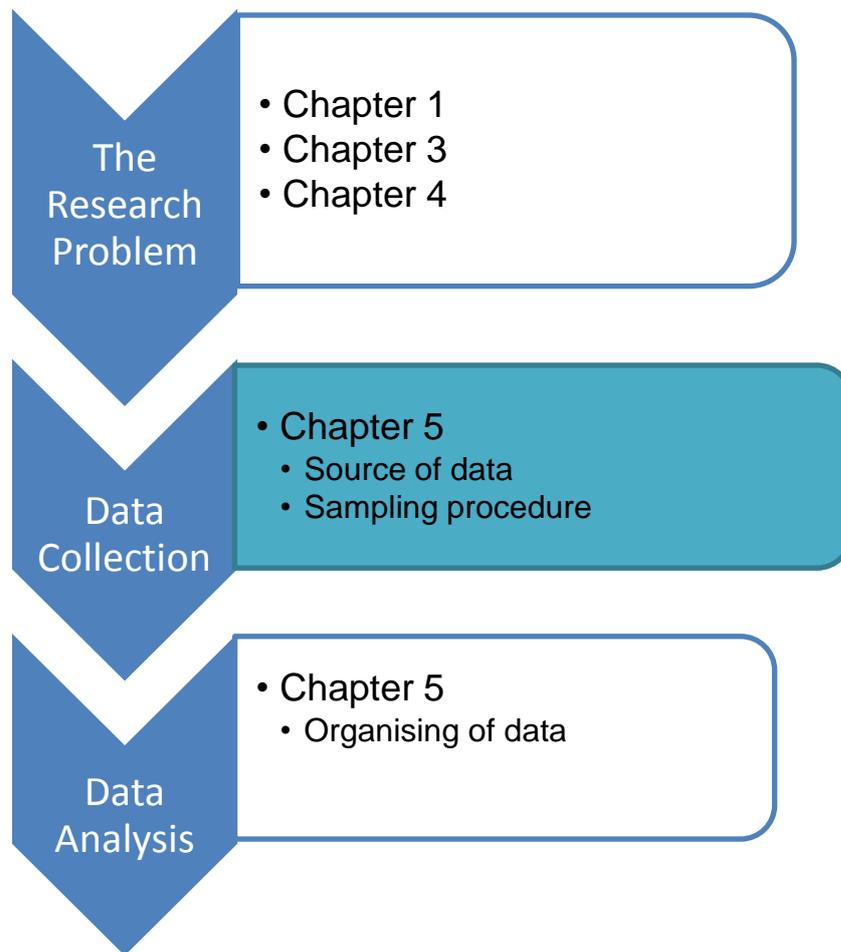


Figure 5.2: Research model

The researcher adopted Creswell's model in Figure 5.2 by outlining the research problem in Chapter 1, followed by the conceptual framework (Chapter 3) and the policy and regulatory frameworks (Chapter 4). Since this chapter is about the question of method, the focus will only be on data collection.

5.6 DATA COLLECTION

5.6.1 Sources of data

The data was collected from two specific groups: the strategies groups (ordinary community members of Grasland and community organisations) and the key stakeholders group (ward committees, councillors and municipal officials), with the strategies groups representing what might be called the bottom-up planning tool, and the key stakeholders group as a top-down type of the planning tool.

5.6.2 Primary sources: The strategies group

The primary sources of data included the following:

1. Ordinary residents of the greater Grasland community.
2. Lesotho immigrants.
3. Ward 17: Ward Committee.
4. Ward 17: Ward Councilor.
5. Ward 45: Ward Councilor.
6. Unemployed and Voters' Organisation (NUVO) of Bloemfontein.
7. Shop owner (Pakistan citizen).

5.6.3 Secondary sources: The key stakeholders group

A literature review of the Mangaung Integrated Development Plan (2011-2016) was conducted in order to establish the extent to which service provision is planned for and implemented in the MMM.

1. Planners in the Strategic Planning Unit of the MMM.
2. The Mayoral One-Hour Consultation Meeting.
3. The MMM IDP Review (2013-2014).
4. N8 Corridor Development Public Consultation Meetings.

5.7 SAMPLING PROCEDURE

A non-random purposive snowball sampling strategy was used for the study. The snowball strategy is a form of purposeful sampling in qualitative research that, according to Creswell (2005:206), typically proceeds after a study begins and occurs when the researcher asks participants to recommend other individuals to the study. The starting point with the snowball sampling is making contact with one or more people who belong to the population. For this purpose an ethical clearance was obtained from the Ethics Committee at the UFS (see Appendix 3).

Maree and Pietersen (2007:172), argues that it is usually impossible to include the entire population in a study; the two main restrictions being time and cost. So, since the goal of a research study is to use the sample to learn about the population, it is very important for the sample to be drawn in such a way that it would be valid to generalise its results to the population. This method, according to the Maree and Pietersen (2007:177) is often used in cases where the population is difficult to find or where the research interest is an interconnected group of people.

In-depth interviews and participant observation were carried out during data collection. For the interviews guiding interview questions were used and interviews were recorded (see Appendix 4). The interview has become the main data collection procedure closely associated with qualitative, human scientific research. For phenomenology in phenomenological interviews, asking appropriate questions and relying on participants to discuss the meaning of their experiences, require patience and skill on the part of the researcher (Creswell, 2013:173).

According to (Creswell, 2013:104) the defining features for phenomenological oriented studies are that they focus on individual experiences, beliefs, and perceptions. With the data collection implications of (a) questions and observations aimed at drawing out individual experiences and perceptions; (b) in focus groups, group experiences and normative perceptions are typically sought out; and (c) in-depth interviews and focus groups as ideal methods for collecting phenomenological data.

5.7.1 Sample size

Access to Grasland was gained through local contacts and the sample was therefore “picked up along the way, analogous to a snowball accumulating snow” (Sommer, n.d.: online). A total of 20 interviews with an average duration of 90 minutes each were conducted over a period of nine months. Out of the 20 interviews, two were conducted with the relevant ward councillors of Grasland, and these interviews provided a balance of views between the residents and the councillors.

“Boyd (2001) regards two to 10 participants or research subjects as sufficient to reach saturation and Creswell (1998:65,113) recommends ‘long interviews with up to 10 people’ for a phenomenological study” (cited by Groenewald, 2004:11). Below are diagrammatical presentations (Figure 5.3 and Figure 5.4) of the sample size for this study.

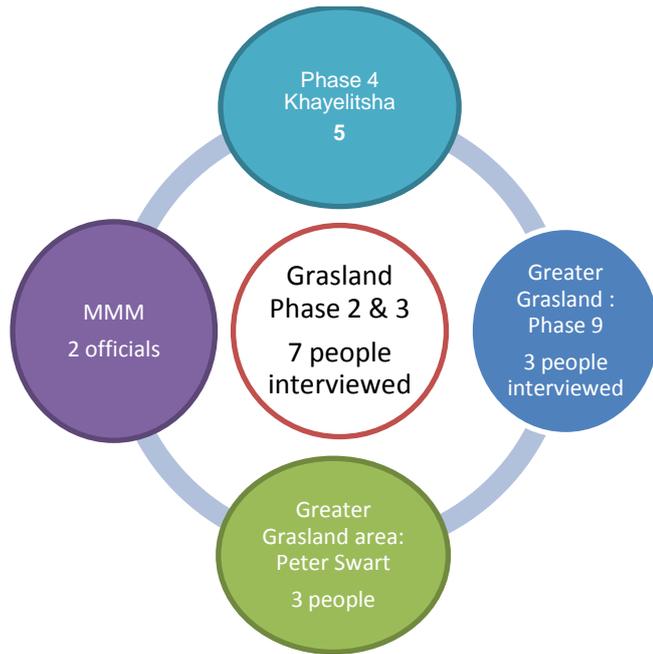


Figure 5.3: Representation of the sample size

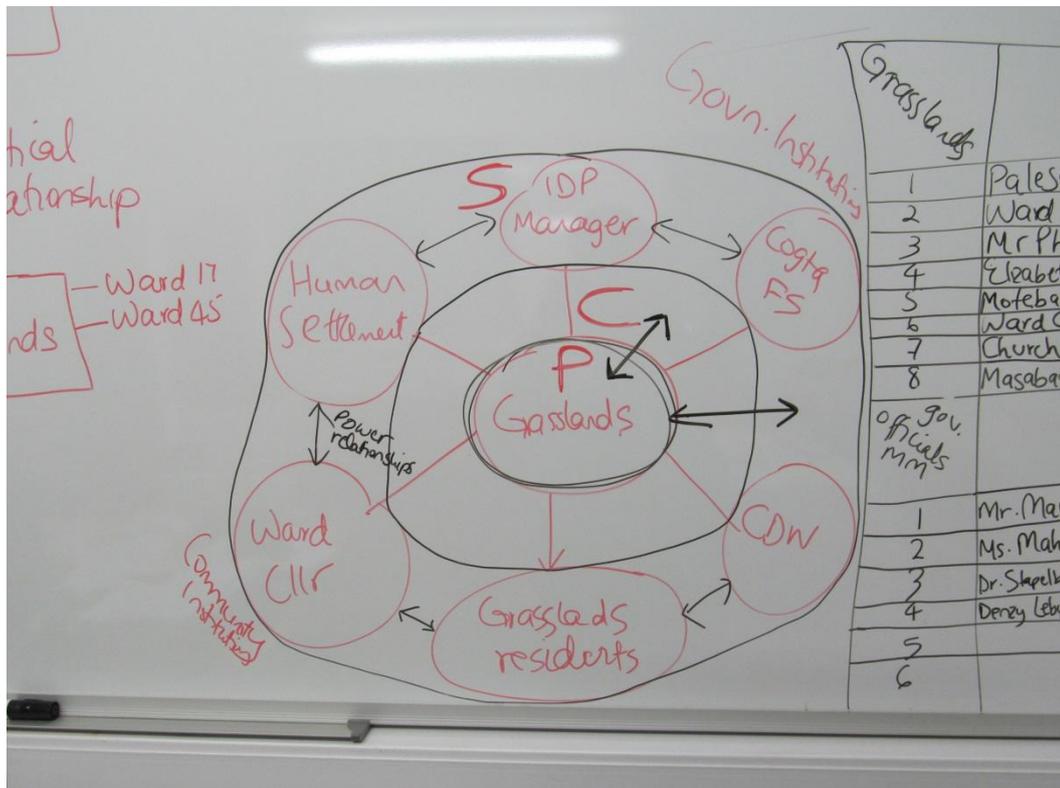


Figure 5.4: Mental map: Process of formulating the sample size process

5.8 HOW ENTRY WAS GAINED TO THE STUDY AREA

The study area was initially identified by the researcher's doctoral scholarship funders, the Public Affairs Research Institute (PARI). They, however, had not gained entry into the study area and it was therefore left up to the researcher to decide how she would proceed. The researcher recently relocated from KwaZulu-Natal and was therefore not familiar with the study area. As part of the methodology to gain entry into the study area, the researcher started by asking around from Masters' students in her department (Urban and Regional Planning). One of them who resides in Grasland Phase 1, agreed to show her the area and its surroundings.

Everything the researcher asked during the period of attempting to gain entry in Grasland was purposeful. For instance, one day when she was in town she happened to ask a woman whether she knew anyone who stayed in Grasland, and fortunately, the woman was staying in Grasland Phase 3 (previously known as the Bergman Square informal settlement). After some discussion, she indicated that she would not have a problem with the researcher staying at her home, rent-free and the invitation was gladly accepted.

This acceptance meant that the researcher had to move to Grasland 3 and stay at Nozipho's¹ house. Initially, data collection was confined in Grasland, but through the use of the snowball method people from neighbouring areas were also interviewed. Furthermore, Nozipho's referral was very useful as she knew people the researcher could possibly interview. According to Maree and Pietersen (2007:177), you are not likely, for example, to find a list of homeless people within a specific area. However, if you go to that area and speak to one or two homeless people, you may find that they know of others in the vicinity and how you can find them.

5.9 CONCLUSION

Firstly, this chapter provided a description of the adopted methodology for this study. The chapter highlighted that the study is based on a qualitative research design grounded on the descriptive phenomenological approach. Secondly, the data collection procedure was explained, emphasising the need for consistency of method and provided the sources of which data was collected. Thirdly, the chapter outlined the sampling procedure, comprising of the sample size. Lastly, a brief description on how entry was gained to the study was provided in this chapter. The next chapter will present the findings and generate a discussion in a form of four articles.

¹The researcher replaced the names of the respondents with pseudonyms so that they can stay anonymous.

CHAPTER 6

PRESENTATION OF FINDINGS AND DISCUSSION

6.1 INTRODUCTION

Chapters 1 to 5 have established the complexities and limits of promises in which access to basic services is contested in South Africa. The chapters went further to present the conceptual framework which highlighted the key debates about “planning”, “social justice” and “power relations”. This was followed by a discussion on the reasons adduced to policy and legislative framework failure on the delivery of basic services.

This chapter presents the key findings in a form of four articles. In **Article 1**, issues of citizenship, access to housing to emerging communities, from the Lesotho immigrants’ perspective of Grasland as a place of belonging and aspiration, are presented. This article was published in the accredited conference proceeding of the 6th Planning Africa International Conference which took place in Durban, South Africa, from 19-20 October 2014. **Article 2** explores the strategies employed by the greater Grasland community to access water. The narratives of everyday lived experiences of Grasland residents, the impact of the inadequacies of basic service delivery, and the strategies employed in negotiating and accessing available sanitary options, are presented in **Article 3**. This article was presented at the conference for planning students and young graduates: Planning in a Changing Global Environment: Past, Present and Future Trends, hosted by the University of Johannesburg from 1-3 December 2014, which will be published in April/May 2015. Lastly, in **Article 4**, consequences for planning and the insecurity produced as a result of inadequate basic service delivery are highlighted.

Furthermore, even though the key findings are situated and presented mainly in article format, the presentation also includes a discussion on the interconnections amongst the basic services and the complexities involved in accessing them. Hence, some findings touch on issues of electricity, sanitation, stormwater drainage, and roads issues.

It is further hoped that the findings presented in this chapter will distinguish the theory from an empirical point of view; thus, merging practice with theory or theory with practice. Therefore, one way of presenting this is through the researcher’s observations of the lived experiences of the Grasland residents. To a larger extent, the presentation of the findings will validate the purpose of the research.

ARTICLE 1: CITIZENSHIP AND ACCESS TO HOUSING IN EMERGING COMMUNITIES IN MANGAUNG

1. Introduction

A significant number of Lesotho immigrants have settled in Grasland, Mangaung in the Free State. The immigrants seek access to South African identity documents (IDs), which would grant them an entry into the labour market as well as access to housing. Pressure from immigrants on housing facilities has altered the Development Plan for Grasland. The area, formally designed to host about 7 272 residential buildings, is currently occupied by over 15 000 abodes. The Mangaung Directorate: Planning and Economics Department has, however, refused to recognise the additional settlements; it views the additional shelters as informal and 'unofficial'. But then, for the immigrants the extra houses are a place of comfort, care and solace.

The views of the officials and immigrants, unarguably, illustrate how notions of "Great Places" are socially constructed. And such constructions are a reflection of power, prestige, privilege and position as well as class and contestation. However the literature on access to housing and other welfare benefits has been silent about such contestation; instead much emphasis is placed on the activities of social movements (Moore, 1998:46). This article therefore draws from the life histories of Lesotho immigrants to reveal diverse trajectories to South African citizenship; it demonstrates ways in which ignoring the convoluting trajectory and actions enacted at individual levels could undermine the developmental thrust of government. Through the lived and narrated experiences of the immigrants, the article reveals that the aspiration and quest for security of tenure can have negative ramifications on governmental planning.

The main objective of this article was to explore ways in which the Lesotho immigrants seek access to South African citizenship and potentially to housing in Grasland. This article illustrates a different perspective on what might be called "Great Places" and different ways of getting there. The life histories presented in this article tell a story of Lesotho immigrants who seek South African IDs as the entry point to potential housing and other services such as employment. The specific two life histories presented in this article involve the family,

and both shows a relationship in the quality of life the Lesotho immigrants have through people who are blood relatives across national boundaries.

This article is divided into six sections. The first section provides an introduction of the study. The second section provides a literature review on citizenship and housing. The third section provides a background of Grasland that outlines how this community emerged. The fourth section outlines the methodology adopted by the study. The fifth section offers a discussion on findings. The sixth section represents concluding remarks.

2. Literature Review

This section deals with citizenship and housing.

2.1 Citizenship

Citizenship is a fluid and often contentious concept. For the immigrants in Grasland, for instance, citizenship is viewed as having access to a South African ID.

The concept of citizenship is inherently contentious, in that it necessarily involves drawing borders around questions of inclusion and exclusion and making decisions about which rights, duties and opportunities will be attached to the status of a citizen. It is a concept that cannot possibly satisfy everyone, meaning that this drawing of borders and creation of rights, duties, and opportunities comes into being as a result of struggles, causing or being likely to cause disagreement and disputes among people with differing views. Contestations therefore, between specific articulations of citizenship rights, duties, and opportunities necessarily ensue. Because of its contentious and contested character, citizenship is always dynamic and is best understood as an ongoing process or a struggle about the creation of citizenship rights, duties, and opportunities” (Lombardo & Verloo, 2009:109).

The authors above attest to the fact that there is no universal definition of what citizenship is. The concept has evolved over time to mean different things within different contexts. According to Bachmann and Staerké (2003:10), while the idea of citizenship may nowadays be universal, its meanings are not; definitions of what it entails to be a citizen vary significantly across national contexts, since domestic laws about who are citizens vary from state to state. Other authors (like Pock cited by Dunne, 2006:7) argue that a strong link between citizenship and modernity exists and that as moderns we have inherited two different conceptions of citizenship from the ancient world: The first being the Roman idea of citizenship as a legal status, entitling a person to certain defined rights and immunities in exchange for some degree of loyalty and allegiance. Pock argues that we still have this idea today; it is what a passport guarantees to its holder in terms of rights to residence,

travel, security, welfare, ownership and disposal of property and legal redress in the case of any infringement of these rights.

Secondly, we have also inherited a more robust conception of citizenship from the Athenian *polis* or city-state as Honohan (2002 cited by Dunne, 2006:7) argues. Here, citizenship was not reduced to a legal status guaranteeing entitlements; it was, rather, a challenging and always precarious achievement as the dignity of being a citizen was an essential aspect of the dignity of being human, which consisted in the capacity to speak and act – and thus to seek out and live a good life (Dunne, 2006:7).

Within the South African context, citizenship is assumed to mean democratic citizenship by way of the country governed under democracy. Yiftachel (2011:129) define democratic citizenship as “full and equal membership in a political community, and entails a combination of legal, political, economic, and cultural rights and capacities. In most recent formulations, full citizenship also means the extension of collective rights to national, ethnic and religious minorities”. The two life histories presented in this article highlight how the Lesotho immigrants struggle under the democratic government to access housing, and how these struggles impact negatively on Grasland as a “Great Place”. Furthermore, the status of the Lesotho immigrants in South Africa who are not recognised as “South African citizens” because they do not have the green bar-coded identity document, may be conceptualised by what Yiftachel (2011:134) terms “ghettoised citizenship”. This observation is based on the fact that the Lesotho immigrants experience segregation in housing in that their immigrant status prevents them from accessing housing. This segregation is in contradiction with Section 26(1) of the Constitution, which states that everyone has a right to have access to adequate housing.

2.2 Housing

Housing is meant to satisfy basic human needs for shelter and security by providing protection against climatic conditions (excessive heat and cold) and unwanted intrusion from insects, rodents and environmental nuisances such as noise that may be harmful for health and well-being. Furthermore, housing contains household activities and possessions (Lawrence, 2004:491). In Grasland, the occupation of both RDP and ‘informal’ houses by the Lesotho immigrants puts them in very insecure positions as there are no guarantees that they will eventually own these houses. Furthermore, the condition of the ‘informal’ houses in Grasland Phase 4, especially during winter months, is dehumanising, but still for the Lesotho immigrants, life in Grasland is perceived as far better than what they have experienced back in Lesotho. Chaudhuri (cited by Govender et al, 2011:335) argues that

insecure occupancy of housing and limited prospects of secure employment makes living conditions difficult for the underprivileged worldwide. Such living conditions include poorly constructed housing from inferior quality building materials and limited building skills (Picture 6.1 a-b); the location of housing on contaminated or disaster prone sites; limited basic services like clean water, garbage collection and sewage treatment.



Picture 6.1 a-b: Improvised housing in Grasland Phase 4

The dominant element of South Africa's housing policy is an income-related capital subsidy, aimed at purchasing land, securing tenure, delivering infrastructure services and a basic house for qualifying households. The subsidy was meant as a once-off 'contribution' by the state aimed at meeting the African National Congress' (ANC) objective of "housing for all". Furthermore, applicants qualify for the capital subsidy by meeting a range of criteria, most notably by demonstrating South African citizenship, household income below R3 500 per month and, if the applicant is single, that he or she is supporting dependents (Charlton & Kihato, 2006:254). Subsequently, if people cannot prove South African citizenship, they are not considered for the capital subsidy or any benefit that is deemed relevant for the South African citizen.

3. Emerging Communities

The concept *emerging communities* seeks to explore if there are new settlements (changed or established settlements) in the cities and small towns of South Africa that constitute new forms of community. It also focuses on exploring the driving forces of how, where and with whom people socialise and relate, to mention but a few. The emerging communities concept is situated within one of the broader research areas of the Public Affairs Research Institute titled *Social Change through Emerging Communities Project* (PARI, 2013), involving in-depth field work in residential settlements of South Africa's cities and small towns.

This section therefore, outlines how Grasland emerged, through a description of the area and how it developed.

3.1 Description of Grasland

Grasland (Map 6.1) developed in the late 1990s as a small squatter camp, where black people invaded the land and settled. Many of the settlers came from places such as Botshabelo, Thaba Nchu, Lesotho, Eastern Cape, Transkei (a former Bantustan), Gauteng, QwaQwa, and even Somalia and Pakistan. The private land owners at that time launched legal proceedings to eject the new settlers and won the case. However, the Department of Land Affairs and the Provincial Government's Spatial Planning Unit contributed money and bought Grasland from the private owners. Since then Grasland became public land.



Map 6.1: The Grasland area

The conversion of the land from private to government property demonstrates struggle for justice, dominion and power, as well as an attempt to make a particular regime accountable to the yearning of the people it claims to govern. The view is highlighted by one of the respondents, a former ward committee member. He recalls that:

People started to stay here in 1998, that time when we came here it was an informal settlement, a squatter camp, that is what we did and we knew very well that the land we occupied was privately-owned, it was owned by the plot owners but we could not expand to where we are now, we were staying on top. That time the councillor of this area was Freedom Front Plus councillor, he was staying on the plots, Bloemspruit plots. We stayed here since 1998, '99, we went to the elections where they elected the ANC councillor, Ntadi Eddie Koliate. Then immediately after that we started the*

negotiations with the municipality because at that time when the Freedom Front was leading here, we could not talk to them, I think you understand why, He was white, we were black and we were staying in the squatter camp, it was difficult to get hold of him. It was difficult for us to say to him 'can't you talk to the municipality or wherever you are, try to tell the municipality that we are staying here and we don't have anything including land, water – all those things'. So, it was difficult on our side, after we have elected the ANC councillor, Eddie Koliate, it is where the municipality started to understand that there are people staying in Bergman Square, that time we were calling it Bergman's Square, who are in need of the residential sites, including other services that can be provided by the municipality. Then immediately after that the ward committee was elected and I was a member of the ward committee by then.*

The residents of Grasland Phase 2 (also known as Bergman Square), organised themselves and used their power as voters to remove the then existing councillor and replaced him with someone who was more sympathetic to their cause. The replacement of the previous councillor allowed them to be part and parcel of formalising Grasland. The councillor recalls:

Then we attended many meetings where we were discussing about the issues of Bergman Square. In 2003 the municipality came to us and said they have appointed the planner who was going to plan the area, this area of Grasland 2. That planner, his surname is Mr Mosatwana, then Mosatwana planned the area, after that he brought the map to us, it was not a final map, it was a proposal, he brought the map to us as a community saying to us here is the map, can you come with your input then he introduced us to the school sites, church site, park all the things. We changed the map somewhere, then he went back, corrected the map, he came back to us and then we said that is what we want and then after that Grasland was formalised. The first peg was erected on the 6th of October 2003, it was nine o'clock, and I was there.

Grasland began therefore as a pilot project in 2003. According to a Free State Province Report on Upgrading Informal Settlements Pilot Project to the Portfolio Committee on Housing (hereafter named FS Pilot Project) (2005:1), the Free State Province identified the provincial pilot project at the Mangaung Local Municipality (now Mangaung Metropolitan Municipality [MMM]). The project came about as a consequence of land invasion on a large scale on private property in the small-holdings area in Bloemfontein located in the south-eastern extends of the city, and over a period of time the numbers grew to more than 3 000 households. Most of the informal settlers started to put forward requests for services to the local municipality and the problem was amplified at different forums. The local municipality was also alerted to the plight of the land owners via several delegations to the province and the local municipality who were unable to deal with the situation comprehensively. Interactions then ensued between the parties, and as a consequence, the Department of Land Affairs was approached to avail resources to purchase plots from their respective owners in

order to solve the land problem. A tri-partite arrangement was struck between the local municipality, the Free State Province and the Department of Land Affairs to deal with the matter (FS Pilot Project, 2005:1).

The FS Pilot Project (2005) explains the phases of the project. The report states that the pilot project identified three phases, and the scope of the project was to span three financial years starting from 2004/2005 to 2007/2008. The phases were broken down in the following manner:

3.1.1 Phase 1

Phase 1 was identified mainly for middle-income households and was allocated to a private developer in an effort to promote private sector involvement and integrate socio-economic groupings within the city. The development of this phase delivered a total of 1 241 residential sites (Picture 6.2 a-b), three business sites, public open spaces, two municipal sites, three worship sites, and three school sites.



Picture 6.2 a-b: Housing in Grasland Phase 1

The level of services installed in this area was reported as full level of services, meaning tarred roads, house connections of water, full water-borne sewerage and electricity.

3.1.2 Phase 2

Phase 2 was earmarked for low-income households, the majority of which had been relocated from the initially invaded private property. The development of this phase delivered a total of 2 831 residential sites (Picture 6.3 a-b), seven business sites, three public open spaces, three municipal sites, five worship sites, three school sites, and three crèches.



a

b

Picture 6.3 a-b: Housing in Grasland Phase 2

The level of services installed in this area was intermediate level of services, which means gravel roads, erven, connection of water, ventilated improved pit latrines for sanitation and pre-paid electricity. It was reported that the level of services was temporary and what was on the ground was scraped dirt roads, temporary bucket systems, non-defined storm water system, 1 400 electricity connections, and water provided at RDP standards.

3.1.3 Phase 3

Phase 3 was an extension of phase 2 and was designated to produce approximately 3 200 residential sites (Picture 6.4 a-b). The process of land acquisition was at 85% of all earmarked properties; parallel to this action, planning and surveying of the land was reported to take place for finalisation in the 2005/2006 financial year.



a

b

Picture 6.4 a-b: Housing in Grasland Phase 3

At the time Phase 3 of Grasland was reported as being formalised and the application for township establishment that had already been submitted to the MEC, was awaiting his approval. It was reported that there was a problem with Phase 3 in that the illegal squatters

who realised that the area was being formalised, came to occupy the area, thus disrupting and delaying the formalisation process. The municipality successfully applied for an eviction order in the court of law through the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (PIE), 19 of 1998. The illegal occupants were supposed to have vacated the area by the end of June 2005 to allow for the formalising of the area. (See Appendix 1 for the court eviction order.)

To date, however, the pilot project has never been completed. Thus, Phases 2 and 3, in particular, are still characterised by inadequate basic services such as proper sanitation and stormwater drainage; which has been the case since 2002. A Grasland resident remembers:

To me now, it is like I am getting used to it [life in Grasland], that is why I say it is nice because it is different from Lesotho, transport is there, water is there, but the problem is the sewerage, sure everywhere you can see there, you have seen, the sewerage explodes everywhere, even last week it was exploded here near my, flowing here near my, in my garden, in my yard. (See Picture 6.5.)



Picture 6.5: Sewerage leaking from a toilet

3.1.4 Phase 4

Grasland Phase 4 (the Khayelitsha informal settlement), which is an extension of Grasland Phase 2 and 3, has an estimated 6 000 plus households (Picture 6.6 a-d). An interesting character of Phase 4 is that almost all residents in the informal settlement have connected themselves to water pipes.



Picture 6.6 a-d: Housing in Grasland Phase 4

Phase 4 is also characterised by a high presence of Lesotho immigrants whom, not being in possession of a South African ID, have been moving from phase to phase as ‘formal’ RDP houses provided by the government for people who were in possession of South African identity documents, were being erected.

4. Approach and Methodology

A qualitative research design based on the phenomenological approach was used in this study. Phenomenological approaches are less commonly used in urban and regional planning. Urban and regional planning as a discipline tends to contribute to a physical layout and subdivision to the neglect of the human experiences. According to Creswell (2013:76), a phenomenological study describes the common meaning for several individuals of their lived experiences. The basic purpose of phenomenology is to reduce individual experiences with a phenomenon to a description of the universal essence.

“The specific phenomena” that the study concentrated on was on how the Lesotho immigrants articulated their life histories as they proceeded to gain access to the South

African ID and housing. The life history interviews were conducted in order to ascertain life experiences of the Lesotho immigrants that influenced their struggles. Hence, two life histories were selected because both had common elements. They were both from Lesotho, classed as immigrants; seeking access to South African IDs, housing and a place where they could belong through security tenure. The two cases illustrate different ways in which the Lesotho immigrants struggle to access South African IDs and potential housing in Grasland.

4.1 Research questions

Two questions were asked to participants for this study, namely:

1. How do Lesotho immigrants residing in Grasland, access basic services?
2. What strategies, if any, do they use to access basic services such as housing in the context where Lesotho immigrants are being denied access as they are not South Africa citizens?

The above questions allowed the participants to respond from their life experiences and for the researcher to “focus attention on gathering data that led to a textual and structural description of the experiences, and ultimately provide an understanding of the common experiences of the participants” (Moustakas cited by Creswell, 2013:81). These questions were also aligned with the first subsidiary research question which asked: How do residents of Grasland access basic services?

4.2 Research limitations

This research article is part of my doctoral research work titled *Exploring the strategies employed by the greater Grasland community, Mangaung in accessing basic services*. The limitation of this article is that it only provides the Lesotho immigrants’ perspectives and not all those of the greater Grasland community.

4.3 Research analysis, findings and results

A brief background of the life histories of two Lesotho immigrants’ two is presented in this section, followed by an analysis and a discussion of the research findings. Pseudonyms are used for the purpose of protecting the participants’ real names.

4.3.1 Life histories

Life History 1: Thato*

Thato* is a black male who was born in Lesotho; his mother is from Lesotho and his father is a South African. He is waiting for his South African-born father to facilitate his access to an ID so that he can qualify for an RDP house. Thato* and his brother were born from the same father, but raised by different extended family members. After the death of Thato*'s mother, he left Lesotho and came to South Africa in 2004, to a place called Sterkspruit in the Eastern Cape. His father brought him to Bloemfontein, Grasland 2 in 2008–'09, where he owns an RDP house. Thato*'s father had promised to buy a car and to open a shop for him. However, because his father is married to another woman with whom he has five children, challenges started to emerge and seven years later Thato* still does not have a South African ID.

The interview with Thato* started when he [Thato*] inquired about his life situation. He said:

***Thato*:** I would like to ask a question, let's say I was born in Lesotho, my mother is from Lesotho and my father South Africa, and my father gives me problems when he should be helping me to receive my identity document? What must I do?*

***Interviewer:** Where were you born? Where was your mother born?*

***Thato*:** Actually I was born in Lesotho. My father's mother originated from Lesotho and my father grew up in Lesotho but eventually came down to South Africa with my mother and after they separated my father married a second woman and they have five children together. Then he went back to Lesotho to look for his child (Thato*) and he was told his child lives in Sterkspruit in South Africa.*

To date Thato* does not have any ID; one of the reasons that Thato* mentioned was his father's wife's insecurities towards him getting access to an ID – which will allow him to inherit the wealth of the father as he was the eldest of all the other children from the second wife. Thato*'s father has a brother who stays in Phase 4 (Khayelitsha informal settlement), of whom Thato* regularly consults as he is desperate for an ID.

Life History 2: Thobile*

Thobile* is a sister who is fighting for her family (father and four siblings) to be close to her. She is waiting for her South African ID to which she is entitled by marriage. Whilst waiting she has to support her father who was born in South Africa and married a woman from Lesotho, but he does not have a South African birth certificate to prove his citizenship status, hence cannot access a pension grant even though he is over sixty now and would thus qualify. Thobile* introduced me to her father, Bafanyana* who is 67 years old.

Bafanyana* was born in Senekal from a South African father and Lesotho mother. He stays in Namibia Square which is within a 5 km radius from Grasland. Thobile*'s father rents an RDP house, which is paid for by Thabile* who now supports him because he does not receive a pension. He has a Lesotho ID and informed me that at the time when he was born, they were not issued with birth certificates and unless his brothers and sisters write an affidavit that he is indeed their sibling, he remains without any South African ID or passport.

Interviewer: *What makes it difficult for you to get an identity document when your siblings have identity documents?*

Bafanyana*: *The one who comes after me has an identity document and receives a social grant. Mine [Lesotho ID] got lost a long time ago and I didn't go back to apply for a new one.*

Bafanyana*: *I'm afraid to go to Home Affairs because they may deport me back to Lesotho. Back in the day there were no birth certificates but baptism papers from church.*

Thobile* also introduced the researcher to one of her three sisters who is now married to a South African man. When asked about the process that one has to go through in order to acquire an RDP house, she responded:

Sister: *In my case I do not qualify for an RDP house because my man works for the government. So, I have to build my own house because they told me I don't qualify for an RDP as my husband earns over R2 000.*

Interviewer: *How are you finding life here in Grasland?*

Sister: *I'm happy to reside here but then the challenge is service delivery, we don't have toilets and the roads are bad.*

Interviewer: *I've been told that most people who live in Grasland are originally from Lesotho. So if you are from Lesotho how does access to an RDP house work?*

Sister: *It is impossible to get an RDP house if you are from Lesotho because of the fact that you don't have an identity document. Those who have RDP houses must marry a South African husband or wife first, and then they can get a house. If you don't have a wife you will just suffer like that because you are a Lesotho citizen, so you don't get any services. No identity document, no services, unless if you are married to a South African. Like my brother and sister, they live in Khayelitsha.*

Interviewer: *How long have they been staying in Khayelitsha?*

Sister: *For one year now, my siblings say and we are all hoping they are going to get a house.*

Interviewer: *How though?*

Sister: *We don't know but they would like to have a house but they will never get it because they have no identity documents. Maybe my sister can use my husband's identity document in order to get a house (laughter)!*

4.4 Diverse trajectories to South African citizenship

Two key themes emerge from the life histories of the two immigrants. The first is the diversity of trajectories to South African citizenship and access to housing. The second speaks to the consequences for development planning in Mangaung as a result of the diverse trajectories to South African citizenship.

The life histories reveal interesting ways in which the Lesotho immigrants access housing in Grasland. They can settle there through a family member or relative already in the area, and later access RDP houses through marriage with a South African who possesses an ID. Alternatively, if a person is not married but has a child born in South Africa, the baby's birth certificate and the partner's South African ID can qualify under her to apply for an RDP house. Thobile*'s life history for instance, illustrates access to housing through marriage:

***Interviewer:** How did they get the RDP houses then? I see, you have built your own house but the other people how were they allocated houses?*

***Thobile*:** Because I gave birth to a South African baby, my baby has a birth certificate and her father has an ID, they can qualify to apply for an RDP but I didn't qualify because I am married to him, the other ones are not married, that is why they qualified for the RDP, so now I won't qualify because I am married to him.*

Thirdly, what makes Grasland a "Great Place" is that even though the Lesotho immigrants are not recognised as South African citizens and experience barriers in attaining security of tenure, the place is characterised by the presence of strong family networks. For instance, when asked whether all family members had migrated from Lesotho to Grasland, a Grasland resident responded:

***Thobile*:** My elder sister came first and I was living with her for studies, that's where I met this guy and then this one [pointing to her younger sister], is now one year, she was coming here to look for a job. In Lesotho there are no jobs, no job and here in Grasland, all of us, we are from Lesotho, it is many of us, all of us we are Basotho.*

Even though access to South African citizenship and subsequently housing and other services is obtained mainly through marriage, for some Lesotho women immigrants, if for instance, a man dies then access is no longer guaranteed. The family of the deceased in some cases chases the woman and her children away and the house gets 'sold' or given to another 'family member'. As Thobile*'s father remembers:

"Abantu basezinqondweni eziningi!"¹

¹Translated to mean that people are always looking for ways to be corrupt.

The above comment speaks to the ways in which people in Grasland find ways, some which are corrupt, to generate income from selling RDP houses to family members. Moreover, some arrangements are made whereby the family takes all the possessions of the deceased and the woman is either allowed to occupy the house if she has children, or another family member with the same surname as the deceased, buys the house.

5. Research Findings and Discussion

5.1 Consequences for development planning in Mangaung

Interesting questions have emerged from this study. For instance, who is recognised as a South African citizen? One of the consequences for planning in South Africa is that we do not acknowledge South African social relationships (traditional marriages, children born in Lesotho from South African fathers or mothers). Particularly, in many African and Western contexts alike people are born across boundaries. Furthermore, we view families as nuclear, with a father, a mother and children, and this is a false view. In Grasland, for instance, there are extended families as *abantu bayazalana* (people procreate all the time). Currently, the children of Grasland residents have grown up and some are married to Lesotho immigrants who are not recognised as citizens. They start families; hence, we see extensions such as Khayelitsha, Freedom Park Square and *Dinaweng* (loosely translated the name means the place of the clitoris! which is related to women who are sex workers commonly found in this area as they are labelled and blamed for selling their bodies).

In South Africa, legislation seems to contradict itself. For instance, it avails basic services only to South African citizens, thus promoting “apartheid citizenship”. According to Polzer (2009:5) several challenges currently affect South Africa’s ability to benefit from human mobility and thus hinder the creation of “great places”. These include: planning for population movement at provincial and local government level; ensuring access to basic rights and services for all; preventing xenophobic and supporting social cohesion; managing migration; enabling migrant contributions to local and national economy; effectively implementing the asylum system; the migration of children and unaccompanied minors; border security, smuggling and trafficking; increasing sub-regional convergence and coordination; and developing effective inter-departmental data-gathering and policy cohesion tools and capacity-building mechanisms.

The life histories presented in this article clearly illustrate the challenges alluded to by Polzer above. For example, while the South Africa’s Constitution guarantees basic and socio-economic rights, these are generally limited in their implementation. This is due to a

lack of knowledge among service providers as to who can have access to these services. Thato's life history shows how the absence of proper South African documentation can deny services even to those that are entitled to them. While Thato* is in reality a South African citizen, the fact that he is unable to prove his citizenship, means that he is being excluded from the benefits that he is otherwise entitled to. Thobile*'s father, Bafanyana*, is in the same boat: he was born in South Africa, but he has no documents to prove his case so he is losing out on a pension that he is legally entitled to receive.

Thato* and Bafanyana* are not the exceptions in Grasland. Many others like them face similar or even more challenges. But, it seems there is little that is being done to address the challenges that are faced by Lesotho immigrants in Grasland, as well as other migrants in some parts of South Africa. Currently planning decisions adversely influences the life of large groups of immigrants and creates spaces of socio-economic structural deprivation and inferiority. However, these realities can be changed, for instance, by responding to the needs of the Lesotho immigrants to gain access to housing and other basic services of which in the case of the two life histories presented in this study, clearly have legal claim to. Grasland will indeed be a "Great Place".

Besides, the common reality of cultural contexts anywhere in the world is the issue of land. It seems that Lesotho immigrants in Grasland are looking for security of tenure. Over and above this need, a sense of belonging is a collective identity that the urban spaces create, what Yiftachel (2001:129) terms *collective identities*. According to Yiftachel (2001:129), a key long-term consequence of urban and regional planning – rarely explored in planning scholarship – is the shaping and reshaping of collective identities. This identity is constantly affected by the processes of development and socio-political division of space. Thato*'s and Thobile*'s life histories, and many others like them in Grasland and surrounding areas, attests to this. For instance, Thato* is not in possession of an ID, but identifies with Grasland as home, a place where he belongs. However, without an ID he will not be able to secure tenure. What is likely to happen to Thato* should planners decide to build 'formal' RDP houses in Grasland, Phase 4 (Khayelitsha informal settlement)?

5.2 Research contribution

The two life histories represent the aspirations, the needs and the kind of social justice the Lesotho immigrants expect in Grasland. To a larger extent, the two case studies reveal that the planning that needs to be made for the Lesotho immigrants are clearly different from generic assumptions made on what planning to do or provide for 'the people' who are perceived as South African citizens. Hence, interesting questions have emerged from this

study. Since people are born across boundaries in many African contexts and as the case in South Africa, whom does the MMM recognise as a South African citizen in Grasland? Secondly, what criterion is used to determine the citizenship status? Furthermore, it is a false and a Western view to think of families as nuclear (a father, a mother and children). In Grasland for instance, the two life histories showed that the nature of extended family structures exists beyond the nuclear family view.

The consequences for planning in South Africa is that we do not acknowledge social relationships across boundaries (traditional marriages, children born in Lesotho from South African fathers or mothers, children born in South Africa but moved to stay in Lesotho and were issued with Lesotho citizenship papers etc.). Yet, these social relationships are characterised by the aspirations of immigrants who dream of securing tenure for themselves and their children, who were born in South Africa and are South African citizens.

6. Concluding Remarks

This article has displayed that diverse trajectories to South African citizenship have potential to hinder the planning processes that are conceptualised as democratic and intended to achieve social justice. Through the two life histories it has also provided an empirical response on issues of citizenship, access to housing and emerging communities from the Lesotho immigrants' perspective of viewing Grasland as a place of belonging. It highlighted that the barriers experienced by the Lesotho immigrants does not stop them from starting families and making the best out of their situation, and that through their aspirations, Grasland is a "Great Place". For instance, their children still go to school; and when they cannot access antiretroviral drugs from the clinic, they share these drugs whenever someone runs out of them so that the person does not skip their dose. Even though many are working in precarious conditions, and have to provide for their loved ones; they do so whilst they live in Grasland.

ARTICLE 2: ACCESS TO WATER IN EMERGING COMMUNITIES IN MANGAUNG

1. Introduction

Water, the main theme for this article, has been acknowledged as a fundamental basic human need and social right all over the world (Bond, 2012; Development Impact Evaluation [DIMI], 2012; Harvey, 2008; Nzimakwe, 2009; Perret, 2002; South African Human Rights Commission [SAHRC], 2014). For instance, human bodies are made up of 60% water and without water we would perish. Hence, water is intrinsically linked to basic service provision, in that governments are required by law to provide it, regardless of whether the person is perceived as a 'citizen' or 'non-citizen'. The 'citizen', 'non-citizen' argument, even though not the main focus of this article, is relevant in that it reveals a complex relationship between a basic human need and right such as water with issues of citizenship, power, discrimination, prejudice and oppression. It reveals that "the city can also be a space where citizenship is denied or compromised, for example in slums and informal settlements where life is dangerous, and where the right to a dignified standard of living is undermined" (Earle, 2011:2).

Access to adequate basic services such as water, is therefore a contested issue in South Africa (Kemerink, Ahlers & Van der Zagg, 2011:585). Contestation regarding access to water is embedded in the implementation of separate development, under the Nationalist government which provided unsatisfactory infrastructure in places where the poorest communities were forcefully allocated. The Infrastructure Barometer report (Development Bank South Africa [DBSA], 2012:36) postulates that "infrastructure delivered in track with apartheid settlement arrangements shaped severe and continuing inconsistencies across the economy. Above all, it meant that the lowest levels of historical investment in infrastructure and, consequently, the highest costs for future provision of these services were found in the poorest communities."

As a result of the inconsistencies in infrastructure provision and, subsequently, access to water during the colonial-segregation-apartheid eras, water is currently a scarce commodity in South Africa. Water scarcity is but one of the factors that have influenced the ANC-led government to plan under pressure. For instance, it is not unusual to read in newspapers that families have been living without access to water for more than two decades or that

water had been provided, but due to burst pipes and the lack of infrastructure maintenance, it is no longer accessible. Hence, water-related protests, and at some instances, violent service-delivery protests, are now usual stories in South Africa. This is irrespective of the fact that provision and access to water is prioritised by local governments as mandated by Section 27(1)(b) of the Constitution which “guarantees ‘everyone’ the right to access to ... sufficient water” (South Africa, 1996).

In his newspaper article, Mashego (2015:8) recently reported that “a premier was chased out of the community meeting ... but was due to return to the area ... to give feedback on when water would be available to residents. Furthermore, earlier in that week protesters had looted two foreign-owned shops, set alight a bus and barricaded parts of the N4”. As noted in Mabin (2005:45), not only is the present-day in South Africa characterised by an unequalled effort to achieve social justice, with all manner of intersections with social geography, but both present changes and the future revolve in many respects around the conflicting desires to increase social justice and the processes which continue to produce injustice.

A sizable number of Lesotho immigrants have settled in Grasland, the study area. Situated in Bloemfontein, Mangaung, in the Free State, Grasland is currently occupied by over 15 000 abodes, even though it was formally designed to accommodate about 7 272 residential buildings. The immigrants seek access to basic services such as water, housing, sanitation, electricity, and security. Hence, the challenge of access to water experienced by immigrants illustrate contestations between them [immigrants], the Ward Counsellors and the MMM officials. Consequently, such disputes are a reflection of power, status, privilege and position, borne of social constructs.

The main objective of this article was to explore the strategies employed by the greater Grasland community to access water, in conditions of inadequately provided water in and through the formal processes of the MMM. The article illustrates ways in which people of the greater Grasland area, in particular immigrants, are forced to live in conditions characterised by discrimination, prejudice, privilege and power.

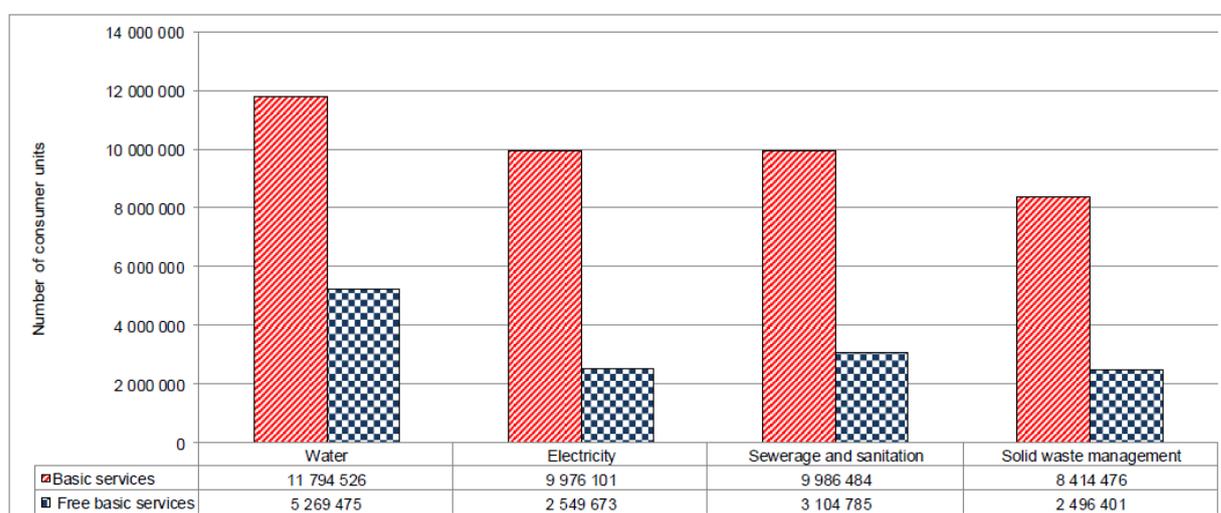
To achieve this objective, the article is divided into three sections. The first section provides the theoretical basis in which the article is grounded, hence concepts such as water, citizenship, discrimination, prejudice, oppression, and power are discussed. The second section discusses the methodology adopted by the study. The last section offers a discussion on the findings and a conclusion.

2. Theoretical Basis

This section provides an overview of the key concepts that are relevant to the study. The theoretical foundation of this article is by no means exhaustive, but rather concentrates on illuminating the theories and ideas and their application to the study.

2.1 Significance of water for humans

There are many accomplishments that have been documented on the increase in access to water. According to the World Health Organisation (WHO) (2014:iv) between 1990 and 2012, for example, 2.3 billion people around the world gained access to an improved drinking-water source. The number of consumer units receiving services from municipalities in South Africa from 2012 and 2013 is shown in Figure 6.1.



* Some figures have been revised.

**Includes service providers contracted by municipalities.

Source: Statistics SA (2013:3)

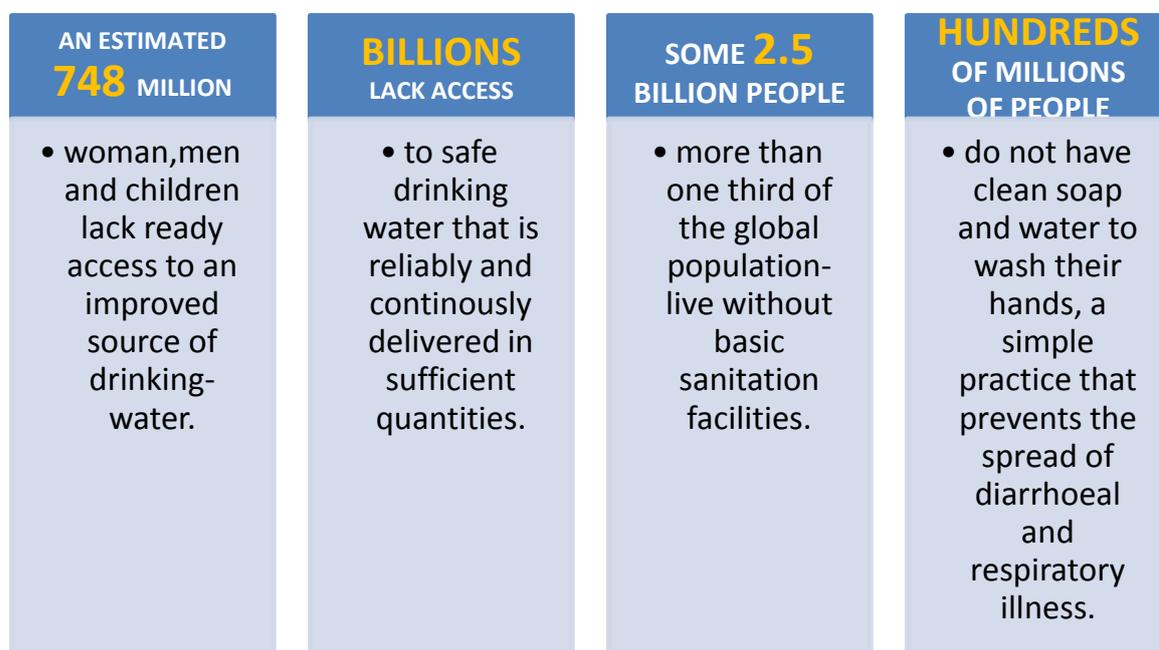
Figure 6.1: Number of consumer units receiving services from municipalities: 2012 and 2013

Whilst in South Africa, access to water services was reported to have increased from 11,4 to 11,8 million consumer units (Statistics South Africa, 2013:3). In terms of percentage of households with access to water, about 91.3% of the population could access piped water² in 2011, compared with 85% in 2001 (PARI, 2014:5).

However, as the WHO report (2014:iv) notes, key areas of concern remain, inadequate water and sanitation policies and practices fuelling the spread of disease, not only in households and communities, but also in schools and health centres (Figure 6.2). Hence,

²The piped water may be available inside the household, in the compound or just outside the compound.

water-borne diseases are one of the main killers of infants, while prevalence diarrheal diseases are an indicator of (non)development.

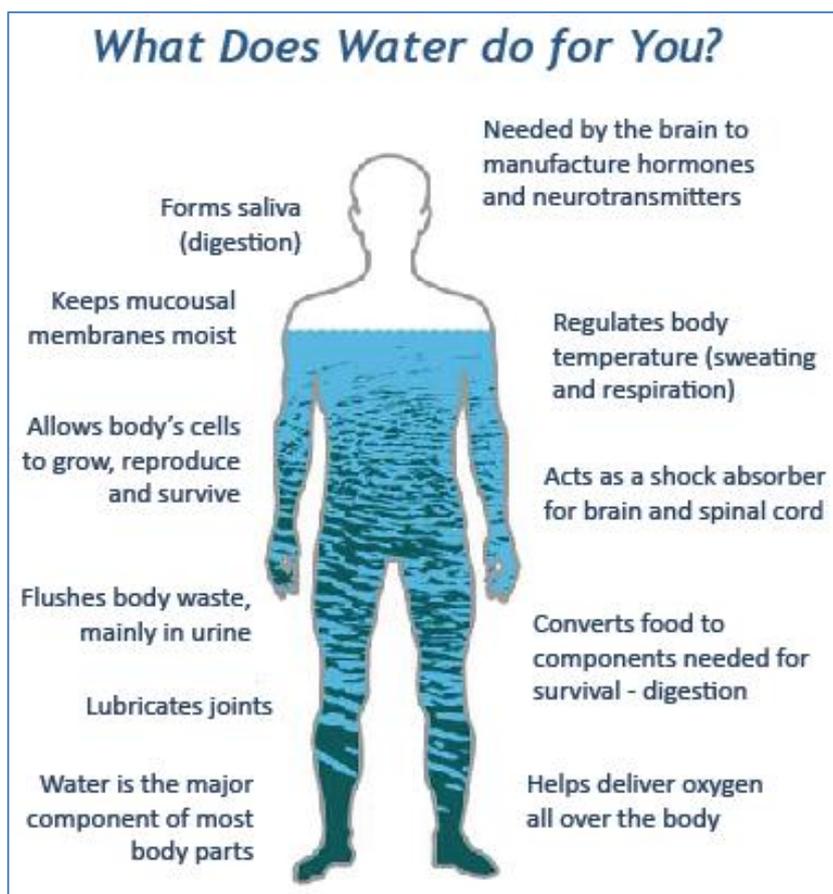


Source: WHO (2014)

Figure 6.2: Access to safe drinking water

Humans rely on water to survive and as stated earlier, without water they would perish within a few days. The significance of water for humans is further sketched in Figure 6.3 below. The figure outlines that water regulates body temperature (sweating and respiration), it flushes body waste, mainly in urine, and it lubricates joints and converts food to components needed for survival through digestion.

When water is inadequately provided, livelihoods of people are affected. Access to safe drinking water and sanitation is fundamental to the enjoyment of other rights such as the rights to education, health, safety and an environment that is not harmful to human health or wellbeing (SAHRC, 2014). Accordingly, the essentiality of water for life cannot be contradicted (Thapliyal, 2011:67).



Source: United States Geological Survey (2014:1)

Figure 6.3: The significance of water for humans

2.2 Challenges preventing adequate water provision in South Africa

The post-colonial-segregation-apartheid era is characterised by a number of challenges that prevents adequate water provision in South Africa. Schreiner (n.d.: online) argues that presently there are severe difficulties relative to organisation, policymaking and plan implementation capability which are intensified by a deficiency of financial management capability, and by the lack of ring-fencing of the water services business in many municipalities. According to Ndenze (2015: online), the Minister of Cooperative Governance and Traditional Affairs, Mr Gordhan, stated that the reasons contributing to the “functionality or dysfunctionality of a municipality included a combination of things, ranging from institutional management, political stability and service delivery to community satisfaction”. Furthermore, the latter is influenced by severe absence of qualified technical staff in many municipalities, which is why ensuring control of drinking water quality (and subsequently its provision) has proved to be a challenge in some areas.

Another challenge preventing adequate water provision in South Africa is the fact that the ANC-led government adopted neoliberal policies as models for delivery of basic services. Morris (2012:16) states that the post-[colonial]-apartheid South Africa adopted a market-led approach to service delivery. Hence, neoliberalisation³ has highly influenced the continued spatial imbalances and subsequently maintained the colonial-segregation-apartheid form of inequalities.

As can be seen, the above-mentioned challenges are not a new phenomenon in South Africa. Schreiner (n.d.: online) posits that over the past few centuries, the delivery of water services was profoundly shaped by race and class; the results of which were evident in 1994 when, it was estimated, around 14 million people did not have access to safe drinking water. Most of these people were black, and poor, while the majority of white people enjoyed in-house water systems. Hence, as Harrison et al. (cited by Mabin, 2005:46) argues, apartheid certainly did accentuate the physical divisions of the cities.

2.3 Provision of water to households in informal settlements

Informal settlements, also referred to as favelas, slums, and squatter camps, develop as a result of land invasion as people migrate closer to perceived places of work in urban areas. According to Huchzermeyer (2011:86) informal settlements, developed through the unauthorised invasion of land and construction of shelter, have characterised the urban landscape in South Africa since the nineteenth century. The White Paper on Local Government (South Africa, 1998:20) defines informal settlements as those that are unplanned and largely unserved, with populations of over 5 000 people. Some are close to urban areas, and others are located in rural areas with a minimal local economic base. Some intensive commercial farming settlements also fall within this category.

A commonly accepted definition of an “informal settlement” is that it exists where housing has been produced in an urban or peri-urban location without official authorisation, and is generally characterised by inadequate infrastructure, poor access to basic services, unsuitable environments, uncontrolled and unhealthy population densities, inadequate dwellings, poor access to health and education facilities, and lack of effective administration by the municipality (World Design Capital , 2014).

Consequently, the inadequate provision of water in informal settlements is rife as it seems that local governments are either incompetent or confounded on how to provide basic

³Neoliberalisation is a “process of political-economic change’ ... where the state deploys market rule and principles” (Tickell & Peck cited by Morris, 2012:16).

services in a coherent and consistent manner (Picture 6.7). Gukurume (2012:2) argues that informal settlements are perpetually overlooked in the provision of basic social services and amenities in most, if not all, urban areas. With municipalities arguing that informal settlements has presented them with challenges as these settlements do not have proper housing or water and reticulation infrastructure, hence, hindering their capacity to provide water within them (SAHRC, 2014:30)



Picture 6.7: A young girl drinking water from the street

The complications regarding provision of water to households in informal settlements are further exacerbated by issues of 'citizenship'. When people are alienated and denied access to water because of their nationality, it is unsettling; especially given the history of ghettoisation experienced by many in South Africa. If people who are holders of South African IDs complain about access to adequate water, how do people considered 'non-citizens' or 'illegal migrants' cope when this basic service is not provided for them?

2.4 Access to water by immigrants in informal settlements

Although not a new phenomenon in South Africa, inadequate access to water by people who reside in informal settlements is alarming and more so for the immigrants (e.g. Grasland Phase 4). For instance, the SAHRC (2014:30) reported that many of the complaints on a lack of services received by the Commission emanated from individuals and families living in informal settlements that had been on waiting lists for formal housing for a long period of time and continue to suffer from the impacts of a lack of access to basic services and the associated impacts on the other human rights.

It was stated earlier that water is an important factor to human daily functioning and future. However, immigrants in informal settlements are discriminated against in accessing adequate water as their citizenship status is constantly under scrutiny, especially by the municipalities responsible for facilitating access to water. Moreover, it has been established that municipalities, because of their lack of understanding or the unwillingness to understand thereof, the demographic explosion are forced to provide water for populations they had not anticipated. The South African Local Government Association (SALGA, n.d.: online) agrees with the latter as they state that while the provision of documentation are undeniably national competences; however, the nature of their implementation impacts the range of benefits and rights individuals may enjoy at their place of residence or work. They argue that the undocumented migrants or unregistered South Africans, especially in informal settlements, pose a specific challenge for municipalities. The illegality of their stay in the country or the informality of their residence in a locality should not deprive them of certain basic rights (SALGA, n.d.: online).

2.5 Prejudice

Although there is no one agreed-upon definition of what prejudice is, generally the term is often used to refer to people who experience disadvantages based on their social group membership. As early as 1954, Gordon Allport in his book titled *The nature of prejudice* (1954:10) defined prejudice as “an antipathy based upon a faulty and inflexible generalization. It [prejudice] may be felt or expressed. It [prejudice] may be directed toward a group as a whole or toward an individual who is a member of that group”.

Reflecting on Allport’s definition of prejudice fifty years later, Dovidio, Glick and Rudman (2005) edited a book titled *On the nature of prejudice: Fifty years after Allport*. Eagley and Diekmann (2005:19) argued that prejudice is a complex and multifaceted process; hence, countless social groups that experience discrimination are not the targets of generalised negative attitudes – the “antipathy” of Allport’s definition. They posit that the generalisations that motivate prejudice may usually be accurate at the group level, but inaccurate in relation to individuals in the role-incongruent contexts that produce discriminatory actions.

Often prejudice is defined as a negative and intentional act, even though it might emanate from the everyday processes that have been normalised in society. To illustrate the latter, for instance, Thornicroft, Rose, Kassam and Sartorius (2007:192-193) argues that the reactions of a host majority to act with prejudice in rejecting a minority group usually involve not just negative thoughts but also emotions such as anxiety, anger, resentment, hostility,

distaste or disgust. These authors argue that, in fact, prejudice may more strongly predict discrimination than do stereotypes⁴.

2.6 Discrimination

Discrimination refers to making an unfair distinction between people and groups based on labels or categories (Kassim, Williams & Patten, 2012:102). It occurs when members of a particular structural social group are treated unfairly because of their group membership.

Discrimination comes in many forms. It can be 'direct' or 'indirect', for instance, being treated differently because one is poor. The latter is supported by Forshaw and Pilgerstorfer (2005:348) who state that direct discrimination includes unequal treatment driven consciously and intentionally by negative beliefs and attitudes towards the individual's or group's personal appearances. Whilst indirect discrimination involves disadvantaging or depriving an individual or a group of individuals of equal treatment, yet the motivation is not consciously or intentionally due to certain personal characteristics (Forshaw & Pilgerstorfer, 2005:349). An example is when people are denied access to water because they are considered 'non-citizens'.

2.7 Oppression

The concept of oppression is useful for analysis of the construction and maintenance of inequality and its practice. There are many definitions of oppression. However, generally, there is agreement that oppression is systematic or structural in nature. Charlton (1998:8) defines oppression as that which "occurs when individuals are *systematically* subjected to political, economic, cultural, or social degradation because they belong to a social group. Oppression of people results from structures of domination and subordination and, correspondingly, ideologies of superiority and inferiority." Another definition by Deutsch (2006:10) is that oppression is the experience of repeated, widespread, systematic injustice. Deutsch argues that this experience need not be extreme and involve the legal system (as slavery, apartheid, or the lack of a right to vote) nor violent (as in tyrannical societies).

Oppression usually has negative effects on both the oppressed and the oppressor social groups. It is argued that for the oppressed, oppression shakes the very core of being human and destroys purpose, drive and passion. Johnson (2006:39) supports the latter and

⁴Stereotypes are generalisations about a particular social group. They contain some grains of truth in that you are likely to see some members of that social group in those stereotyped categories. Stereotypes can be positive, but are usually negative. For an example, it is generalised that left-handed people are clever – positive stereotype. A negative stereotype is that black people are lazy.

ascertains that “for every social category that is privileged, one or more other categories are oppressed in relation to it. The concept of oppression points to social forces that tend to press upon people and hold them down, to hem them in and block their pursuits of a good life. Just as privilege tends to open doors of opportunity, oppression tends to slam them shut.” For the oppressor social groups, although the effects might look ‘positive’ through enjoyment of privilege⁵, the longer impact is the birth and quintessence of fear, isolation and anxiety.

Johnson (2006:13) opines that Oppression = Prejudice + Power. For him, oppression is the systematic targeting or marginalisation of one social group by a more powerful social group for the social, economic, and political benefit of the more powerful social group. Oppression can manifest through racism, classism, sexism, heterosexism, and other ‘isms’. Only the dominant group can be oppressive (i.e., racist, classist, etc.), because only the dominant group has the power. Oppression is the losing end of privilege. Hence, rather than an action of an individual, oppression is systematic in nature.

Understanding how systems of difference and inequality interact and operate to shape everyone’s lives is essential to the struggle for social justice (Ferber & Samuels (n.d.: online). Furthermore, they argue that we all have several social group characteristics that define who we are and how others view us. Hence, based on one’s social status, a person can be oppressed in some ways and privileged in others. Patricia Hill-Collins (cited by Ferber & Samuels, n.d.: online) refers to this as a matrix of **oppression and privilege** (TABLE 6.1). Hence, this makes all forms of oppression (xenophobia, anti-Semitism, sexism, classism, etc.) part of interconnected systems that shape our lives.

Oppression is also an intertwining, multileveled system that consolidates social power to the benefit of members of privileged groups and is maintained and operationalised on three dimensions: (a) contextual dimension; (b) conscious/unconscious dimension; and (c) applied dimension (Figure 6.4).

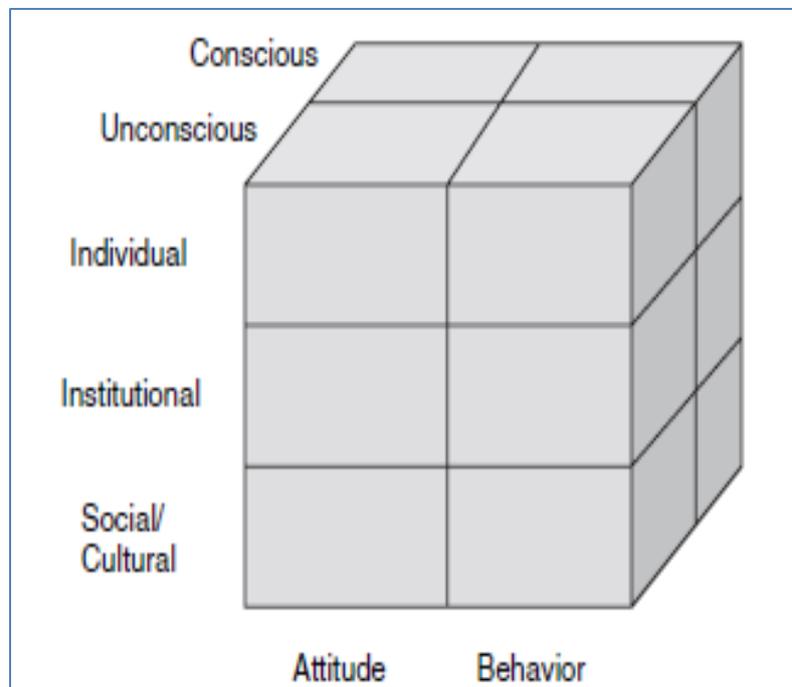
The contextual dimension consists of three levels: (a) individual; (b) institutional; and (c) social/cultural. The conscious/unconscious dimensions describes how oppression is manifested at the individual (attitudes and behaviour), institutional (policies, practices, and norms), and societal/cultural (values, beliefs, and customs) levels (Hardiman et al., 1997:39).

⁵“The concept of privilege refers to any advantage that is unearned, exclusive, and socially conferred. For example, white people are generally assumed to be law-abiding until they show some sign that they are not, while people of colour are routinely assumed to be criminals or potential criminals until they show they’re not” (Johnson, 2014: online)

TABLE 6.1: KEY CHARACTERISTICS OF THE MATRIX OF OPPRESSION AND PRIVILEGE

- **Classifications of difference are socially constructed:** Recognizes that race, gender, sexuality, disability, class, etc. are socially constructed classification systems. Social constructs vary cross-culturally and historically and biology and culture interact (Fausto-Sterling, 2000; Ferber, Holcomb & Wentling, 2008).
- **Privilege and oppression go hand in hand:** Privilege and oppression are two sides of the same coin; you cannot have one without the other. When we bring privilege into the picture, we see that everyone has a racial identity, a gender identity, etc. White people have a race, and men have a gender and these affect their life experiences and opportunities.
- **Inequality is harmful to all:** Narrow group identities can be harmful to everyone, even those in the privileged group. For example, boys experience many negative effects from our culture's narrow definition of masculinity which contributes to adolescent boys' bullying (Kimmel, 2008).
- **Inequality is an institutional problem:** Privilege and oppression are not characteristics of people, but of society. According to Allan Johnson (2006), "Oppression and dominance name social realities that we can participate in without being oppressive or dominating people" (p. 13). Thus, we can understand how even the best-intentioned individuals may unknowingly contribute to reinforcing inequality.
- **We are all responsible for social change:** We are all implicated in systems of inequality, and must accept responsibility for working for change. Racism is not a people of colour problem; sexism should not be seen as a women's issue. We must all work together as allies to create social change (Ferber, Jimenez, O'Reilly Herrera and Samuels, 2008).

Source: Ferber and Samuels (n.d.: online)



Source: Adams, Bell & Griffin (2007:39)

Figure 6.4: Multidimensions of oppression

2.8 Power relations

Like prejudice, power is multifaceted and very complex to define. Foucault (1982:779) asserts that to understand power we need the new economy of power relations. Foucault's concept of power is relevant in that it may assist us to gain an understanding of how access to basic services in Grasland is intrinsically connected to power relations.

For Foucault (1982:778-779), power should not be understood as an oppressive system bearing down on individuals from above, smiting them with prohibitions of this or that. Power is a set of relations, and while the human subject is placed in relations of production and of signification, he is equally placed in power relations which are very complex.

Power relations manifest especially when the government (unconsciously and consciously) manipulates people by inadequately providing basic service and subsequently improvising on these services. Power relations also manifest when people who are manipulated, end up behaving in ways in which they are constructed by those who are responsible for basic service delivery.

2.9 Citizenship

Citizenship is a fluid and often contentious concept and there is no universal definition of what citizenship is, as the concept has evolved over time to mean different things within different contexts. A comprehensive definition of citizenship is not a simple task because one of the main aspects of contemporary citizenship change is that accepted definitions of citizenship are being undermined and rethought (Purcell, 2003:564). Whereas Bachmann and Staerklé (2003:10) state that, while the idea of citizenship may nowadays be universal, its meanings are not; definitions of what it entails to be a citizen varies significantly across national contexts, since domestic laws about who are citizens vary from state to state. However, in its broadest sense, citizenship involves rights, duties and membership in a political community of some kind (Brown cited by Purcell, 2003:565).

2.10 Social justice

Understanding the concept of *social justice* is important as it ensures that people are protected from oppressive practices which tend to prevent them to live a secure and productive life. However, social justice is a contested concept with multiple understandings. For the purpose of this article, social justice is defined in terms of values, process and practice for empowerment to disallow oneself to be oppressed, the promotion of values that disincline one to oppress others and practices that enable equality and justice. This

definition speaks to the issue of agency that everyone must develop in order to take responsibility for the creation of a just society. Bell (1997:2) believes that the process for attaining social justice should be democratic and participatory, inclusive and affirming of human agency and human capacities and capabilities for working collaboratively to create change. However, they argue that developing a social justice process in a society and world steeped in oppression is no simple feat.

2.11 The right to the city *versus* the right of the city

As cities continue to experience high population growth, human rights have become fundamental in how people gain access to basic needs such as water. According to Harvey (2008:1), we live in an era when ideals of human rights have moved centre stage both politically and ethically. The need to provide and sustain water service delivery within urban contexts characterised by neo-liberal urbanism, speaks directly to the debate about the right to the city *versus* the right of the city. Whilst the city is attempting to create and provide, for instance, job opportunities, housing and many other basic services, city dwellers are attempting to access these job opportunities. But also, some of the city dwellers might be perceived as ‘illegal immigrants’ with no right to the city. All of this happens within a context where:

... a lot of political energy is put into promoting, protecting and articulating their significance in the construction of a better world. The right to the city is, therefore, far more than a right of individual access to the resources that the city embodies: it is a right to change ourselves by changing the city more after our heart's desire. It is, moreover, a collective rather than an individual right since changing the city inevitably depends upon the exercise of a collective power over the processes of urbanization (Harvey, 2008:23).

It cannot, therefore be disputed that citizens have a right to their cities and that this right must be shielded within settings of the urbanising cities. It is known that cities are places where people are born, live, work, and eventually die. Hence, as Lefebvre (1996:34) argued, “the right to the city, complemented by the right to difference and the right to information, should modify, concretize and make more practical the rights of the citizen as an urban dweller and user of multiple services”.

Barber (2014:1) supports Lefebvre and states that citizens have a right to transparent, accountable government and to engagement and participation in the business of the city, meaning that recognition that the rights of the city are the rights of citizens, and include the right to participation as well as representation. However, what happens when this right of citizenship is denied through basic service provision because of assumptions about

people's citizenship? Or when people are discriminated against because they are perceived as 'indigent'?

3. The Descriptive Phenomenological Method

This study is based on a qualitative research design grounded on the descriptive phenomenological approach. Phenomenological research design approaches are less commonly used in urban and regional planning practice. Urban and regional planning as a discipline tends to be perceived as contributing to a physical layout and subdivision to the neglect of the human experiences. According to Creswell (2013:76), a phenomenological study describes the common meaning for several individuals of their lived experiences with the basic purpose of reducing individual experiences with a phenomenon to a description of the universal essence.

In the descriptive method the researcher makes no interpretations, but rather, analyses the descriptions given by participants and divides them into meaning-laden statements, gathering those meanings that are essential to the construct of the phenomenon being studied. Thus, the researcher is able to bring to written description the structure of the phenomenon of interest. A descriptive phenomenological approach is used when not much is acknowledged about a subject and when the aim of the study is to make it vivid and easy to understand.

The study concentrated on how people of the greater Grasland community, and in particular the Lesotho immigrants, accessed water in conditions of inadequate water provision, in and through the MMM formal processes. In other words, how they narrated their lived experiences in employing these strategies and successively their struggles. Furthermore, the researcher attempted to capture these experiences through descriptions and she was mindful to allow the descriptions to be captured and told as received from the respondents. As Buts and Shapiro and Kensit (cited by Groenewald, 2004:11) caution, the researcher must allow the data to emerge, arguing that doing phenomenology means capturing rich descriptions of phenomena and their settings. The latter is supported by Creswell (2013:81) who argues that to fully describe how participants view the phenomenon, researchers must bracket out, as much as possible, their own experiences.

A total of 20 interviews with an average duration of 60 minutes each were conducted over a period of nine months. Out of the 20 interviews, two were conducted with the relevant ward councillors of Grasland and these interviews provided a balance of views between the residents and the councillors.

3.1 Research questions

As stated above, the purpose of this research was to explore the strategies employed by people of the greater Grasland in accessing water in conditions of inadequate basic service in and through formal municipal planning processes of the MMM such as the IDP. Two critical questions were asked:

1. How do Grasland residents access water?
2. How do power relations affect access to water within the community of Grasland?

3.2 Research findings and analysis

The findings of the study are presented in this section, followed by a critical analysis and discussion of the research results. The presentation of findings also includes the description of the ward councillors regarding accessing water and the IDP implementation in Grasland.

3.3 Accessing water in Grasland

The study revealed that the residents of the greater Grasland community, together with the ward councillors, agreed that basic service delivery was generally very poor. However, they equally acknowledged that access to water although inadequately provided, had improved. As the resident recalled:

Water is there, but the problem is the sewerage.

The study has also shown that the presence of a significant number of Lesotho immigrants in Grasland has seen them experience living under conditions characterised by discrimination and prejudice based on their perceived citizenship status. However, despite this, for the Lesotho immigrants, perceived access to water is better than in Lesotho. As the Lesotho immigrants remembered:

There in Lesotho you find firewood and then you go and draw water with your head, here when I go out there's water.

Even though access to water by residents in Grasland had improved, particularly in Phase 2 and 3; Phase 4 (Khayelitsha informal settlement) had faced some interesting challenges that speak to how access to water was improvised through employed strategies over time (Picture 6.8). When asked about how they access water, one of the residents responded:

We don't have water, they just build a house only, and we pull water ourselves and use it in our yards. Sometimes we run out of water. Some yards don't have water. People there fetch water from somewhere. It is a problem.

Some of the explanations given when asked how they access water were:

Yes we have water and it is clean, we drink it. But we installed it ourselves; no one did it for us from the ANC. We are not paying for it because we are staying here doing nothing [unemployed]. Maybe they will help us we don't know.



Picture 6.8: Improvised use of water

3.4 Accessing water through the implementation of the IDP

Another interesting finding regarding accessing water in Grasland was that both Ward 17 and 45 councillors agreed that the IDP is not implemented in Grasland. As the Ward 45 councillor recollected:

This is the most indigent ward in Mangaung and its unfortunate because it is the most disadvantaged ward because if you check it is being formed by 5 areas – phase 4 is formed by 2 100 households. We've got phase 9 [this phase is part of Ward 45] there we got about 2 000 households; and then we got phase 3 it has 3 200 households. Khayelitsha I am sure is about 6 000 because it's an informal settlement.

However, regardless of the fact that the IDP is largely not implemented in Grasland, the study also uncovered that water is the most accessible basic service in Grasland than other basic services, although generally inadequately provided in Phase 4, Khayelitsha informal settlement. When asked about access to water in Grasland, Phase 4, the responsible councillor responded:

I am not sure only 10% of the area that is getting water, and you know it's unfortunate because we've got three spheres of government and the RDP houses are not from the municipality, they are from the provincial government; but on the land of the municipality. So in Grasland Phase three the problem is everything that was done there from the provincial government – water and sanitation.

Researcher: *Is it because this was a pilot project?*

Yes it was a pilot project and they didn't complete it. So right now it is about two years that I am a councillor but I've just heard now that the province is ready to release

money, so that we can install some water pipes. Although they are not going to do it in all these houses because it is too much because it is not just Grasland phase 3 but phase 2 also which is not mine.⁶ They have to start that side before they could go on the other side, so we don't know how much are they going to pop out for the water and sanitation but they will help us in a way.

The perceptions of the Lesotho immigrants were also interesting to note and they exposed that regardless of being unconsciously and consciously sidelined by MMM, they attempt to access water through buying it from neighbours who are prepared to sell it to them. They wake up early in the morning to ask a neighbour who is willing to give them water to fill their 20 litre buckets or they walk for more than 400 m to get to the communal tap and if that particular tap is closed by MMM for some unknown reason, they walk even further to search for water without complaining. The silence was due to the fact that the immigrants were scared they were going to be victimised, and even be deported back to Lesotho should they complain about the inadequate water provision in Grasland. Paulo Freire (cited by Osajima, n.d.:153) says that “one of the most devastating effects of oppression is that it dehumanizes the oppressed people; that under the objective conditions of oppression people lose their ability to see themselves as individual human beings”.

The study has shown that piped water was available in most parts of Grasland, especially Phases 2 and 3. However, in Phase 4 (Khayelitsha informal settlement), it was inadequately provided. Hence, access to water was possible through the following ways:

- (1) ‘Illegal’ water connections by some residents to the existing system.
- (2) The Lesotho immigrants bought water from the neighbours who were South African ID holders and had already ‘illegally’ connected themselves.
- (3) MMM had also provided communal taps, even though they did not meet the minimum standard of “within 200 metres of a household”⁷.

The availability of water pipes in Khayelitsha, and subsequently access to it by the residents, was only due to the fact that the invaded land had been an old agricultural holding that had good underground piped water and not because water had been adequately provided. Consequently, the fact that the ward councillor acknowledged her awareness of the water connections and welcomed the employed strategies, was an

⁶Phase 2 and 3 are part of Ward 17, for which the other councillor is responsible.

⁷According to the Water Services Act, Regulations Relating to Compulsory National Standards and Measures to Conserve Water (GN 22355 of 8 June 2001), national regulation 3(b), the minimum supply for basic water is:

- a minimum amount of 25 litres per person per day or 6 000 litres (6 kilolitres) per household per month (a household is defined as everyone living on one stand);
- at a minimum flow rate of not less than 10 litres per minute;
- within 200 metres of a household; and
- with an effectiveness such that no consumer is without a supply for more than seven full days in any year.

indication that MMM would not have been able to provide water to all the people of Grasland. Particularly because it reveals that access to water was possible there, especially through the constructed status of 'indigent', and the reliance on neighbours who had gained access to water somewhat. This observation is supported by the report of the Department of Human Settlements (2011:74), which concluded that the fact that some housing subsidies had been provided in Grasland, improved the willingness of households to share their services. Thus diminishing the potential negative consequences a household without this service would have otherwise faced.

This article reveals that through the strategies employed by the people of greater Grasland to access water, the choices however, were very limited for the Lesotho immigrants there. The observation aligns with Hooks' (1984:1) assertions that "being oppressed means an *absence of choices*".

3.5 Consequences for planning in South Africa

In terms of access to water, the Mangaung Municipality IDP (2012-2016:39) states that currently 90% of their households have water inside the dwelling or in the yard, with the major backlogs in terms of access to water mostly experienced in the Mangaung informal settlements. The unequal access to water in Grasland exposes embedded everyday practices that overlook challenges of access to water for immigrants there. The view that people who reside in areas characterised by informal settlements are indigent, illustrates the notion that prejudice is practice by the MMM. However, the Department of Human Settlements report (2011:73) acknowledged that in Grasland alone, less than half of Grasland residents had access to water on their plot or in their dwelling, contradicting the MMM's IDP that currently 90% of their households have water inside the dwelling.

The study has attempted to a larger degree to illustrate that inadequate basic service delivery is one of the catalysts that cements oppressive or constraining power relations between the MMM and the greater Grasland community. The fact that not much is known about the rate of urbanisation in Grasland and what needs to be done, and how to provide basic services, cement discrimination there and reveals different trajectories to access to water. Huchzermeyer (2011:24) argues that across the African continent the uncertainty in our understanding of migration and urbanisation (and its variations) is a serious challenge – a challenge that influences basic water provision and overwhelms the institutions that are mandated to facilitate its provision.

4. Concluding Comments

This study revealed the discriminatory, prejudice, and let it be said oppressive practices, by the MMM towards the perceived 'indigent' community of Grasland. It is argued that the oppressive practices towards water provision might not necessarily be a conscious action, but rather an action embedded in norm daily practices, where planners go to work, attempt to plan, guided by the policy to the neglect of the actual settings on how people access water on daily basis. The complexities involved with regard to prejudice that is experienced by people Grasland therefore are not a deliberate act at some instances; they are a result of internalised unconscious oppression by MMM.

Furthermore, the presence of immigrants in Grasland influences the 'we don't care' attitude of MMM towards ensuring adequate water provision. A view supported by Huchzermeyer (2011:24), who posits that 'illegal migrants' are a convenient scapegoat, diverting attention from the processes that intensify domestic (national) inequality and urban disparities. Thus, the nature of power relations that are embedded in Grasland, more especially in contexts characterised by informal settlements with the high presence of immigrants, requires further attention regarding access to water.

ARTICLE 3:
**THE URBAN SANITATION SCAPE: A NARRATIVE OF STRATEGIES
EMPLOYED BY THE GREATER GRASLAND COMMUNITY TO
ACCESS SANITATION**

1. Introduction

Sanitation is one of the universal basic human needs that contribute to people's well-being. In South Africa, the right of access to a basic level of sanitation service is enshrined in the Constitution of the Republic of South Africa, Act 108 of 1996. According to Bracken and Panesar (2008), human beings require both food and water to survive and everyday, as a result, they need to defecate. Unfortunately, the crisis on inadequate provision of sanitation in urban areas has meant that local communities need to employ alternative strategies as means of gaining access to this basic service. While sanitation was intrinsically linked to water, it is now a crucial issue in its own right (Tearfund and WaterAid Report, n.d.: online).

In this article, the central question concerns how residents of Grasland access sanitation (human excreta disposal) in conditions of inadequate sanitation delivery in and through the formal local government processes of the Mangaung Metropolitan Municipality (MMM). Water-borne sewerage in South Africa is seen as the highest level of sewerage system, and is an expectation and norm in South Africa, yet not the most sustainable system in a water stressed country. Standard water-borne sewerage systems depend on water as the carrying agent for the waste and are dependent on thousands of treatments and collection facilities and millions of miles of pipes and conduits (Ben-Joseph, 2005:78). According to Ben-Joseph (2005:78-79), poet Wendell Berry vividly describes this illogical situation as follows:

If I urinated and defecated into a pitcher of drinking water and then proceeded to quench my thirst from the pitcher, I would undoubtedly be considered crazy. If I invented an expensive technology to put my urine and faeces into my drinking water, and then invented another expensive (and undependable) technology to make the same water fit to drink, I might be though even crazier. It is not inconceivable that some psychiatrist would ask me knowingly why I wanted to mess up my drinking water in the first place.

Apart from describing inherent inadequacies of sanitation provision in the study area, this article evaluates the nature of facilities put in place since 2004 by the MMM. It does not

take an infrastructural perspective nor ponders on the functionality of sanitation facilities. Rather it provides a narrative of everyday lived experiences of Grasland residents; the impact of the inadequacies of basic service delivery, and the strategies employed in negotiating and accessing available sanitary options.

2. Theoretical Framework

This section provides a theoretical ground for this article. Firstly, key concepts such as sanitation, oppression and informality are defined. Secondly, the role of the state in providing basic service is also discussed.

2.1 Defining sanitation

“Sanitation is more important than freedom” – Mahatma Gandhi (1925)

Sanitation, along with water and nutrition, is one of the most basic human needs, and the absence thereof has been associated with infectious diseases in densely populated areas for centuries. Denial of sanitation can be viewed as an instrument of oppression, on the one hand, and on the other, community solutions to the problem as a demonstration of local power.

Sanitation is perceived as a dirty word in most societies as many people, including politicians, seem to prefer other more savoury topics and as such sanitation programmes are often tacked on to water projects as an afterthought (Tearfund and WaterAid, n.d.: online). Most professionals would agree that "sanitation" as a whole is a “big idea” which covers, inter alia:

- safe collection, storage, treatment and disposal/re-use/recycling of human waste (faeces and urine);
- management, re-use or recycling of solid wastes (garbage or rubbish);
- drainage and disposal or re-use/recycling of household wastewater (often referred to as sullage or grey water);
- drainage of storm water;
- treatment and disposal, re-use or recycling of sewage effluent;
- collection and management of industrial waste products; and
- management of hazardous wastes (including hospital wastes, and chemical, radioactive and other dangerous substances) (UN-Water, n.d.: online).

Lüthi, Morel and Tilley (2008) argue that:

Usually when talking about ‘sanitation’ one speaks not of sanitation, but rather of a single technology, or an instrument, that is designed to treat wastewater. Septic tanks, pit latrines, and composting toilets, among others, are often referred to as sanitation systems. What these are in fact, are technologies; technologies are merely single parts of a sanitation system. However, too often a technology (under the guise of being a sanitation solution), is implemented, only to realise later that there is no provision for the treated effluent (soon diverted into open drains), the faecal sludge (in the absence of a collection site, soon dumped in open fields), or other various side streams that may emerge. So while the technology itself may work, the system as a whole may actually be a failure.

In many parts of the world concerns about issues of sanitation and the health consequences for communities if ignored, are evident. According to Gleick (1996:85) effective disposal of human wastes controls the spread of infectious agents and interrupts the transmission of water-related diseases. Unfortunately, much of the world’s population, particularly in developing countries, remain without access to adequate methods to dispose of human excreta. Even though cities have been experiencing high immigration and migration patterns, the extent of the problems associated with sanitation in urban areas is still huge and Grasland is no exception.

According to UN-Water (n.d.: online) it was recorded that in 2004, only 59% of the world population had access to any type of improved sanitation facility, and that four out of ten people around the world had access to improved sanitation. People are therefore obliged to defecate in the open or use unsanitary facilities, with a serious risk of exposure to sanitation-related diseases.

The challenge of safe sanitation is not new. Edwin Chadwick in his 1848 *Report on the sanitary condition of the labouring population and on the means of its improvement*, indicates that sanitation and its link to health, particularly of the urban poor, is not a new phenomenon that only characterises urban cities of the Global South. It was a challenge that was evident as early as 1842 in Victorian England (Chadwick, 1848:2).

2.2 The state as sanitation provider in South Africa

The state has a role to provide basic services in South Africa and this role is legislated in the Constitution, the supreme law of the country. But the top-down and vertical approach makes the state to struggle to deliver basic services effectively. Mehrotra (2006:264) posits that:

“[T]he state delivers development services in most developing countries in a top-down, bureaucratic manner through sectoral line ministries down to the local level. But this manner of service delivery defeats one of the greatest sources of technical

efficiency in the utilisation of resources—the synergy of interventions in the various social sectors. Without the state making conscious effort to ensure synergy between interventions in the spheres of health, education, water and sanitation, reproductive health and nutrition within a geographic location, these latent synergies may not be realised.”

There has been an increasing concern about the inability of local municipalities to provide adequate basic services in South Africa. The recent study conducted by the Public Affairs Research Institute (PARI, 2014:4) states that in large parts of South Africa the management of municipal sanitation is in crisis, with regular media reports of dysfunctional sanitation systems. Moreover inadequate sanitation and other basic service provision have given birth to numerous service delivery protests, largely directed at municipalities. An initiative which monitors grassroots ferment, found that grievances against water and sanitation management consistently feature amongst the top five reasons why protests occur, as shown in the TABLE 6.2 below.

The above is supported by the Cogta report on the State of Local Government (South Africa, 2009:34) which states that even though there is clear and demonstrable progress made by local government in accelerating access to basic services for the poor, there is considerable scope for further improvement in both the quantity of provision, bearing in mind the size of the service backlogs and pressures from population and economic growth.

TABLE 6.2: LIST OF TOP FIVE GRIEVANCES IN PUBLIC PROTESTS

| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
|---|-----------------------|-----------------------|-----------------------|-----------------------|------------------|-----------------------------|
| 1 | Poor service delivery | Land and housing | Land and housing | Land and housing | Electricity | Land and housing |
| 2 | Land and housing | Electricity | Poor service delivery | Poor service delivery | Party political | Water/Poor service delivery |
| 3 | Water | Poor service delivery | Corruption/nepotism | Water | Land and housing | Electricity |
| 4 | Electricity | Water | Electricity | Electricity | Water | Ignored grievances |
| 5 | Party political | Sanitation/waste | Sanitation/waste | Sanitation/waste | Sanitation/waste | Infrastructure |

Source: De Visser and Powell (2012: online)

2.3 Legislative framework for sanitation and policy framework in South Africa

The following are components of the South African policy framework for sanitation:

1. The Constitution of South Africa (1996).
2. White Paper on Water Supply and Sanitation Policy (1994).
3. National Sanitation Policy (1996).

4. Water Services Act (1997).
5. Housing Act (1997).
6. Municipal Systems Act (2000).
7. White Paper on Basic Household Sanitation (2001).
8. Strategic Framework for Water Services (2003).
9. National Sanitation Strategy (2005).
10. Free Basic Sanitation Implementation Strategy (2009).

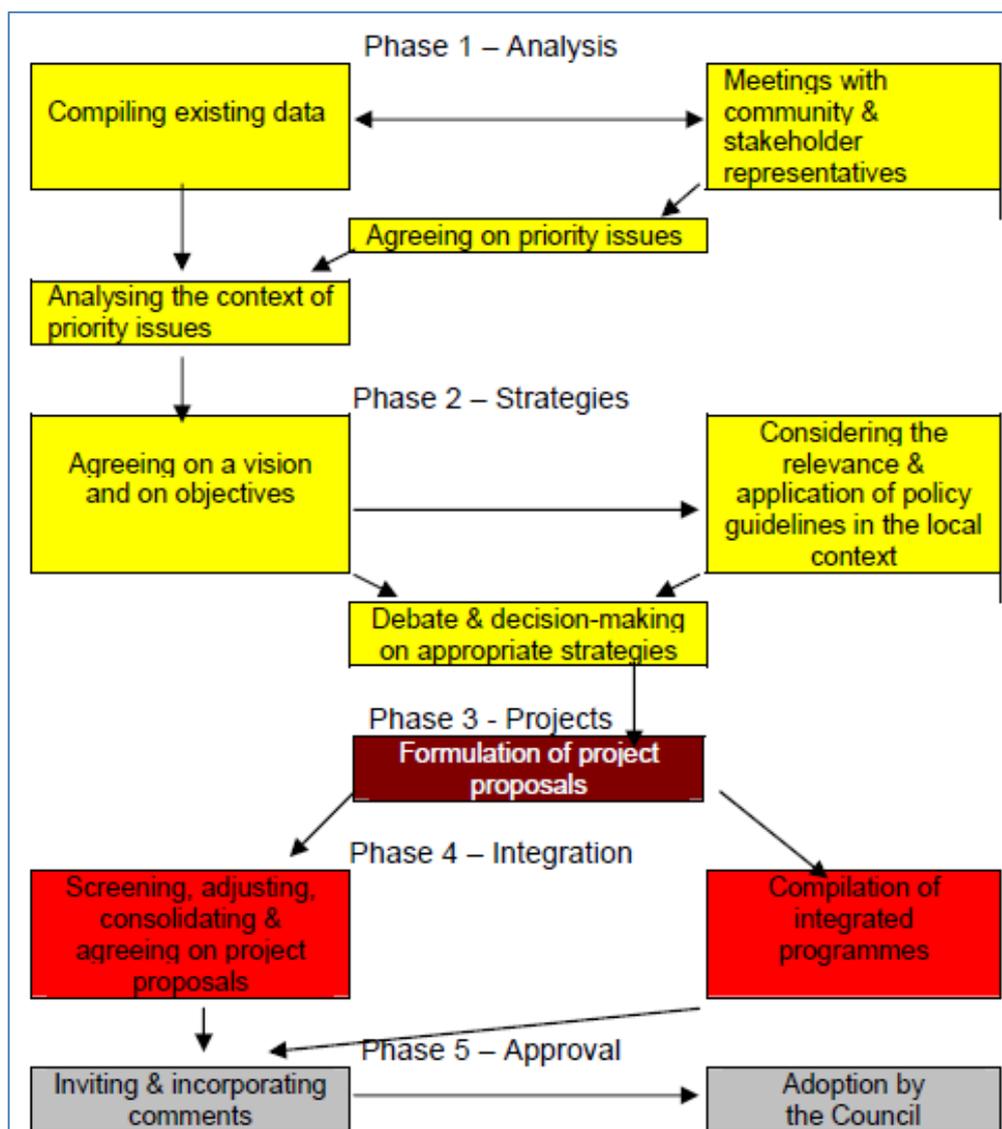
2.3.1 Free basic sanitation

The Free Basic Sanitation (FBSan) policy in South Africa mandates municipalities to ensure that every household has access to basic sanitation, as per the Constitution, Water Services Act, 1997, and Municipal Systems Act, 2000. In 2009, an FBSan Implementation Strategy was published to assist municipalities fulfil this obligation (South Africa, DWAF, 2009).

The requirement for local government to produce contextualised Integrated Development Plans is legislated in South Africa. One of the most important components expected in any development plans such as the Integrated Development Plan (IDP) is social justice. The complexity of defining social justice is challenging and requires an open mind to issues such as inequality, empowerment and participation of all relevant stakeholders and beneficiaries of development (Mphambukeli, 2012:1). According to Odendaal (2007:67), integrated development planning represents an opportunity to forge a stronger relationship between planning and implementation, something, some would argue, that planners have generally been weak at achieving in the past.

Integrated development planning is a process through which municipalities prepare a strategic development plan which extends over a five-year period. The IDP, therefore, is a **product** of the integrated development planning **process**. Furthermore, in South Africa the IDP – as the leading instrument of local planning – was meant to provide municipalities with a tool to align budgeting and project implementation with strategic priorities, and to link across and coordinate the growing number of sectoral plans, programmes and projects that impact on the activities of municipal government (Harrison, 2008:321). Like the FBSan, the IDP is also legislated in the Municipal Systems Act, Act 32 of 2000, but supersedes all other plans that guide development at a local level. It should be reviewed and updated every year in order to ensure that service delivery is enhanced.

Figure 6.5 provides a diagrammatic overview of the integrated development planning process.



Source: Water Toolkit [n.d.: online)

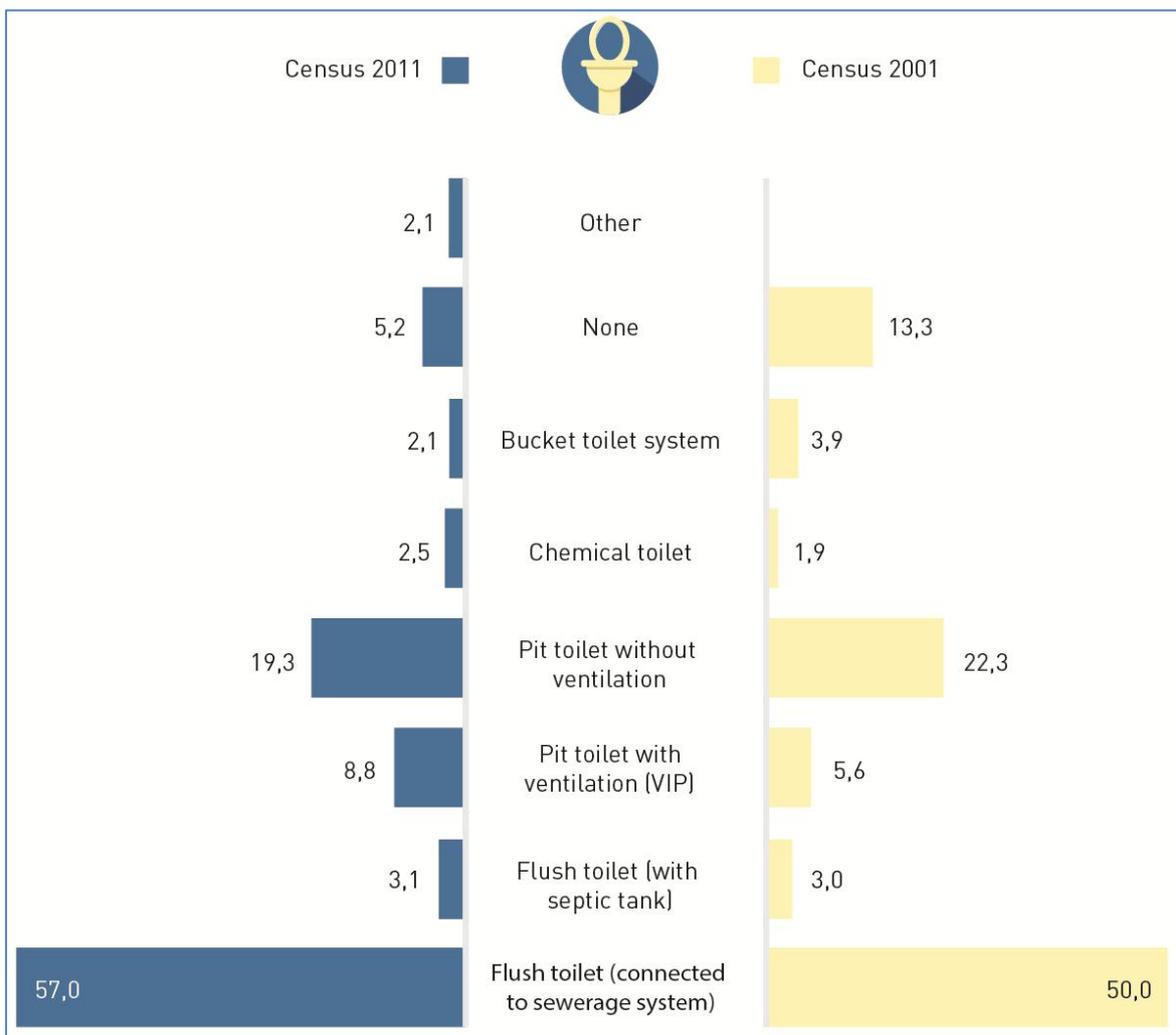
Figure 6.5: A diagrammatic overview of the integrated development planning process

2.3.2 The White Paper on Local Government

The White Paper on Local Government (1998) set out the principles and structures of the post-2000 democratic system pertaining to local government. It gave rise to various key pieces of legislation such as the Municipal Demarcations Act, Act 27 of 1998; the Municipal Structures Act, Act 117 of 1998; and the Municipal Systems Act, Act 32 of 2000. To ensure that scarce resources are used for maximum impact, national, provincial and local infrastructure investment plans must be integrated on the basis of the IDP. Hence, all developmental programmes such as provision of infrastructure for basic service delivery must be integrated into municipal IDPs. Moreover, the White Paper (1998:23) identifies four characteristics of developmental local government:

- Maximising social development and economic growth.
- Integrating and coordinating.
- Democratizing development, empowering and redistributing.
- Leading and learning.

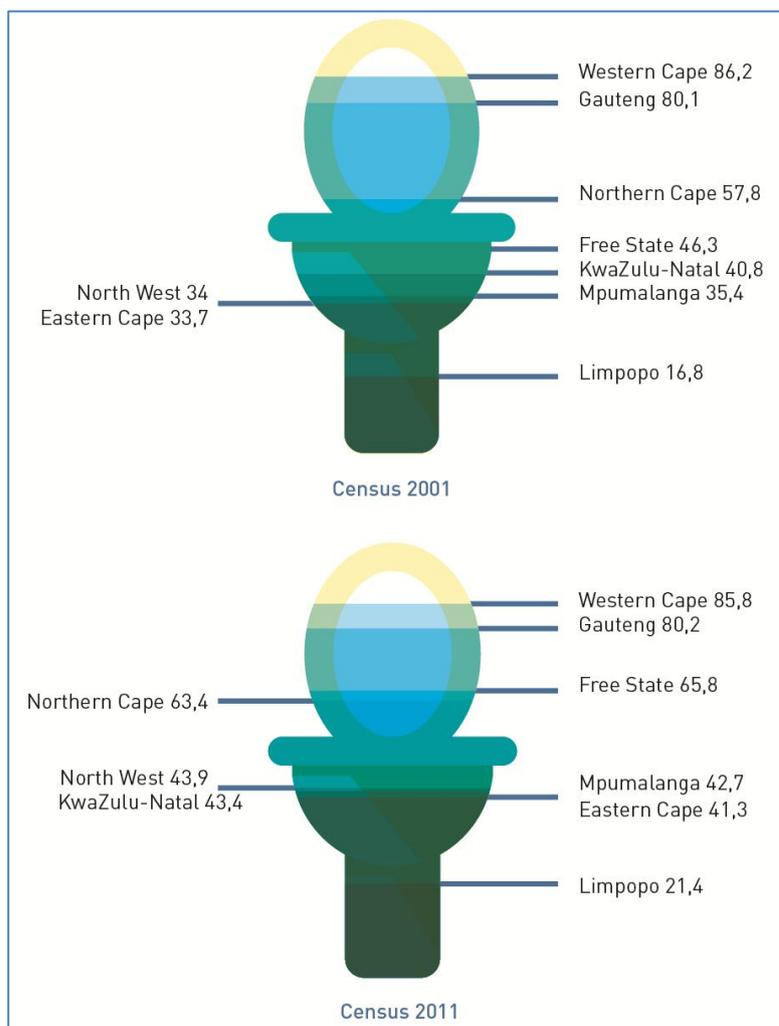
As a result of “high-level commitments to meeting national and global targets for sanitation ... the pressure on governments to address service backlogs” (Eales, 2008:2), there have been large gains in sanitation since the democratic transition in South Africa. South Africa has already, ahead of the target dates, met its United Nations Millennium Development Goals in this area, as represented in Figure 6.6 below. These goals are to “halve the proportion of people without sustainable access to a basic sanitation service” (PARI, 2014:7).



Source: PARI (2014:7)

Figure 6.6: Percentage of households by types of toilet facility

Nonetheless, these gains are small and the above figures do not tell the full story, as many settlements across South Africa, such as in Grasland, are characterised by inadequate sanitation provision. According to the national census 2001 and 2011 statistics (Figure 6.7) the levels of services in terms of access to toilet facilities⁸, vary dramatically across the country (PARI, 2014:8).



Source: Pari (2014:8)

Figure 6.7: Percentage of households with access to toilet facilities

2.4 Oppression

Oppression shakes the very core of being human and it destroys visions, dreams, purpose, drive and enthusiasm. The concept of oppression is therefore very relevant to our work as it provides a conceptual framework for analysis of the construction and maintenance of social

⁸Refers to households with a flush toilet connected to a sewage system and to those with pit latrines that may or may not be ventilated.

inequality upon which injustice is predicted. At the same time, it provides concepts for arguments of ways and means of contributing to the construction of just spaces.

For Young (1990:41), oppression refers to systematic constraints on social groups that are not necessarily the result of the intentions of the tyrant. Hence, oppression in this sense is structural, rather than the result of few people's choices or policies and its causes are embedded in unquestioned norms, habits and symbols, in the assumptions underlying institutional rules and the collective consequences of following those rules.

Additionally, oppression, according to Young (1990:41), refers to the vast and deep injustices some groups suffer as a consequence of often unconscious assumptions and reactions of well-meaning people in ordinary interactions, media and cultural stereotypes, and structural features of bureaucratic hierarchies and market mechanisms – in short, the normal processes of everyday life. She argues that we cannot therefore eliminate this structural or systematic oppression by getting rid of the rulers or making some new laws, because oppression is systematically reproduced in major economic, political and cultural institutions.

The systematic character of oppression implies that an oppressed group need not have a correlate oppressing group. For instance, while structural oppression involves relations among groups, these relations do not always fit the paradigm of conscious and intentional oppression of one group by another (Young, 1990:4). Therefore:

[T]o understand the meaning and operation of power in modern society we must look beyond the model of power as "sovereignty," a dyadic relation of ruler and subject, and instead analyse the exercise of power as the effect of often liberal and "human" practices of education, bureaucratic administration, production and distribution of consumer goods, medicine, and so on. Hence, the conscious actions of many individuals daily contribute to maintaining and reproducing oppression, but those people are usually simply doing their jobs or living their lives, and do not understand themselves as agents of oppression (Foucault cited by Young, 1990:41-42).

2.4.1 Five faces of oppression

In order for one to know whether a situation is oppressive, there must be a presence of any of the following five faces of oppression: exploitation, marginalisation, violence, cultural imperialism, and powerlessness (Young, 1990:48-63). Two of the faces of oppression most visible in Grasland are discussed below.

Marginalisation

“Marginalisation is the act of relegating or confining a group of people to a lower social standing or outer limit or edge of society. Overall, it is a process of exclusion which in some ways is worse than exploitation because society has decided that it cannot or will not use these people even for labour. Most commonly, people are marginalized based upon race” (Young, 1990:53). In Grasland marginalisation happens as a result of the perceptions of the local government whose view was that service delivery was for those who could afford and not those perceived by local government as 'indigent'. Sanitation provision was therefore not prioritised in Grasland.

Powerlessness

According to Young (1990:56), the powerless are those who lack authority or power to make or influence decisions. Young's (1990:56) idea of powerlessness links to Marx's theory of socialism which state that some people 'have' power while others 'have-not'. Hence, the powerless are controlled by the dominant class and are positioned to take orders and seldom have the right to give them. Some of the fundamental injustices associated with powerlessness are inhibition to develop one's capacities, lack of decision-making power, and exposure to disrespectful treatment because of the lowered status (Young, 2004: online).

Powerlessness as a face of oppression is mainly a negative treatment of people according to how they are viewed by those in power. According to Young (1990:58), there are several injustices associated with powerlessness: inhibition in the development of one's capacities, lack of decision-making power, and exposure to disrespectful treatment because of the status one occupies. Powerlessness predisposes one to produce values of silence as people end up accepting negative ways in which they are treated and subsequently mistreat themselves.

3. Methodological Approach

This study is based on a qualitative research design grounded on the phenomenological approach. Phenomenological research design approaches are less commonly used in urban and regional planning practice. Urban and regional planning as a discipline tends to contribute to a physical layout and subdivision to the neglect of the human experiences. According to Creswell (2013:76), a phenomenological study describes the common meaning for several individuals of their lived experiences. The basic purpose of phenomenology is to reduce individual experiences with a phenomenon to a description of

the universal essence. “The specific phenomena” that the study concentrated on was on how Grasland residents articulated their experiences on the strategies they employ in accessing sanitation, subsequently their struggles.

“The value of a phenomenological approach in theory and practice that stresses the uniqueness of local contexts and knowledge at a time that planning is increasingly coming into conflict with local values, especially over the issue of sustainability” (Whittemore, 2014:301). This recognition of conflicting rationalities is of utmost importance, in particular for this study. While planners may wish to eliminate the distortions generated by differences in power, knowledge, and skill, navigating the mire of planning debates via an idealised model of communication can be counterproductive.

A non-random purposive snowball sampling strategy was used for the study. The snowball strategy is a form of purposeful sampling in qualitative research that “typically proceeds after a study begins and occurs when the researcher asks participants to recommend other individuals to study” (Creswell, 2005:206). Access to Grasland was gained through local contacts and the sample was therefore “picked up along the way, analogous to a snowball accumulating snow” (Sommer, n.d.: online). A total of 18 interviews with an average duration of 60 minutes each were conducted over a period of nine months. Out of the 18 interviews, two were conducted with the relevant ward councillors of Grasland and these interviews provided a balance of views between the residents and the councillors.

4. Experiences, Strategies and Implications

The empirical results will be discussed using a narrative of three key themes. The first is the everyday lived experiences of the Grasland residents as they experience it with regard to sanitation. The second speaks to the strategies they employ to access sanitation, with the third focusing on the effects of inadequate sanitation delivery on them.

4.1 The everyday lived experiences of the Grasland residents regarding sanitation

The study revealed that inadequate sanitation has been a challenge for the people of Grasland since they occupied the land in the late 1990s. When Grasland was first formalised – after the local and provincial municipalities bought the land from private owners, RDP houses were built without proper sanitation services in place.

When asked whether they have a flushable toilet in their houses, one of the residents mentioned that they don't have running water in the house and no flushable toilet and have to use outside toilets. A resident recounts:

We go to the toilets across the tarred road, they built them there. When you go inside it is rotten, and is a pit. They put the toilets there so that people see and think that we have toilets, but when you go inside you become shocked (Picture 6.9).



Picture 6.9: Outside toilets constructed close to main roads

The everyday life of most Grasland residents, regarding sanitation, is characterised by a negotiated way of accessing this basic need. Those who have access to individually built houses face a worrying situation where they don't know when the blocked toilets are going to be unblocked. Those who are using improvised toilets (see Picture 6.10 a-d) have to make sure that they keep digging at the 'right' spots and pray they don't get sick, or maggots don't eat their flesh that are found in the improvised toilets and they eat the human excreta. As a Grasland resident of Phase 4 (Khayelitsha informal settlement) warned:

At night we don't use the toilets because we fear the big maggots with tails and these 'nunas' eat flesh and are very dangerous.



Picture 6.10 a-d: Improved sanitation in Grasland

4.2 The strategies employed by the Grasland residents to access sanitation

Within the context of inadequate sanitation provision by the MMM, it was observed that the strategies employed by the Grasland residents were carefully thought through. For instance, the residents of the Khayelitsha informal settlement, most of whom are Lesotho immigrants who might have, or have no legal right to claim sanitation services from the local municipality, indicated that the toilet system(s) they use is mainly improvised, meaning they just dig a pit. As a resident recalls:

We dig a pit. When it is full we close it and open another one ... it is not safe because others dig weak pits and sometimes children fall in there.

Also, the informal settlement is perceived rather as a ‘problematic’ area for the local municipality whose governmentality is that of revenue collection, and clashes with that of

the residents who have to worry about many other factors such as securing employment, buying food, etc. According to the Ward 45 councillor:

You can imagine what is happening ... if you convince them to come and install sanitation here, you have to convince them that people are going to pay for services because many people that are staying here at Grasland, 90% of them are indigent, we call them indigent because they can't afford to pay for the municipal services especially because they are staying in the RDP houses. We are paying the services according to the value of the house.

Those residents who could afford to buy a toilet used this strategy as a way of accessing sanitation and paid local small business people in the area to dig the pit for them at a cost of R700-800 per pit and toilet structure to cover or surround the pit (Picture 6.11). It can be argued therefore that the strategies employed by the greater Grasland residents to access sanitation are limited to their locality, in other words, they dig and manage sanitation on-site.



Picture 6.11: Toilet structure built around a pit

4.3 The effects of inadequate service delivery on the Grasland residents

The effects of inadequately provided sanitation on the Grasland residents may be deliberated from both the political and social lenses.

4.3.1 Political effects

As the Ward 45 councillor believed:

This is the most difficult ward in Mangaung and it is unfortunate because it is the most disadvantaged ward because if you check it is being formed by 5 areas with phase 4 (Khayelitsha) formed by more than 6 000 households ...

There is therefore a discourse that has been constructed in Grasland as the residents are forced to conform to the inaccessibility of sanitation and subsequently do not challenge the situation but also having to make or plan strategically as a way of protecting themselves. Foucault writes that discourses are produced to create specific knowledge – “collective knowledge”. This collective knowledge is transmitted through society’s institutions and used to maintain specific discourse – discourse that maintain the *status quo*. Such discourse silences other discourses and hinders the will to know or the will to truth. As a result, such discourse “tends to exert a sort of pressure and something like a power of constraint on other discourses” (Foucault, 1981:55).

The specific understanding that has been created by MMM, and perhaps everywhere else in South Africa, is that, if you are immigrants you have no right to demand any service from the government. This argument is supported by Foucault’s central argument that “in every society the production of discourse is once controlled, selected, organized and redistributed by a certain number of producers whose role is to ward off its powers and dangers to gain mastery over its chance events, to evade its ponderous, formidable materiality” (Foucault, 1981:210). The latter statement speaks to the role of ward councillors whom, in our view, had no power to influence any project implementation in Grasland. The fact that Grasland was divided and belongs to both Ward 17 and Ward 45 speaks, volumes about the power relationships between the MMM and ward counsellors.

4.3.2 Social effects

The face of oppression – marginalisation – is evident on the social effects that inadequate sanitation provision have on the Grasland residents; the result of which people of Grasland have been using improvised toilets since 2002, almost 13 years now. Hence, during rainy seasons the residents stressed so much that they get scared:

We don't have toilets. When it rains water fills the toilets and we have to help ourselves in our house buckets, and go out to empty the buckets. When it rains we become worried instead of being happy. Yet we are not supposed to do that because we need rain. This thing flows here, do you understand? Just look there; there was a horrible smell, from that yard. Come I want to show you what I am talking about.

5. The Implications for Planning

The systematic character of oppression implies that an oppressed group need not have a correlate oppressing group. For instance, while structural oppression involves relations among groups, these relations do not always fit the paradigm of conscious and intentional oppression of one group by another (Young, 1990:4). Therefore:

[T]o understand the meaning and operation of power in modern society we must look beyond the model of power as “sovereignty,” a dyadic relation of ruler and subject, and instead analyse the exercise of power as the effect of often liberal and “human” practices of education, bureaucratic administration, production and distribution of consumer goods, medicine, and so on. Hence, the conscious actions of many individuals daily contribute to maintaining and reproducing oppression, but those people are usually simply doing their jobs or living their lives, and do not understand themselves as agents of oppression (Foucault, cited by Young, 1990:41).

The study has shown that the strategies employed by the people of Grasland pertaining to inadequate or non-existent sanitation provision or, especially in Grasland Phase 4 (Khayelitsha informal settlement), is at the centre of oppression and social justice in planning. For one, the findings revealed that two faces of oppression were visible at Grasland: powerlessness and marginalisation.

When asked whether the MMM feels threatened by the local residents if services are not delivered; an MMM official responded:

I think people in Bloemfontein are not radical as the others, in Mangaung they are not and it is rare that we have service delivery strikes. It's here and there only, so that is why they are so relaxed. I think they have their own way to convince people what will be done, and people will believe what will be done. Some of them will be done just before the elections.

It may be noted that how they have been managing sanitation has had minimum health risks for them. This observation tells an interesting story about how under the face of marginalisation, the poor can strategise and mobilise themselves to access sanitation.

6. Conclusion

This study vividly demonstrates that whilst “the state of temporariness” of basic service provision and its inadequacy is persistent in Grasland; planners and local government may learn something about how people are taking initiatives to access sanitation. In her paper titled *Urban informality: Toward an epistemology of planning*, Roy (2005:150) states that the key element of today’s paradigm of “Sustainable Human Development” – and by implication sustainable human settlements – is the idea of enablement, helping the poor help

themselves. However, the power relations evident in Grasland call into question government's responsibilities towards their citizens *versus* the responsibilities of the citizens. According to the White Paper on Local Government (1998:23), developmental local government is about working together with residents and groups within the constituency to find sustainable ways to meet their social, economic and material needs and advance the quality of their lives.

This implies a partnership which clearly is not present in Grasland. The role of councillors is blurred as they seem to play a role of being government representatives, instead of community representatives. It was noted that the political atmosphere contributed in whether councillors meaningfully engaged with the residents.

It can be deducted that in the case of Grasland residents, they are taking initiative to deal with the problem through the strategies they employ in accessing sanitation. Perhaps these may enable the MMM to plan with them towards adequate sanitation provision. The article therefore provides some new insights for the planners and local government on how inadequate sanitation delivery may be resolved through partnerships with local residents of Grasland, provided there is a willingness to learn from the improvised strategies that are employed by the residents.

For those residents who feel powerless and marginalised, an interesting question arises: How do we enable the poor to self-sustain within the context of perceptions and stereotypes imposed on them, and which they themselves now adopt (*internalised oppression*)?

ARTICLE 4: THE URBAN (HUMAN) SECURITY SCAPE OF GRASLAND

1. Introduction

Cities all over the world are plagued by both random and organised criminal operations, and Africa is no exception. Ensuring public security and enforcing the rule of law is one of the key urban governance challenges facing African countries. In many instances, crime and violence act as a significant deterrent to investment and in some cities large areas have become literally ungovernable. Although provision of security is one of the fundamental responsibilities of the state, this aspect has not always received sufficient political attention. Hence, many of the urban poor are forced to live in situations of extreme human insecurity, sheltered in informal settlements usually on the outskirts of cities, as a result of the shortage of affordable housing. Taking into account the fact that these informal settlements are usually [perceived as, my notes] illegal, and the official response has often been to try to destroy them or force inhabitants to leave (Hove et al., 2013:5).

Successively, as argued by Alkimim, Clark and Oliviera (2013:131) social inequality confronts people with different life perspectives daily: high-income residents living in wealthy areas with a variety of types of infrastructure available, and the poor living in areas totally devoid of such facilities. They represent realities that are totally antagonistic, where space becomes the matrix of the conflict that has its origin in the great wealth difference between these groups. Moreover, insecurity causes part of the population to isolate themselves in gated communities, transforming them into islands of false security, surrounded by numerous technological security devices such as gates and cameras. This alters the urban space, creating small fortresses that are representative of a fragmented space. The majority, who are unable to protect themselves from such violence, also choose to isolate themselves in their own homes made safer with locks, or by changing their routine in an attempt to avoid becoming victims of urban crime.

In South Africa, as stated in the Reconstruction and Development Programme White Paper (RDPWP, 1994), our history has been a bitter one dominated by colonialism, racism, apartheid, sexism and repressive labour practices. The result is that poverty and degradation exist side by side with modern cities and a developed mining, industrial and commercial infrastructure. Our income distribution is racially distorted and ranks as one of the most unequal in the world. Women are still subject to innumerable forms of

discrimination and bias, rural people and youth are marginalised. A combination of lavish wealth and abject poverty characterises our society (RDPWP, 1994:7).

The South African urban life has therefore, for many years, despite many policy documents and promises, been characterised by violence and consequently insecurity, which remains a fundamental part of existence for many communities. The greater Grasland community is no exception. This insecurity arises partly from inadequate or absent basic service delivery, which is influenced mainly by none or minimal implementation of policy documents such as the IDP.

This article provides a narrative of how people of the greater Grasland community access (human) security in conditions of inadequate security provision, in and through the MMM's formal basic service delivery processes. The article is divided into four sections: The first section provides a background of Grasland and theoretical grounds in which it is situated. The second section outlines the methods employed for data collection. The third section provides an analysis of the findings using three key themes: (1) The Grasland residents' lived experiences on issues of security; (2) The strategies employed by the greater Grasland community in accessing security; and (3) The effects of inadequate security provision on the greater Grasland community. The fourth section then concludes with a brief discussion under the title "emerging communities", with an aim of understanding contemporary processes of social transformation post-1994 in South Africa (PARI, 2014), and subsequently the implications for social justice in planning.

2. Background to Grasland

Grasland is situated in the Free State, Mangaung, in Bloemfontein which in its current jurisdictional form was created in 1994 when the Bantustans were abolished and included into the provinces of South Africa; with Bloemfontein as the capital of the province (2nd Draft Free State Provincial Spatial Development Framework (FSPSDF, 2013:38). Grasland developed in the late 1990s as a small squatter camp, where black people invaded private property in a small-holdings area located in the south-eastern extends of the city and settled on a large scale.

The private land owners at that time launched legal proceedings to eject the new settlers and won the case. However, the Department of Land Affairs and the Provincial Government's Spatial Planning Unit jointly bought Grasland from the private owners. Hence, Grasland became public land, and over a period of time the numbers grew to more than 3 000 households. How the conversion of the land unfolded from private to

government property demonstrates the struggle for justice, dominion and power, as well as an attempt to make a particular regime accountable to the yearning of the people it claims to govern.

The formal development of Grasland began as a 'pilot' project in 2003. According to the FS Pilot Project Report (2005:1), the Free State Province identified the provincial pilot project in the MMM. Most of the informal settlers started to put forward requests for services to the local municipality and the problem was amplified at different forums. For instance, the local municipality who was unable to deal comprehensively with the situation was alerted to the plight of the land owners via several delegations to the provincial government. Interactions then ensued between the parties, and as a consequence, the Department of Land Affairs was approached to avail resources to purchase the land in order to solve the land problem. A tri-partite arrangement was struck between the local municipality, the province and the Department of Land Affairs to deal with the matter (FS Pilot Project Report, 2005:1).

The FS Pilot Project Report (2005) breaks down the Grasland pilot project three phases in the following manner:

- **Phase 1** which was identified mainly for middle-income households and was allocated to a private developer in an effort to promote private sector involvement and integrate socio-economic groupings within the city.
- **Phase 2** was earmarked for low-income households, the majority of which had been relocated from the initially invaded private property. The development of this phase delivered a total of 2 831 residential sites, seven business sites, three public open spaces, three municipal sites, five worship sites, three school sites, and three crèches.

It was reported that the level of services was temporary and what was on the ground was scraped dirt roads, temporary pail system, non-defined storm water system, 1 400 electricity connections (the second phase for the 1 431 sites was unfolding), and water provided at RDP standards.

- **Phase 3** was an extension of Phase 2 and was earmarked to produce approximately 3 200 residential sites. The process of land acquisition was at 85% of all earmarked properties; parallel to this action, planning and surveying of the land was expected to take place for finalisation in the 2005/2006 financial year.

Phase 3 of Grasland at the time was reported by the Free State Province to the national Minister of Human Settlement as being formalised, and the application for township establishment had already been submitted to the MEC awaiting his approval. The FS

Pilot Project Report (2005) noted that the delay of the formalisation process of Phase 3 was due to its illegal occupation by the squatters when they realised that the area was being formalised. The municipality however, successfully applied for an eviction order in the court of law through the PIE Act (1998). The illegal occupants were supposed to have vacated the area by the end of June 2005 to allow the completion of formalising the area.

- Grasland **Phase 4** (Khayelitsha informal settlement), which is an extension of Grasland Phase 2 and 3, has an estimated population of over 6 000 households. Phase 4 is characterised by a high presence of Lesotho immigrants who have settled there. They seek access to the South African identity document, which they believe will allow them access to housing, employment and subsequently security of tenure.

Since 2002 to date the Grasland 'pilot' project has never been completed and all phases are still characterised by inadequate basic services. This inadequate service provision by the MMM refers to inadequate security provision as per Chapter 11 (Security Services) of the Constitution of South Africa (1996), the White Paper on Local Government of 1998 and the integrated development planning process (responsibility of the developmental local government); to be narrated from the life experiences of the greater Grasland community.

3. Theoretical and Conceptual Grounds for this Study

Key concepts are defined, followed by a discussion of their fundamental meaning in relation to the study. Firstly, a brief discussion on urbanisation is provided. Then, the concept of 'security' is explored to create some boundaries for the theoretical ground in which 'security' is conceptualised in this study. Furthermore, 'Human security' as a key aspect of 'security', and human security approaches will also be deliberated. Thirdly, the concept of 'power' is discussed in relation to the planning context.

3.1 Urbanisation

Urbanisation in developing countries is occurring at a lower level of *per capita* income and in a totally different global economic situation than that which prevailed when the cities of the developed world were growing most vigorously in the past (Firman, 2004:221). Furthermore, as Cohen (cited by Firman, 2004:221) argues, current urbanisation in countries of the global south is symbolised by unique urban change, strongly affected by the global economy. Cohen's observation, in many ways, challenges the traditional rural-urban distinction made by researchers, and posits that the rural-urban distinction is becoming redundant due to the emergence of new globalising practices.

Blanco et al. (2009:240) posit that the increasing processes of unbalanced globalisation and their timing, operate in conflict with present processes of urbanisation, stating that:

[T]he evidence suggests that we are witnessing a deepening of poverty, inequality and environmental degradation because (local) states are simply incapable of managing cities to ensure greater inclusion and distributive justice. The link between negative development impacts and poorly managed urbanisation is particularly acute in Africa, where the rate of urban growth is the fastest in the world. This collision between lack of capacity and need presents intertwined and intractable challenges that require alternative, locally useful and applicable knowledges to secure basic universal rights for all of the world's urban citizens.

In South Africa, the pace of urbanisation is stimulated by the neglect of the former Bantustans and the sad performance of provincial governments such as the Eastern Cape, Limpopo, the Free State and Mpumalanga (Du Preez, 2014: online). Likewise, the current human settlement situation shows that urban areas are experiencing increasing pressures as the trends towards urbanisation leads to further depopulation of rural areas (2nd Draft Free State PSDF, 2013:41). The current spatial reality in South Africa's major cities promotes unsustainable development (Seeliger & Turok, 2014).

3.2 Conceptualisation of security

There is no agreed upon definition of what security is. It is an ambiguous and contentious concept that means different things to different people. In 1952, Wolfers, argued that the concept of security "may not have any precise meaning at all" (Wolfers, 1952:481). According to Buzan (1982:27), the literature on the concept of security is very unbalanced and until the rise of economic and environmental concerns, the concept of security was seldom addressed in terms of other than the policy interest of particular actors, and right up to the end of 1980s the discussion still had a heavy military emphasis. As a result of its complexity and the lack of an agreed definition, there has been very little literature that deals specifically with concepts of security.

Tadjbakhsh (2005:4), writing from an Afghanistan context, states that 'security' was to be redefined as a subjective experience at the micro level as it sought to find answers to questions such as 'Security from what?', 'Whose security?', and 'Security by what means?'. These are questions that attempts to seek answers grounded on people's experiences. For instance, Tadjbakhsh (2005:4) states that 'security' for a farmer growing poppies in Badakhshan or Helmand was the livelihood he gained from selling his crops to a middleman, but this form of security was very different from the 'security' interests of recipient states concerned about their drug addicts and about the terror-crime-drug-mafia

networks. For a school teacher in Jalalabad, security was the fact that he could properly clothe and educate his children and invest in the construction of his house, confident that the little he had today would not be taken away from him tomorrow. Therefore, his security was quite a different matter from that of the coalition troops in Paktika, fearful of a suicide attack or a renewal of insurgency by the Taliban or Al Qaeda.

Tadjbakhsh's observations are supported by Bhattarai (2009:14), who also argues that when discussing the issue of security, a list of questions are usually asked, which include: 'Security for whom?', 'OF what values?', 'From what threats?', and 'By what means?' However, answers to these questions rely on different conceptions and definitions of security and because of its vagueness and lack of clear definition, there are only a few conceptual discussions about security. Buzan (1982) argues that there are basically five reasons for the conceptual underdevelopment of security, mostly from a national security perspective:

1. The idea of conceptualising security has been avoided by analysts and thus creating an interest proved to be difficult. Instead, analysts have been in favour of more workable concepts.
2. The overlap between security and the concept of power.
3. Revolt against the Realists⁹ by the Idealists¹⁰.
4. The nature of strategic studies, which as a sub-field produced a large volume of empirical literature on problems of military policy. Strategic studies still exists largely within the confines of the classical Realists' model of the struggle for power.
5. The undefined notion of 'national security', which offers scope for power-maximising strategies to political and military elites, because of the considerable leverage over domestic affairs which can be obtained by invoking the issue of national security.

Some like Tadjbakhsh (2005:5) define security (from the point of view of people, as opposed to that of other 'referents') as the absence of insecurity and threats, which implies that to be secure, is to be free from both *fear* (of physical, sexual, or psychological abuse, violence, persecution, or death) and from *want* (of gainful employment, food and health).

⁹The Realists argue that the state is the primary provider of security; if the state is secure, then those who live within it are secure.

¹⁰The Idealists had to deal with power, because it represented the dominant orthodoxy.

3.2.1 Human security

Like 'security', there is no agreed upon definition of human security. This study is mainly interested in the concept of human security viewed in broader terms, consisting of ordinary people who seek security in their lives. Hence, the characteristic of security is:

[A]bout protecting people as individuals and in groups, protection which is not only against war and other forms of unstructured violence but also against hunger, disease, terrorism and drugs. This broader idea of security has therefore gradually drawn a large number of scholars and institutions across the world to examine the empirical and operational validity of 'security' concepts in a range of issues including human security, energy security, environment security and food security (Bhattarai, 2009:17).

With respect to international relations and to developmental issues human security is referred to in various terms, for instance: as a new theory or concept, as a starting point for analysis, a world view, a political agenda, or as a policy framework. Although the definition of human security remains an open question, there is consensus among its advocates that there should be a shift of attention from a state-centred to a people-centred approach and that security concerned with the state borders, should give way to the security of the people who live within those borders (Tadjbakhsh, 2005:5).

According to Human Security Initiative (2011: online), the term *human security* was first popularised by the United Nations Development Program in the early 1990s. It emerged in the post-Cold War era as a way to link various humanitarian, economic, and social issues in order to alleviate human suffering and assure security. Hence, 'human security' issues include, but are not limited to, the following:

- Organised crime and criminal violence.
- Human rights and good governance.
- Armed conflict and intervention.
- Genocide and mass crimes.
- Health and development.
- Resources and environment.

'Human security' therefore, focuses primarily on protecting people while promoting peace and assuring sustainable continuous development. It emphasises aiding individuals by using a people-centered approach for resolving inequalities that affect security. One of the major failings of 'human security', according to its critics, is that it is too all-encompassing and that it fails to achieve its ambitious goals for improving the human condition. Still, the

relevance of this concept for addressing the world's most pressing issues, seems clear. Security has gone global. It is no longer simply related to the security of nation states. The security of the individual now directly impacts the security of the state and *vice versa* (Human Security Initiative, 2011: online).

Thus, the human security perspective resonates with the objective of this study in a sense that as Bhattarai (2009:13) states, human security is a concept of security which spreads beyond the conformist domain of military threats to include those that fall outside of this area. Hence, non-military threats are rooted in social, economic, sociological and political choices made by the country, but are frequently left out of the decision-making process.

It can be contended then that human security acts as an umbrella concept comprising: community security, health security, personal security, political security, economic security, food security, housing security and environmental security. It can also be inferred that:

[H]uman security ... transforms traditional notions of security, framed in terms of national and regional stability and the stability of political and economic systems, and it focuses on human beings. This means that the primary threats to be dealt with are no longer the exclusive domain of military forces. Primary threats are seen as internal: economic failure, violation of human rights, political discrimination. Hence, the guarantee of national security no longer lay in military power, but in favourable social, political and economic conditions, the promotion of human development, and the protection of human rights (Tadjbakhsh, 2005:4).

3.3 Power

Oppression refers to systematic constraints on groups that are not necessarily the result of the intentions of the tyrant. Hence, oppression in a sense is structural, rather than the result of few people's choices or policies. It causes are embedded in unquestioned norms, habits and symbols, in the assumptions underlying institutional rules and the collective consequences of following those rules (Young, 1990). All forms of oppression are not just about discrimination, privilege or prejudice, they are more than that; they are also about power. But what is power and how has it been defined over time? Of all the concepts used by sociologists, historians, philosophers, urban and regional planners, "few are the source of more confusion and misunderstanding than power" (Lenski, 1966:53).

Allen (2003) points out that while power is ubiquitously invoked in human geography, the concept does not often receive the degree of examination and elaboration that we might expect. Concern about the effects of unequal power relationships motivate much research and debate, yet at the same time *theories* of power tend not to take centre-stage. Where they do, it is often in the course of the discussion of particular theorists such as Foucault or

Latour, or in the context of reviewing debates in urban politics. Whereas in a textbook, some explanation of the concept seems desirable for student readers, the resulting definition or discussion is not always carried forward in an explicit way in the remainder of the text (Low, 2005:81).

According to Linthicum (2006:12), power in its essence is the capacity, ability and willingness of a person, a group of people or institution...to act. He explains the latter definition from a Christian view as follows:

'Capacity', means the facility to produce, perform or deploy and argues that for the group to have the capacity to act means that they have developed or gathered the resources together in order to exercise power. A military illustration makes the concept of capacity clear. If a military unit has been issued rifles, but hasn't been given any ammunition, then they don't have the capacity to act. Even though they might want to attack the enemy and are expert marksmen, the absence of ammunition means that they don't have the resources at their disposal that enables them to act.

'Ability' consists of having the skill, aptitude and/or competence to carry out the action one wishes to undertake. Thus, to use our military illustration once again, if one has adequate rifles and ammunition in abundance, but no one in the unit knows how to fire the rifles or can't hit "the side of a barn", they don't have the ability to act. Capacity without ability still creates a powerless situation.

'Willingness' means there must be a resolve and a commitment on the part of the group to act, even if that means taking the risks necessary to act. Thus, if one has sufficient ordinances (capacity) and the skill to use them (ability), but they do not have the resolve or motivation to go into battle, then you would still have a powerless situation.

Rosado (n.d.: online) argues that in principle power is the capability to act and sociological power comes in two forms: as coercive and as choice. Rosado explains further:

In its coercive form it is the capacity to act in a manner that influences the behaviour of others, even against their wishes. This is material power, the most prevalent and destructive form of power in society today, and appeals to the baser qualities of human beings, because of competition over scarce resources. Power as choice, on the other hand, is the capacity to act in a manner that influences the behaviour of others without violating free moral choice. This is moral power, which appeals to the higher faculties of humankind. This type of power gives rise to true power; knowing that you can, but you do not. To practice this form of power is the height of self-control.

Foucault (1976) reasons that it is wrong to consider power as something that the institutions possess (and use oppressively against individuals and groups), so he tries to move the analysis one step beyond viewing power as the plain oppression of the powerless by the

powerful, aiming to examine how it operates in day-to-day interactions between people and institutions. In the first volume of *Histoire de la sexualité*, Foucault (1976) argues that we must overcome the idea that power is oppression, because – even in their most radical form – oppressive measures are not just repression and censorship, but they are also productive, causing new behaviours to emerge.

Rather than focusing on the centralised sources of societal power in agencies such as the economy or the state, Foucault's analysis of power emphasises micro level power relations. Foucault (1976) argues that, since modern power operates in a capillary fashion throughout the social body, it is best grasped in its concrete and local effects and in the everyday practices which sustain and reproduce power relations (Rosado, n.d.:online).

3.4 Violence

According to Young (1990:62), violence is probably the most obvious and visible form of oppression as members of some groups lives with the knowledge that they must fear random, unprovoked attacks on their persons or property. These attacks do not necessarily need a motive, but are intended to damage, humiliate, or destroy the person. Hence, fear is an attitude of caution that the individuals have in face of signs of violence and urban crime (Alkimim et al., 2013:131).

3.4.1 Urban violence

Urban violence is a major preoccupation of policy-makers, planners and development practitioners in cities around the world. Public authorities routinely seek to contain such violence through repression, as well as through its exportation and containment at the periphery of metropolitan centres (UN-Habitat cited by Jütersonke, Muggah, & Rogers, 2009:373). Yet, as posited by Jütersonke et al. (2009:373):

[U]rban violence is a highly heterogeneous phenomenon and not amenable to reified diagnosis and coercive intervention, moreover state-led responses tend to overlook and conceal the underlying factors shaping the emergence of urban violence, as well as the motivations and means of so-called violence entrepreneurs. Urban violence is both a result of, and a catalyst for, transformation in urban governance and spatial organisation.

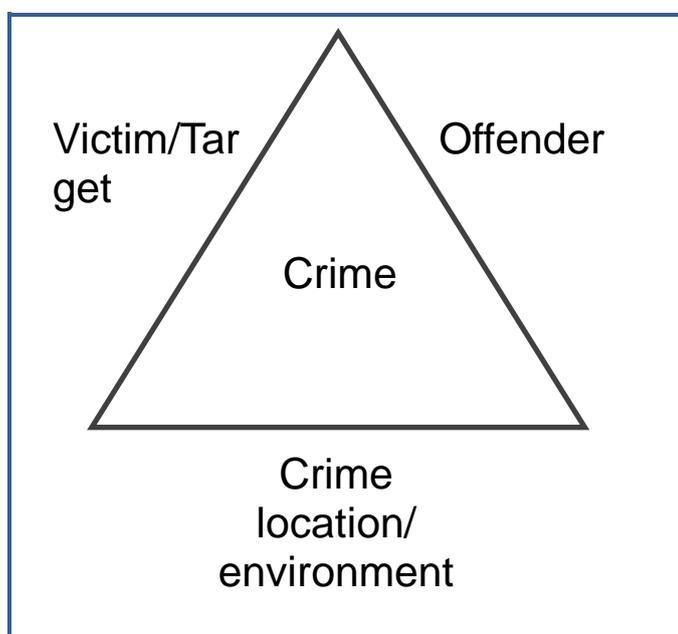
3.4.2 Crime and place

According to Anselin, Cohen, Cook, Gorr and Tita (2000:220), a place can facilitate (or inhibit) crime in two ways: First, the physical or built features of a place can decrease the social control capacities of various crime suppressors. Second, aside from physical

features, crime at places is apparently influenced by the routine activities that occur there. Crime is not distributed evenly or randomly over space. Instead, some types of facilities are characterised by higher levels of crime whilst some types of facilities are not.

Inadequate service impacts on the levels of crime and its character in Grasland. This article narrates some of the experiences articulated by the residents. This is done because:

[U]nderstanding crime, and the places where it is committed, is crucial to its prevention. Whether or not a crime occurs, depends on the interaction off three main elements. These elements include the physical and social environment within which the crime, the offender and the target or victim (see Figure 6.8). The form of the built environment as the local setting, impacts on these elements – thus certain design features and structures have the ability to hinder or enhance opportunities for crime to occur (Landman, 1999:1).



Source: Landman (1991:1)

Figure 6.8: The elements of a crime

Borrowing from Michel Foucault’s work, Bällan (2010: online) states that the fundamental idea emerging from all Foucault’s works is that the privileged place to observe the power in action, is the relations between the individual and the society, especially its institutions. Therefore, the issue of inadequate security provision in Grasland which has produced, on the one hand “emerging communities” of resilience, and on the other “emerging communities of violence and powerlessness”, deserves our attention, as illustrated in different ways in which the greater Grasland community struggle to access adequate basic security.

4. Methodology

For the methodology employed for this study, please refer to Chapter 5 of this thesis.

5. Research Findings

Three themes emerged from the research analysis: (1) the lived experiences of the greater Grasland community with regard to security; (2) the strategies they employed to access security; and (3) the effects of inadequate security provision through the formal MMM processes on their lives.

5.1 The life experiences of the greater Grasland community with regard to security

The residents of Grasland were restricted to move at night due to high levels of crime. When asked about how security affected their lives and who killed people, respondents indicated that they were not safe, and recalled:

R1: People move around here at night, they don't stop because the tavern closes at 2 a.m. When you come from the tavern drunk they will kill you they won't spare you. Yes they won't leave you. It's like those who are coming from the shacks are the ones targeted. Yes, you can't just walk around not know your destination. Yes people are killed.

R2: There are tsotsis (hooligans) that could come and take your money or your belongings or break in the houses.

R3: Sometimes they could rape you inside your house when people are there. Sometimes they are pointing guns at you and even rape you all with the children.

It was also noted that some residents perceived the Lesotho immigrants committed murders. This perception is highlighted by one of the respondents as he recalled that:

Sometimes I think that the thugs are killing people, but people describe the killers as those who wore blankets [referring to the Lesotho immigrants]. Maybe sometimes the thugs wear blankets so that people could think that they are the Sothos. You can't get a straight report.

Interestingly, even though all the respondents indicated that staying in Grasland was generally not safe, for the Lesotho immigrants Grasland was still seen as a better place to stay than Lesotho. A resident recalls:

Yes. It is better to be here because in Lesotho it's difficult to get a job. I left my husband back at Lesotho because there is no work there, my husband is not working. I'm working at a construction company as a tile assistant. I apply grout to the tiles. It's better here. In Lesotho there is no work. It's better to be here.

5.2 Strategies the community employed to access basic security

In most parts of the greater Grasland community, people employed strategies to security. The **first strategy** was to call the police from a station further away, because the closer one only had one van and took longer to come to the community.

The **second strategy**, if the police did, was to take matters into their own hands. They formed what might be called “mob justice” or a form of a “community policing forum”, even though it was not structured, but reacted when a community felt threatened by crime. When police are not able to do their job, the community is forced to take matters into their own hands.

One resident recalled:

We are a community here in Khayelitsha and we deal with the criminals. We talk to each other and sort the crime issue out as we are fed up.

My husband is one of the patrollers so that we are safe when we walk.

When police are not able to do their job, the community is forced to take matters into their own hands.

The community patrollers were used as a strategy to access safety, and the perceptions of the respondents were that the police were scared to come out at night, because whenever there was a fight, the police were likely to be killed themselves. The absence and fear of the police to come out at night sometimes forced people to take matters into their own hands.

The **third strategy** they employed to access security was to acquire dogs and using them to protect their homes (Picture 6.12 a-f). However, it was interesting to note that one resident complained about dead dogs. He recalled:

My house is at the corner of the end of that ground. People come from the shacks over there to dump their junk here at the corner ... So they come to the other side and throw their waste and dogs. When we are cooking porridge we smell a dog. People don't bury their dogs. I will take a spade to dig and bury the dogs whose owners I don't know.

There is therefore an interconnection between people's attitudes and waste collection. The MMM waste collectors, if they do come, do not collect dumped dead dogs.



a



b



c



d



e



f

Picture 6.12 a-f: Improvised security using dogs in Grasland

5.3 The effects of inadequate security provision through formal MMM processes on their lives

People were being murdered, but it was not clear who the killers were. One of the residents recalled:

We hear gun shots but we don't know where they get the guns from. We are mostly complaining about the police – police here take 4 hours to 5 hours to come after you have called them. Last week when I was pushing my trolley to work by those houses, some people I think they were four, were pushing a person along the way.

Were they holding him?

No he was walking between them. I saw people looking at this mob, so I stood and looked as well. The person was punched severely, in the daylight around 8 a.m.

Why was he beaten?

I don't want to know. I didn't even ask. Cars were passing by and some car drivers stopped and asked why the guy is being beaten. After some time I felt the beaten guy and I took my phone to call the police to come quickly before this guy is brutally beaten. They took long to come and I knew that when they come they will want to know the house number and I will tell them that I am on the streets but I had directed them where I was.

Yes.

These people took this man up the road. Do you see that big house over there?

Yes.

When they got there they went into a four roomed house with this man it is said that he stays there, they are still pushing him. There was no one in that house, while they were still beating him he escaped and ran and they were after him. We went around the corner; they captured him and took him to Khayelitsha. They damaged his ribs and one of them was stabbing him. Others were beating him everywhere.

Did this guy survive?

No, he is no more, he died. When they got to Khayelitsha his eyes were gouged out.

The effects of the inadequate security provision on people of the greater Grasland community is that they end up taking matters into their own hands, and it can be argued that violence as a face of oppression is intrinsically linked to the inadequate security provision in the greater Grasland community. The interconnection of violence, crime, inadequate security and other basic services had negative effects on the greater Grasland residents. For instance, ditches were used by murderers to discard bodies of people they had killed in the improvised toilet pits. A resident recalls:

A body of a murdered person was found in the digged pit ditch and we were shocked to see it.

Thus, the effects of inadequate security by MMM to the greater Grasland community, produces stress and anxiety. People are fearful to walk at night and in the early morning hours when they go to work. Hence, their movements are restricted because of insecurity.

6. The Implications for Social Justice in Planning

The study shows that the implication for social justice in planning is mostly a negative one within the MMM. For instance, in the Khayelitsha informal settlement, the longer the basic services are not provided, the more crime levels and insecurity increases, and this hinders the incorporation of social justice as people do not meaningfully participate in decision-making processes and instead are forced to be reactive as a way of protecting themselves from crime. In 2011, the Department of Human Settlement report on the upgrading of informal settlements (2011:74) indicated that the provision of RDP homes tended to increase the physical security of the household by reducing the theft rates in comparison to stands that did not have RDP homes.

Furthermore, what exacerbates the situation is the absence of street lights which impacts negatively on the safety of the people. Landman (1999:2) argues that spatial characteristics create numerous opportunities for crime. For those workers who have to leave their homes in the early morning hours and return in the evening, it is very frightening to walk in some passages of Grasland.

The study revealed that inadequate basic service provision had an impact on the lives of the greater Grasland residents; producing mainly negative traits such as the Khayelitsha informal settlement being called a 'dumping site' by other areas that have more basic services, even though they [people who reside in neighbouring areas] too experience inadequately provided basic services. But what has emerged in the greater Grasland community, is a community of resilience who, despite being confronted by violence and other social ills, has had to find ways to live somewhat meaningful lives. For instance, the lack of security in Grasland has not stopped the residents there to seek access to job opportunities in the city centre and the surrounding elite areas.

6.2 CONCLUSION

The key findings indicated that access to basic services is mainly improvised by the greater Grasland community. Another interesting finding was that the MMM itself, as a result of providing basic services inadequately, is improvising in providing inadequate basic services in Grasland. They do this in the following manner:

1. **They are overwhelmed and reactive** – being selective on where they are going to inadequately provide basic services. In October 2014, electricity installations commenced, but the process was characterised by confusion and fear. For instance, on 11 January 2015, a meeting between the residents and the construction company met

without the presence of the ward councillor. The confusion existed because the construction company wanted to install electricity, but soon realised that plots had not been pegged to individual residents. Hence, the company informed the residents that the small electricity poles were not going to be installed until the ward councillor instructed otherwise, as the construction company had no idea what to do. Meanwhile, *izinyoka* (the ‘snakes – electricity cable thieves) were stealing electricity (Picture 6.13 a-d) cables and this was going to further delay the provision of electricity.



a



b



c



d

Picture 6.13 a-d: Stolen electricity cables

2. The fact that MMM itself dug temporary stormwater drainage holes as means of improvising on the inadequately provided stormwater drainage system in Grasland, indicated reactive planning (Picture 6.14 a-d).



Picture 6.14 a-d: Improvised stormwater drainage by MMM

3. They 'sugar coat' basic service provision. For instance, constructing outside toilets and installing electricity on the main roads and not inside the settlements.
4. They pretended like everything was fine and continued to marginalise the people of the greater Grasland, especially the Lesotho immigrants. Furthermore, MMM's prejudice and discrimination towards the Lesotho immigrants, despite the fact that they were aware that Lesotho immigrants had settled in Grasland for many years, forced the Lesotho immigrants to tolerate the "ghettoised citizenship" they experienced from MMM in fear of being victimised or deported to Lesotho.
5. The inadequately provided infrastructure is not maintained and is not sustainable for prolonged use and as such pipes burst in some parts of Grasland, especially in Phase 4, Khayelitsha informal settlement. Similarly, roads were not properly maintained in Grasland (see Picture 6.15 a-f). The study revealed that MMM had adopted a relaxed attitude towards maintaining the infrastructure. However, this was not surprising as the MMM perceived people of Grasland as 'indigent', therefore through their actions, did not provide adequate road maintenance.



a



b



c



d



e



f

Picture 6.15 a-f: Roads full of potholes

6. They pacify people by promising them adequate services. Services are provided only when it's time for elections and thereafter, the residents do not get anything. This conclusion was influenced by the findings which are generalised in this case from interviews with municipal officials. One of them indicated that they usually promise to delivery services to local residents, but a day after the elections they tell people that they don't have money – after the residents have voted for the ruling party which in Grasland is the ANC local government.

In most instances, people who are perceived as indigent are people who live under conditions of poverty. Mitlin and Satterthwaite (2001:193) argue that absolute poverty is also generally linked to discrimination or exploitation connecting different aspects. In Grasland, the data revealed that discrimination of residents, more especially Lesotho immigrants, was intensified through inadequate basic service provision by MMM.

6.3 THE RESEARCHER'S REFLECTIONS

[Wo]man is a thinking being. The way [s]he thinks is related to society, politics, economics, and history and is also related to the very general and universal categories and formal structures. But thought is something other than societal relations. The way people really think is not adequately analysed by the universal categories of logic. Between social history and formal analyses of thought there is a path, a lane—maybe very narrow—which is the path of the historian of thought (Foucault cited by Martin, 1988:10).

Hence, by validating the nature of social change unfolding in Grasland through “the path of historian of thought” it is yearned that planners may learn from the complexities that exist in cities.

As part of addressing the key research question through empirical evidence, the researcher's observations are significant in that, whilst basic services are inadequately provided, ordinary people of Grasland have to live within a context that is characterised by power relations and oppression that are disguised as freedom and democracy for all.

According to Farouk (2013: online), South Africa's ruling party abandoned the notion of a pro-poor democracy way back in 1994. She states that some social justice activists argue that they [the ruling party] abandoned the poor in the negotiations that led and ushered in our era of democracy. As a result, poor South Africans who are predominantly black people, still live largely on the peripheries of urban areas in shanty towns or in townships, and these places have simply become neglected ghettos. Furthermore, a reliance on the markets to redress the injustices of the past has ensured that the apartheid city landscape remain intact and has seen poor people who come to the cities not having a place to live.

This section briefly provided the researcher's reflections from the research process at Grasland. She reflects:

I remember by just driving around, I felt a sense of tension, pain and anguish just from seeing kids playing near sites that were full of wastes (Picture 6.16), and the ladies doing their washing on the streets (Picture 6.17). What struck me the most was seeing young women who were forced to sell their bodies by the roadside (Picture 6.18).



a



b

Picture 6.16 a-b: Boys playing around uncollected waste in Phase 4



a



b

Picture 6.17 a-b: Women washing their clothing on the streets



Picture 6.18: Young women who are forced to sell their bodies by the roadside

CHAPTER 7

CONCLUSIONS AND RECOMMENDATIONS

7.1 INTRODUCTION

In the development of this thesis a number of arguments considered relevant to this study were stated and appropriate data gathered, analysed and discussed. Chapter 7 concludes the thesis by deliberating on the main answers to the research questions, pertaining basic service provision and the strategies employed by the greater Grasland community in accessing basic services, especially in conditions characterised by embedded and complex power relations that influence how and for whom basic services are provided by local municipalities. Subsequently, the insights provided in this thesis were influenced by the descriptive phenomenological method, which is less commonly used in the urban and regional planning discipline, partly because it is common practice for planners to use technical approaches to solve social issues. Consequently, as stated in Chapter 5, the descriptive phenomenological method describes the common meaning for several individual experiences with a phenomenon (Creswell, 2013:76).

Thus conclusions are drawn and recommendations made concerning the research enquiry. The conclusions and recommendations are done on the premise that while planners may wish to eliminate the distortions generated by differences in power, knowledge, and skill, navigating the mire of planning debates via idealised modes of practices is proving counterproductive, especially in Grasland, Mangaung, Free State, South Africa.

The chapter is divided into seven sections, the first being an introduction, followed by a synopsis of the background to, and focus of the study area. The third section presents a summary of the research, with the fourth discussing the implications for social justice in planning. The fourth section will present a discussion on 'emerging communities' followed by suggestions for future research, recommendations and conclusions.

7.2 A SYNOPSIS OF THE BACKGROUND TO AND FOCUS OF THE RESEARCH STUDY

This research study indicated that in South Africa, as a result of spatial arrangements put in place by colonial-segregation-apartheid systems, people were separated according to their race and class. Furthermore, it was indicated that a 'new ideology' – the delivery of adequate basic services, aiming to make a difference through transforming previously

segregated spaces - emerged from 1994. However, the study claims that three factors have hindered adequate basic service delivery in South Africa, with the first arguing that inequitable political and social relations produce unequal access to basic service delivery such as water, sanitation, electricity, housing and security. The second factor posits that strategic planning tools such as the Integrated Development Plan do not guide action, producing a mismatch between what the legislation requires and the actual practices on the ground. The third factor asserts that the ruling party has been reproducing what they were opposed to during the liberation struggle, namely segregated and unjust spaces, influenced by internalised oppression.

As noted in the research aims and goals (Chapter 1, section 1.5), the purpose of study was to explore the strategies employed by the greater Grasland community, Mangaung, in the Free State in accessing basic services in conditions of inadequate basic service delivery, in and through formal municipal planning processes of the Mangaung Metropolitan Municipality. Furthermore, the objectives of the study were formulated from the aims and goals of the study aiming to firstly ascertain the strategies employed by the Grasland residents to access basic services (water, housing, sanitation, security, and electricity), in circumstances of inadequate basic service provision, despite formal planning processes such as the Integrated Development Plan. Secondly, to explore and reflect on how power relations affect access to basic service delivery within Grasland and the implications for social justice in planning.

The aims and objectives of the study were seeking an answer to two research questions: (1) What strategies do people of Grasland employ to access basic services in conditions of inadequate basic service delivery in and through formal municipal planning processes of the MMM; (2) How do power relations affect access to basic services within the greater Grasland community and what are the implications for social justice?

As stated in Chapter 1, the significance of Grasland as a study area is that it identifies factors that South Africa need to grapple with towards making just spaces. Just spaces are those that do not constrain adequate access to basic services. Furthermore, the study suggests that it is not useful to look at issues of inadequate basic service delivery from the spatial planning policy lenses and institutional settings only, but that an exploration of the strategies employed in accessing basic services through lived experiences of citizens or residents is also fundamental. Hence, the study illustrates why some of the spatial planning processes such as the IDP are not effective, what really is at play and why things are going wrong.

The study was therefore, undertaken in order to contribute towards understanding the impact of inadequate basic service delivery on the greater Grasland community, through their lived experiences and life histories, as they search for a sense of belonging within the Mangaung urban space. The thesis argues that only through this exploration of the lived experiences process can we start recognising what really was at play and why the planning processes of the MMM were not effective.

7.3 SUMMARY OF THE RESEARCH

7.3.1 Employed strategies by the greater Grasland community

Regarding the first research question on the **strategies employed by the people of the greater Grasland community in accessing basic services**, TABLE 7.1 provides an answer, with particular focus to water, sanitation, housing, security and electricity.

TABLE 7.1: EMPLOYED STRATEGIES BY GRASLAND RESIDENTS

| Basic Service | Employed Strategies | Description of the strategy employed |
|--------------------|--|---|
| Water | <ol style="list-style-type: none"> 1. Fetch water from a nearby communal tap. 2. Buys water from neighbours. 3. Get water from a neighbour who 'illegally' connected themselves to an existing municipal feeder pipe. 4. 'Illegally' connect water to an existing municipal feeder pipe. | <ul style="list-style-type: none"> • Some residents are forced to walk more than 500 m to fetch water from a communal tap. • Some residents pay up to R50 per month to access water from neighbours. • Asks a neighbour to give them some water, but this access is limited to early morning, before the neighbour goes to work, and late at night when the neighbour comes back from work. • A local person who has plumbing experience is hired at a low fee to connect water for those who need access directly from their yard. |
| Sanitation | <ol style="list-style-type: none"> 1. Improvised toilets. 2. Use toilets at work. 3. Neighbours share improvised toilets. | <ul style="list-style-type: none"> • Hire a tractor to dig a pit – pays about R180 for the service. • Dig a pit using a shovel. • Hire a local business person to dig and build a structure for about R700. |
| Housing | <ol style="list-style-type: none"> 1. Build shacks. 2. Caravans. | <ul style="list-style-type: none"> • Buy planks and corrugated iron. • Use plastic and stones to cover the roof. • Those who can afford, buy caravans for housing. |
| Security | <ol style="list-style-type: none"> 1. Call police. 2. 'Mob justice' or improvised community policing forum. 3. Dogs. | <ul style="list-style-type: none"> • Police are called but there are many frustrations with the manner in which they respond. • The community takes matters into their own hands and 'punish' the suspect. Dogs offer some level of security for the residents of Grasland. |
| Electricity | <ol style="list-style-type: none"> 1. Paraffin. 2. Gas. 3. Candles 4. Generators (for those who can afford it). | <ul style="list-style-type: none"> • Buys canned food as it lasts longer and does not need a fridge. • Meat is bought for immediate use. • Charge cell phones at 'spaza' shops for R5 per charge. • For those that can afford it, use generators to light the shack, charge cell phones and for cooking. • During winter months – even those who use generators and gas – opt for paraffin heaters. |

7.3.2 Power relations and access to basic services and the implications for social justice in planning

Regarding the second research question on **how power relations affect access to basic services** within the greater Grasland community and **the implications for social justice in planning**, the responses are represented by Figure 7.1.

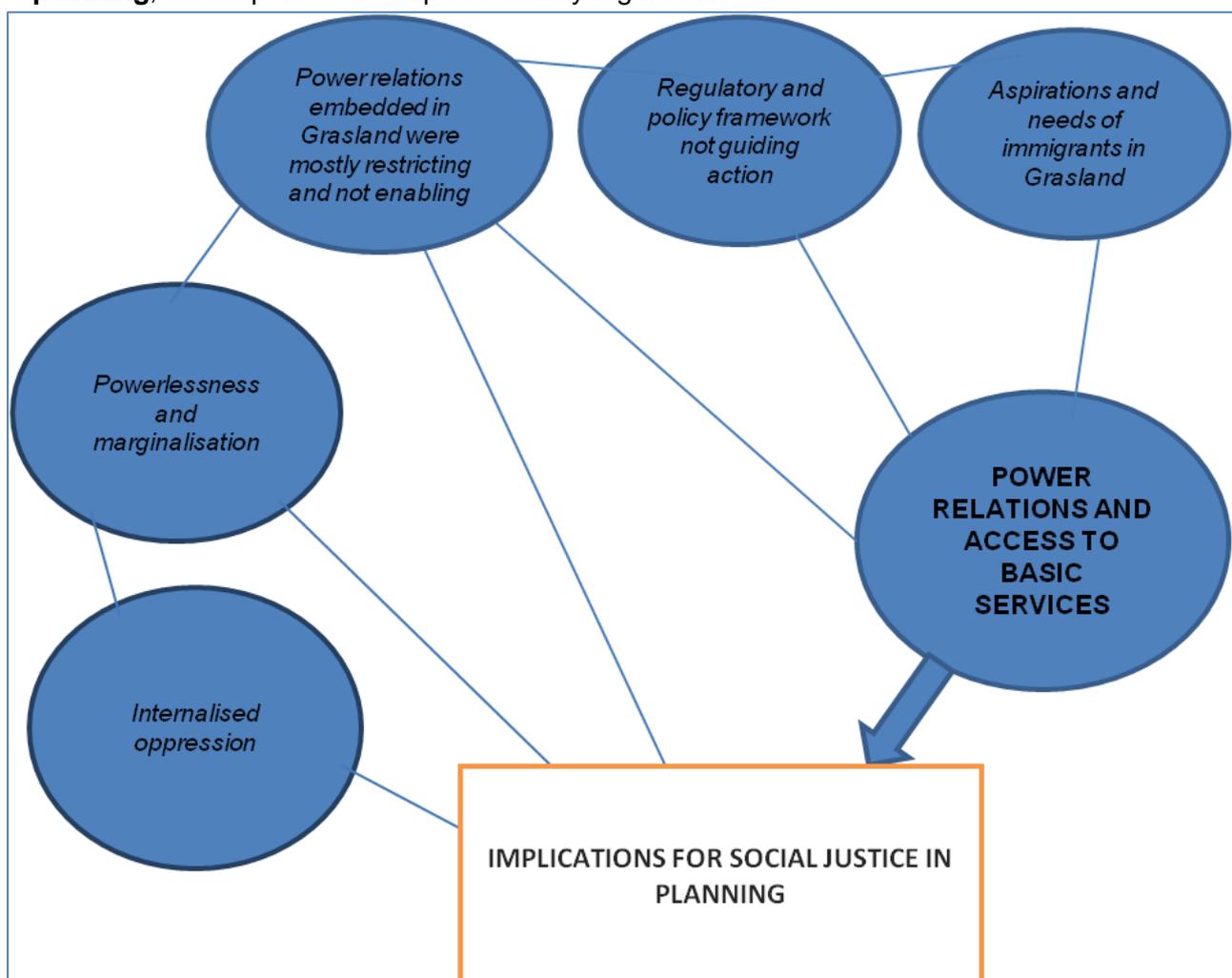


Figure 7.1: Power relations and implications for social justice in planning

7.3.2.1 Power relations and access to basic services

In Chapter 3, Section 3.8.1, it was mentioned that power is not necessarily repressive or does not need to be, but it can be used to enable just spaces. Hence Foucault explains that a power relation can unfold without physical violence, but that a voluntary or involuntary exchange can go beyond the usual notions of power as repressive. From the strategies presented in Table 7.1 above, it is evident that the consequences of inadequate basic service provision on the lives of the greater Grasland community, as outlined in Figure 7.1, has both negative and positive effects on them. These influences are:

- Power relations embedded in Grasland are mostly restricting and not enabling**

Oppressive practices such as prejudice and discrimination by MMM politicians and bureaucrats towards basic service provision are produced in Grasland. Due to Grasland being characterised by informality and the high presence of immigrants, MMM imposes discriminatory practices, at conscious and unconscious levels that are restricting and not enabling. For instance, when they ignore the presence of immigrants in Grasland and do not enable access to basic services, with the hope that the challenges will solve themselves, they actively contribute to the increase of informal settlements. This oppression results from their normal daily planning practices that do not fully understand the lived experiences of the greater Grasland community as they strategies and struggle to access basic services there.
- Regulatory and policy framework not guiding action**

The regulatory framework, such as the IDP is not implementable due to political power infightings and the lack of understanding the complexities involved in planning for sustainable human settlements in South Africa. In Section 4.3.6.1 it was argued that the legislation is well articulated regarding the IDP, however, the developmental mandate of the IDP has not been addressed through adequate implementation.
- Aspirations and needs of immigrants in Grasland not met through formal municipal processes**

Immigrants aspire to secure tenure (rental housing, electricity, water and security) for themselves and their children in Grasland. However, the result of prejudice and discrimination experienced by the immigrants are reflections of contestations of power, prestige, privilege and position in the society.
- Powerlessness and marginalisation produced**

Powerlessness: The lack of services experienced by the greater Grasland community calls into question the government's responsibilities towards its citizens *versus* the responsibilities of the citizens. Due to the government's perception of the community as 'indigent', oppressive power relations, to the detriment of the community, emerge.

Marginalisation: The government marginalises the greater Grasland community by only providing some basic services in exchange of votes. This marginalisation is also perpetuated by the fact that people of Grasland mostly do not complain about inadequate basic services as they employ strategies mentioned in Table 7.1

Error! Reference source not found., to access them. In Section 2.4.1 it was mentioned that "marginalisation is the act of relegating or confining a group of people to a lower social

standing or outer limit or edge of society. Overall, it is a process of exclusion which in some ways is worse than exploitation because society has decided that it cannot or will not use these people even for labour.”

- ***Internalisation of oppression***

The politicians that run the governance system internalise oppression as they end up producing fragmented and sprawled urban spaces like Grasland, the very same spaces they were opposed to during the liberation struggle and of which they subsequently inherited - in much the way Fanon (2008) describes in his book, *Black skin, white masks*.

- ***The political atmosphere produces stress, anxiety and fear***

The effects of inadequately provided basic services in Grasland produces stress, anxiety and fear. For instance, people’s movements are restricted due to high crime levels in the area. The political atmosphere also contributes to the production of stress, anxiety and fear, and with Grasland wards led by the ANC, some community members are fearful to request for basic services such as housing or access to water, particularly the immigrants. Additionally, the immigrants are also silenced by the political atmosphere and its undertones of xenophobia which everybody is aware about, but do not voice due to fear.

- ***Horizontal and vertical oppression produced through power relations***

The fact that the greater Grasland community was perceived as ‘indigent’ by both by ward councillors, and the MMM through their actions (of not providing adequate basic services), shows discriminatory practices at a horizontal level, as the structural social groups involved in providing (MMM) and accessing basic services (greater Grasland community), were mainly black people. Furthermore, a vertical class-based power relationship is produced and calls into question the government’s neglect of its developmental role (provision of adequate basic services as per the Constitutional and the WPLG [1998] mandate), but also how the local government perpetuates the production of unequal access to basic service delivery.

The fact that Grasland has remained a pilot project that was never closed, attests to horizontal and vertical oppression produced through power relations. All the infrastructure improvements and new developments that were supposed to have been done in Grasland were claimed by the greater Grasland community members to have been redirected elsewhere. The residents claimed that when they enquired about inadequate basic service provision from MMM, they were informed that the ward

councillors were not doing their jobs well; hence, not facilitating development in the area. These reasons did not convince the greater Grasland community who were certain that factions within the ANC had contributed to poor service delivery in their area.

- ***Improved communal relations***

It is argued that even though inadequate basic service provision depressed the community of Grasland, communal relations improved, and a sense of belonging developed. The community has shown signs of organisation and coherence, after realising that the political landscape was taking another direction. They created a platform where they could demonstrate their agency and power. For instance, the formation of a social club called the National Unemployed Voters' Organisation (NUVO)¹ was a way the community could "show everybody that [they] still had power" because they "didn't have an organisation which [they] could trust to take [their] people out of this mess because all these civil organisations were sitting with this powerful organisation [referring to the ANC] were very useless".

- ***A community of resolve***

The fact that people of Grasland strategise to access basic services, despite the dehumanising living conditions there, indicate that they do the 'best' with what they have or could have access to. Thus, they are able to continue living their lives, striving to survive in an urban context that (in)conveniently uses them.

7.3.2.2 The implications for social justice in planning

Accordingly, the strategies employed have implications for social justice in planning. Social justice is both a process and goal that requires the ability and willingness of people to act towards the creation of just spaces. As Bell (1997:1-2) comment:

[It] includes a vision of the society which the distribution of resources is equitable and where all members are physically and psychologically safe and secure; where individuals are both self-determining (able to develop their full capacities), and interdependent (capable of interacting democratically with others), involving social actors who have a sense of their own agency as well as a sense of social responsibility toward and with others and the society as a whole.

¹The National Unemployed Voters Organisation (NUVO) was formed by Grasland residents as a way of occupying a vacuum they had recognised had developed, as a result of the administration [ANC leadership] no longer talking to one of the Ward Councillors which the Grasland community had elected. NUVO was therefore formed as the organisation of the people who are not working, and who are the voters.

But due to unequal power relations, the attainment of this goal is not met; and a serious dilemma ensues. Grasland illustrates this impasse where the present institutional and societal arrangements that do not appreciate the requirements for attainment of social justice, produce injustices.

While power acts are at play regarding access to basic services in Grasland, the implications for social justice are the following:

- Emergence of diverse trajectories to South African citizenship that have potential to hinder planning processes that are conceptualised as democratic and intended to achieve social justice. For instance, the land invasion in what is now called the 'Khayelitsha informal settlement', calls to question the ability of a municipality to project population growth for its area. What happens when a number of immigrants settle without "proper legal documents"? At the time of writing this thesis, South Africa was in crisis regarding xenophobic attacks with many South Africans demanding that immigrants must produce legal documents as proof that they are from other African countries and are in South Africa legally. Thus, the researcher witnessed and heard many South Africans accusing foreign nationals of stealing their jobs and the government officials justifying the attacks as 'just' criminal and not xenophobic.
- Social relationships across borders are not legally acknowledged, particularly in situations where a wife or husband who is a foreign national, loses a spouse before being naturalised as a citizen of South Africa. The complexities involved in raising children born from one parent who does not have a South African identity document, are often silenced by fear from that parent who thinks if they report to the relevant departments, they might be deported back to their country of origin. This situation is made worse when the family of a deceased spouse chases the woman away.
- In Grasland, life stories were shared by the respondents about how some women were forced to erect a shack in order to house their children, after the families of their deceased husbands had taken over the government subsidised houses from them. The implication being that some of those children grow up staying in an informal settlement with limited opportunities to good education and a secured life, but rather will be exposed to high crime levels of which Grasland is characterised. A point made clear by Landman (1999:2) who posits that spatial characteristics create numerous opportunities for crime.

- Planning for the immigrants in Grasland is clearly different from generic assumptions made on what planning sets out or provides for ‘the people’ who are perceived as South African citizens. However, the barriers experienced by the immigrants do not stop them from starting families and making the most of their situation.

This thesis argued in Chapter 3 that there is no single approach of working towards a socially just society based on Young’s (1990:15) conception of social justice as “the elimination of institutionalised domination and oppression”. Hence, an assertion that democratic structures in South Africa should regulate decision-making, not only in government institutions, but in all institutions of collective life, including production and service enterprises, universities, and voluntary organisations. That all groups in society should contribute meaningfully in order to promote to social justice, is not wholly realised in Grasland as people do not meaningfully participate in decision-making processes. The fact that access to basic services is improvised, has implications towards achieving social justice in planning.

7.4 EMERGING COMMUNITIES

This section describes the emerging community of Grasland according to the researcher’s view. What emerges when inadequate basic services are provided, is unequal society of improvisation and power as constraining and enabling, as shown in Figure 7.2.

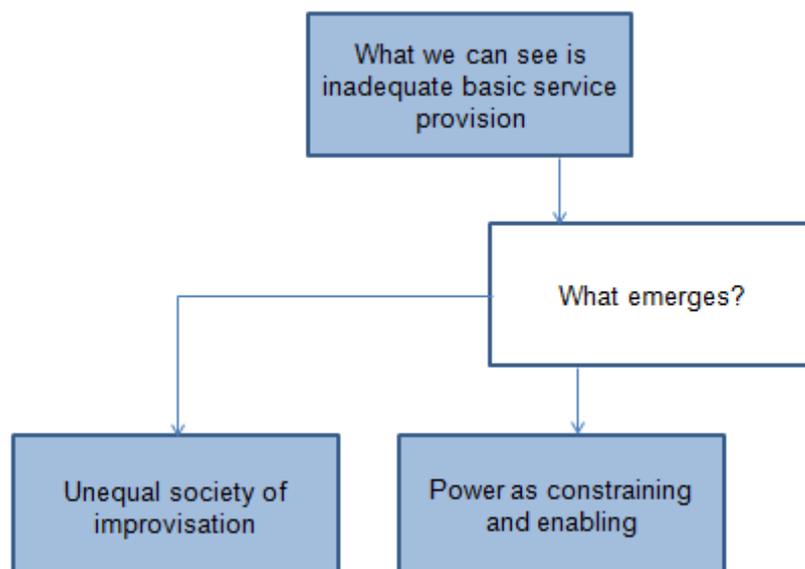


Figure 7.2: Emerging service provision communities

7.4.1 Power as constraining and enabling

The problem of inadequate basic service provision is not being solved as people in the margins or peripheries of the city continue being marginalised, discriminated against and let it be said, oppressed by the MMM's inability to use their power as enabling through providing adequate basic services. Furthermore, the fact that the strategies or mechanisms such as the IDP that are used by the MMM to deliver basic services, are not working to a large degree, attest to the fact that political and bureaucratic power is constraining in these circumstances.

7.4.2 Inadequate basic service provision, improvised!

The study also showed that basic services were initially inadequately provided in Grasland by the MMM and that over time, the inadequately provided basic services forced the residents to improvise on accessing them. Interestingly, the study further revealed in Chapter 6 that the MMM also improvised on basic services they had inadequately provided in the first place. This indicates that the MMM is largely dysfunctional where basic service provision is concerned in Grasland.

It is further argued that this residential segregation has been imposed on the residents by the MMM due to dysfunctional institutional settings. For instance, in Chapter 6, it was noted that it proved difficult to secure interviews or obtain records such as minutes of public participation meetings from the municipal officials responsible for Grasland related planning issues.

7.4.3 Grasland as a segregated residential area

Grasland, as explained in Chapter 1, developed four years after the democratic government came into place, as an informal settlement which stemmed from land invasion. It is an area characterised by fragmentation and is no exception to inadequate basic service provision. Despite being part of a large-scale upgrading pilot programme which started in 2006 and rolled-out in 2008, due to coordination problems, houses were provided without standard basic services such as toilet facilities (DIMI, n.d.: online). To date, the provision of basic services in Grasland is generally inadequate.

It was noted that the majority of people residing in Grasland (including the Lesotho immigrants), had undoubtedly been experiencing residential segregation from the time the (in)formal settlements were developed. These experiences are the effects of systematic discrimination, manifested as prejudice towards basic service delivery there.

7.4.4 Contribution to knowledge

This thesis' contribution to knowledge is that it provides empirical research findings that has espoused the weaknesses of spatial planning as practiced within areas characterised with extreme impacts of both colonial and apartheid policies/planning policies. This resulted in highly unequal spatial spaces and service delivery in which power relations and social justice play an important role in the provision of basic services.

Furthermore, whilst the subject of access to basic services is not unique as a PhD topic, this research adds significantly to knowledge and scholarship by virtue of its reflective, analytical discussion and contribution to the subject of social justice in planning. The findings reveal a variety of employed strategies – legal and otherwise - used by Grasland residents to access basic services, including housing and sanitation, when they are inadequately provided through municipal planning processes, as well as various forms of internalised and unconscious oppression by residents and the municipality, respectively.

The findings of the study have also made a significant contribution to the understanding of the lived-in experiences (social spaces), power relations and social justice. In particular, it has exposed the weakness of the current spatial planning practices and basic service delivery which does not prioritise social justice in the planning process, and yet this is crucial to the attainment of transformation and restoration of dignity that the South African government desires and aims to achieve. Thus, social justice, or its incorporation in planning processes, is elusive. The research findings of this study could help relevant South African government authorities to put “social issues” at the same level as economic and technical issues in the planning and provision of basic services.

7.5 SUGGESTIONS FOR FURTHER RESEARCH

Possible areas for future research identified during the course of the study are:

- Research on how the South African housing policy can cater for the needs of the internal and external migrants, could be carried out.
- Research may possibly be done on mapping out the typologies of available socio-economic services in order to better inform the MMM Integrated Development Plan.
- Research could be carried out on exploring the perceptions of planners and their role in facilitating basic service provision in local communities of South Africa.
- A theoretical study on embedded power relations, especially in contexts characterised by informal settlements and the high presence of immigrants could be done.

- A study exploring the extent to which the planners' perceptions have an influence in the increasing backlog on basic services post-apartheid, could be carried out.
- Studies could be carried out to explore the extent to which the inadequacy in basic services is influenced by the capacity or incapacity of municipal planners to effectively incorporate social justice through the implementation of the IDPs.
- For those residents who feel powerless and marginalised, an interesting question arises: How the poor self-sustain within the context of perceptions and stereotypes imposed on them and which they themselves now adopt (*internalised oppression*)?

7.6 RECOMMENDATIONS

- Regarding the issue of housing and citizenship, the municipality should provide housing formally for immigrants, even if it means access to rental stock.
- With regard to sanitation, a water-borne sewerage system is not a sustainable solution for a water-stressed country like South Africa. It is suggested that through co-production, the MMM can initiate a process whereby they explore the water-free sanitation solutions. Urine may be processed and used as a fertiliser.
- Accessing water under the constructed status of 'indigent', contributed to the residents not paying anything towards it. The MMM can promote a culture of sustainable use of water through availing it and conscientising people to the importance of saving and paying for it; hence developing a sense of independency and not dependency.
- Electricity is provided in Phases 2 and 3, but in Phase 4 (Khayelitsha), at the time of data collection, no electricity was available and people mainly used paraffin, gas, candles, lamps and wood.
- The MMM should provide alternative energy sources such as solar panels for the people of Khayelitsha. They should also work with the residents towards finding realistic and affordable solutions to alternative access to energy.
- Security: Strategies such as community policing forums are employed by the Grasland residents. The MMM should enhance this strategy by creating ways to provide the community with necessary training on security. It is better when community members legally take charge of their areas by being vigilant and promoting security for their area. Also the MMM can install energy saving lights on some of the streets as it get very dark and dangerous to walk at Grasland at night or in the early morning hours.

Through the political willingness of the MMM, there is a potential for places like Grasland to transform into sustainable human settlements.

7.7 CONCLUSION

This chapter has demonstrated that the root causes of inadequate basic service provision in South Africa are not just the failure of the ANC government, nor was it the failure of the Nationalist government. It is rooted in power relations that are often invisible, but manifest as inequality, evident in the city. The chapter also illustrates a degree of 'internalisation' of oppression by the politicians, who end up producing urban spaces that implement the very same things they were opposed to in the first place.

While power plays are evident within this context characterised by inadequate basic services, some residents or community members strategise to access basic service delivery; they do not just sit and watch.

The fact that people of Grasland do the 'best' with what they have under oppressive situations, attests to the fact that, despite poor living conditions, they are able to continue living as they strive to access jobs, provide shelter for their families. In a nutshell, they live a purposeful life. It can therefore be concluded that as a result of pressures for municipalities to meet the backlog challenges, rather than to involve the communities' concerned, social justice and its incorporation in the planning process is hindered.

This study vividly demonstrates that whilst "the state of temporariness" of basic service provision and inadequacy persists in Grasland, planners and local government may learn something about how people take initiatives to access basic services. As Roy (2005:150) posits that the key element of today's paradigm of "sustainable human development" and, by implication, sustainable human settlements, is the concept of enablement, helping the poor help themselves. However, the power relations evident in Grasland call into question government's responsibilities towards its citizens *versus* the responsibilities of the citizens. According to the White Paper on Local Government (1998:23), developmental local government is about working together with residents and groups within the constituency to find sustainable ways to meet their social, economic and material need and advance the quality of their lives. This implies there should be a partnership, which clearly is not present in Grasland. The role of ward councillors is blurred as they seem to play a role of being government representatives, instead of community representatives. This political atmosphere directly contributed in the ward councillors having meaningfully engaged with the residents.

It can be deduced that the Grasland residents take initiative to deal with their problems through the employed strategies in accessing basic services. Perhaps these may enable the MMM to plan with them towards adequate basic service provision. The study therefore provides some new insights for the planners and local government on how inadequate service delivery may be resolved through partnerships with local residents of Grasland, provided there is a willingness to learn from the improvised strategies that are employed by the residents.

The anticipation from the recommendations is that a certain level of conscientising that speaks to the use of power to enable effective and constructive social change, free of oppression, will ensue. It is recommended that through co-production, the MMM may learn from the strategies that the residents of the greater Grasland employed to access basic services.

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GRASLAND EVICTION ORDER
IN THE HIGH COURT OF SOUTH AFRICA
(ORANGE FREE STATE PROVINCIAL DIVISION)
Case No.: 3738/2004

IN THE HIGH COURT OF SOUTH AFRICA
(ORANGE FREE STATE PROVINCIAL DIVISION)

Case No. : 3738/2004

In the matter between:

MANGAUNG LOCAL MUNICIPALITY

Applicant

versus

THE OCCUPIERS OF THE LAND SITUATED
AT PHASE 3 OF THE GRASSLANDS AREA,
ALSO KNOWN AS BERMAN SQUARE

Respondents

CORAM: VAN COPPENHAGEN J

HEARD ON: 21 APRIL 2005

JUDGMENT: VAN COPPENHAGEN J

DELIVERED ON: 28 APRIL 2005

[1] Applicant is a municipality established in terms of Provincial Notice 182 of 28 September 2000 and also in terms of chapter 7 of the Constitution of the Republic of South Africa.

[2] Applicant in an effort to comply with the terms of section 152

of the Constitution read with section 9 of the Housing Act, No. 107 of 1997, and Local Government: Municipal Systems Act, No. 32 of 2000, particularly chapter 5 thereof drafted and accepted an integrated development plan.

In the execution of the integrated development plan applicant *inter alia* obtained land and is negotiating to obtain further land, so-called Grasslands Housing Development Project, Phases 2 and 3. The development so envisaged entails the ultimate development for low-cost housing.

Phase 2 was developed and 2831 erven were made available for occupation in June 2004.

It was envisaged that 2814 erven, (the application for the establishment of township of which was already submitted) could be developed and be ready for allocation to the landless, homeless and needy early in January 2005.

- [3] The development of Grasslands Phase 3 came a dead stop when the land was affectively rendered a no go area as a result of an invasion which started on the 23rd October 2004.

[4] Applicant applies, having complied with the legally required procedural procedures for the eviction of the persons who are the invaders and/or present unlawful occupiers of the land.

[5] A summary of respondents reply to applicant's application can be found in the passage in paragraph 13 (at paragraph 8.2) of the opposing affidavit which proclaims:

"The applicant alleges that its Housing Sector Plan provides a well-resourced guide to enable the applicant to achieve the objective for the homeless.

I deny the allegation. I must say that if this Housing Sector Plan gives the applicant the right to evict destitute people like the occupiers of Phase 3 of Grasslands, it is not informed of the social economic realities within its jurisdiction. I am convinced that housing is a combination of provision of land, shelter and services, I therefore understand that none of this can be achieved over a short period of time. But we should not turn a blind eye to the fact that a basic need in South Africa right now is access to land. The Housing Sector Plan of the applicant is centralised on the issue of housing as a combination of provision of land, shelter and services. The reality is that the applicant cannot achieve all this at the same time. Many families will remain homeless if the applicant's ambition is to build houses for its inhabitants. I refer the above on report to

the first sentence of paragraph 8.1 of the founding affidavit, which reads as follows:

“Land invasion of this nature seriously affects the applicant’s ability to provide housing and services for the inhabitants.”

There is nowhere in the founding affidavit access to land is mentioned. This goes against the applicant’s objective of addressing homelessness. The applicant is confusing issues. It is either using the wrong strategy of addressing homelessness to the masses or is unwilling to deliver the services in terms of the constitution.

In Phase 2 of the Grasslands inhabitants were provided with land without shelters and social services and not all of the Phase 2 was electrified. The inhabitants of Phase 2 understand that the municipality cannot do everything at once. They can now be patient with the process of housing development.

The respondents in this case do not demand shelter and social services from the applicant. They only demand a basic resource which is land and the others shall follow. This has been available over the years. I don’t understand a sudden change of strategy by the applicant to phase in a strategy that is not going to work.

An eviction of respondents in this case is a clear indication that the applicant does not understand its role as the State organ. The applicant has an obligation to fertilise the grounds for development in the area of social economic rights thereby facilitating the process of development whereby third parties are involved. But in this case the applicant is the one that is caught in the middle. Instead of bringing solutions it is part of the problem.”

[6] The application is, for the purpose of the Prevention of Illegal Eviction from Unlawful Occupation of Land Act, Act 19 of 1998 (commonly referred to as PIE), an organ of State.

The statutory provision regulating eviction of unlawful occupiers by an organ of State is to be found in section 6 of PIE which reads:

“6. (1) An organ of State may institute proceedings for the eviction of an unlawful occupier from land which falls within its area of jurisdiction, except where the unlawful occupier is a mortgagor and the land in question is sold in a sale of execution pursuant to a mortgage, and the court may grant such an order if it is just and equitable to do so, after considering all the relevant circumstances, and if –

- (a) the consent of that organ of state is required for the erection of a building or structure on that land or for the occupation of the land, and the unlawful occupier is occupying a building or structure on that land without such consent having been obtained; or
 - b) it is in the public interest to grant such an order.
- (2) For the purposes for this section, "public interest" includes the interest of the health and safety of those occupying the land and the public in general.
- (3) In deciding whether it is just and equitable to grant an order for eviction, the court must have regard to -
- (a) the circumstances under which the unlawful occupier occupied the land and erected the building or structure;
 - (b) the period the unlawful occupier and his or her family have resided on the land in question; and
 - (c) the availability to the unlawful occupier of suitable alternative accommodation or land."

Commenting on the quoted statutory provision Sachs J says:

“Simply put, the ordinary prerequisites for the municipality to be in a position to apply for an eviction order are that the occupation is unlawful and the structures are either unauthorised, or unhealthy or unsafe. Contrary to the pre-constitutional position, however, the mere establishment of these facts does not require the court to make an eviction order. In terms of section 6, they merely trigger the court’s discretion. If they are proved, the court then may (not must) grant an eviction order if it is just and equitable to do so. In making its decision it must take into account of all relevant circumstances, including the manner in which occupation was effected, its duration and the availability of suitable alternative accommodation or land.”

- in PORT ELIZABETH MUNICIPALITY v VARIOUS OCCUPIERS 2005 (1) SA 217 (CC) 232 B – D.

- [7] It was common cause that the respondent, if they did not invade the land known as Grasslands Phase 3 then at least took occupation thereof as from the 23rd October 2004 without the consent of the applicant.

Request by respondent to discuss the unlawful conduct were turned down by many of the respondents, in fact an invitation by applicant for mediation later on was also snubbed by them.

Without (almost) exception none of the unlawful occupiers were without some form of shelter prior to their unlawful occupation of the land in Grasslands Phase 3. The main complaint was one of "landlessness".

The application for the eviction was commenced on the 1st November 2004 i.e. only eight days after the first unlawful occupiers moved onto the land.

The invasion of the land has put a dead stop to the proposed and envisaged development of the land for housing, thereby depriving hundreds if not thousands of persons who are similarly landless and needy but who are patiently waiting their turn on existing waiting list to receive a land allocation in

Grasslands Phase 3.

[8] Applicant conceded that no land was available to relocate the unlawful occupiers if the eviction should be ordered.

[9] On the facts in this matter (compare **PORT ELIZABETH MUNICIPALITY v VARIOUS OCCUPIERS** *supra* p. 323) it must follow that the respondents are legally to blame for the predicament in which they find themselves, many of them could by reason of the fact that they are on the waiting list for land, had they but bided time, have been on land legally allocated in Grasslands Phase 3 to them. (Compare **GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND OTHERS v GROOTBOOM AND OTHERS** 2001 (1) SA 46 (CC) paragraph 10.)

[10] I conclude that it is, on the facts, just and equitable that respondents be evicted.

[11] Applicant did not move for an order for costs.

[12] The following order to issue:

1. That all unlawful occupiers and/or occupants of any portion of the land situated at Phase 3 of the Grasslands area, also known as Berman Square, Bloemfontein as more fully appear from annexure "X1" hereto and marked invaded area be ordered to:

1.1 Vacate the said area and/or land on or before the 1st June 2005.

1.2 Remove the buildings and/or structures that the respondents erected upon the said land and/or area that were occupied by the respondents on the aforesaid land on or before the 1st June 2005.

2. That should the respondents and/or unlawful occupiers and/or occupants and/or any of them refuse and/or neglect to vacate the said land and/or area and/or still be

present thereon the 2nd June 2005 that

2.1 the sheriff for the district of Bloemfontein is ordered to forthwith on the 2nd June 2005 or as soon as possible thereafter to evict the respondents and/or the unlawful occupiers and occupants of the said land and/or area or so many of them as still may be present thereon on the 2nd June 2005 there from.

2.2 that the sheriff for the district of Bloemfontein is ordered to forthwith on the 2nd June 2005 or as soon as possible thereafter, demolish and remove any building or structure erected upon the said land and/or area that were occupied by any such respondent and/or unlawful occupier and/or occupant and for this purpose to solicit the assistance of the South African Police Services or whom ever in the opinion of the sheriff for the

district of Bloemfontein, may be able and capable to assist him to so demolish and remove the aforesaid buildings and/or structures from the said land and/or area so as to ensure that such buildings and/or structures be demolished and removed there from and

2.3 the sheriff for the district of Bloemfontein is ordered to, should it become necessary, to request this court in writing to authorise any person, including, but not limited to the South African Police Services for the district of Bloemfontein to assist the sheriff for the district of Bloemfontein to carry out a order for the eviction of the respondents and/or unlawful occupiers and/or occupants of the said land and/or area and to demolish and/or remove such buildings or structures as may still be erected upon the said land and/or in the presence of the sheriff for the district of Bloemfontein and subject to such

conditions as the court may determine.

G. VAN COPPENHAGEN, J

On behalf of applicant: Adv. P.J.T. de Wet
Instructed by:
Naudes Attorneys
BLOEMFONTEIN

On behalf of respondent: Adv. R.J. Nkhahle
Instructed by:
Bloemfontein Justice Centre

/sp

**THE MAPPING OUT OF THE CONCEPTUAL DEVELOPMENT OF THE CONCEPT
OF POWER ILLUSTRATING HOW IT HAS EVOLVED FROM POLITICAL TO
ECONOMIC AND SOCIAL SCIENCES**

Evolvement of Theories of Power from Political Science to other Disciplines

| Author | Name of book and century | Theory | Discourse |
|----------------------|---|--|----------------------|
| Niccollo Machiavelli | <i>The Prince</i> , early 16 th century | Represents the strategic and thinking about power and organisation. He sees power as a means, not a resource, and seeks strategic advantages, such as military ones, between his prince and others. To Machiavelli, total power is a desirable final end, which is achieved only rarely | Political |
| Thomas Hobbes | <i>Leviathan</i> , mid-17 th century | Represents the causal thinking about power as hegemony. Power is centralised and focused on sovereignty. His basic premise is that there exists a total political community, the embodiment of which is the state, or the community, or the society which is a single unit, ordered according to a uniform principle, possessing a continuity of time and place, from which power stems. | Political |
| Engels Friedrich | <i>Anti-Dühring: Herr Eugen Dühring's Revolution in Science</i> , 1878. 19 th Century | Argued that "new ways of production and distribution have evolved and that the social order we live in has not kept up with these developments. In fact, our social order has become dysfunctional and is holding back all the possible potential improvements in human welfare that the new productive and distributive powers could provide. It is the task of socialists to discover and point out the current impediments which prevent the productive system from reaching its full potential and to discover the means of benefiting all humanity rather than just a small portion" (Riggins, 2011:1). | Political Philosophy |

| Author | Name of book and century | Theory | Discourse |
|-------------|---|--|-------------------------------|
| Max Weber | <i>The Theory of Social and Economic Organization</i> , 20 th century (1947) | Weber was interested in power as a factor of domination, based on economic or authoritarian interests. He defined power as the probability that an actor within a social relationship would be in a position to carry out his will, despite resistance to it. Hence, the activation of power was seen as dependent on a person's will, even in opposition to someone else's. His approach to power connected with his interest in bureaucracy, and linked power with concepts of authority and rule. Weber historically researched the sources of the formal authority that activates legitimate power, and identified three sources of legitimation, or accordance of social permission, for the activation of power: the charismatic, the traditional, and the rational–legal. | Political and Social Sciences |
| Robert Dahl | <i>Theory of Community Power</i> , 1961 “Pluralist” and others are: Nelson Polsby (1968), Raymond Wolinger (1971a, 1971b) and Richard Merelman (1968a, 1968b) 21 st century | Dahl located the discussion of power within the boundaries of an actual community. He was interested in understanding the ruling elites, which came to the fore after the Second World War (Mills, 1956; Hunter, 1953 cited in Sadan, 2004:36). Dahl defined power as the ability to make somebody do something that otherwise he or she would not have done. Power is, therefore, exercised in a community by a particular concrete individual, while other individuals, also actual, are prevented from doing what they prefer to do. Power is the production of obedience to the preferences of those subject to it so as to include those preferences. | Social Sciences |

| Author | Name of book and century | Theory | Discourse |
|----------------------------------|--|---|-----------------------------------|
| Peter Bachrach and Morton Baratz | <p><i>The Two Faces of Power</i> (1962) This is also a critique of Dahl's basic premises. "Elitists" <i>Power and Poverty</i> (1970)</p> | <p>They highlight the connection between the overt face of power – the way decisions are made – and the other, covert face of power, which is the ability to prevent decision-making. They pointed to strategy of mobilising bias to prevent discussion on certain issues and thus to determine what is <i>important</i> and <i>unimportant</i>. They referred to this organising of what stays <i>in</i> and what is <i>out</i> as the <i>non-decision-making process</i> where power conflicts do not rise above the public face of power which is confined to certain values, rituals or beliefs that tend to favour the vested interests of one (or more) group/s relative to others (Clegg, 1989 cited in Sadan, 2004:37).</p> | Political Science and Economics |
| Steven Lukes | Power: A Radical View (1974, 2005) | <p>Introduced the third dimensional model into the discussion from <i>community power</i> to a focus on power as such. The third dimension deals with the relations between political preferences and <i>real interests</i>. Power according to Lukes, is measured also by the ability to implant in people's interests that are contrary to their own good. According to Sadan (2004:37) the third, latent dimension is the hardest of all to identify, because it is hard for people who are themselves influenced by this dimension to discover its existence.</p> | Political Science |
| Michel Foucault | <p>Foucault, Michel. <i>Madness and Civilization: A History of Insanity in the Age of Reason</i>. Trans. Richard Howard. New York: Pantheon, 1965. _____. <i>The Order of Things: An Archaeology of the Human Sciences</i>. London: Tavistock; New York: Random House, 1970.</p> | <p>According to Foucault (1982:777) his goal was not to analyse the phenomena of power, nor to elaborate the foundations of such analysis. His objective, instead, was to create a history of the different modes by which culture, human beings are made subjects.</p> | Social Science and the Humanities |

| Author | Name of book and century | Theory | Discourse |
|-----------------|--|---|-----------------------------------|
| | <p>_____. <i>The Archaeology of Knowledge</i>. Trans. A. M. Sheridan-Smith. London: Tavistock; New York: Pantheon, 1972.</p> <p>_____. "What Is an Author?" In Foucault, <i>Language, Counter-Memory, Practice</i>. Oxford: Blackwell, 1977.</p> <p>_____. <i>L'Ordre du discours</i>. Paris: Gallimard, 1971.</p> <p>_____. "The Order of Discourse." Trans. Ian McLeod. In <i>Untying the Text: A Post-Structuralist Reader</i>. Ed. Robert Young. London: Routledge, 1981. 48-78.</p> <p>_____. <i>The History of Sexuality</i>. 1976-84. Trans. Robert Hurley. 3 vols. New York: Pantheon, 1978-86.</p> <p>_____. <i>Language, Counter-Memory, Practice</i>. Oxford: Blackwell, 1977</p> | | |
| Anthony Giddens | 1982, 1984 | <p>Continuation and critique of Foucault and his predecessors.</p> <p>Argues that power is exercised by human agents and is also created by them, influences them, and limits them.</p> | Social Science and the Humanities |
| Allan Johnson | Privilege, Power and Difference. 2003, 2005. | <p>Posits that power in our society is tied to an inherent system of privileging class, which is then tied to the race, gender and sexual preference issues. He further argues that some members of the society benefits from the institutional settings that have normalised privilege. Consequently, the assumptions translated through institutionalised norms, subsequently harm those that are placed by the society at its margins.</p> | Critical Studies and Sociology |

**ETHICAL CLEARANCE OBTAINED FROM THE ETHICS COMMITTEE
AT THE UNIVERSITY OF THE FREE STATE**

Faculty of Natural and Agricultural Sciences:

10-Feb-2015

Dear Ms Thulisile Mphambukeli

Ethical Clearance: Exploring the strategies employed by the greater Grasland community in accessing basic services

Study Leader/Supervisor: Nel, Verna

Principal Investigator: Ms Thulisile Mphambukeli

Department: Urban and Regional Planning (Bloemfontein Campus)

This letter confirms that a research proposal with tracking number: UFS-HSD2015/0002 and title: 'Exploring the strategies employed by the greater Grasland community in accessing basic services' was given ethical clearance by the Ethics Committee.

Please ensure that the Ethics Committee is notified should any substantive change(s) be made, for whatever reason, during the research process. This includes changes in investigators. Please also ensure that a brief report is submitted to the Ethics Committee on completion of the research. The purpose of this report is to indicate whether or not the research was conducted successfully, if any aspects could not be completed, or if any problems arose that the Ethics Committee should be aware of.

Note:

1. This clearance is valid from the date on this letter to the time of completion of data collection.
2. Progress reports should be submitted annually unless otherwise specified.

Yours Sincerely



Prof. Neil Heideman
Chairperson: Ethics Committee
Faculty of Natural and Agricultural Sciences

GUIDING INTERVIEW QUESTIONS

Interview Questions for Grasland Residents

1. What water/electricity/sanitation/security source/system do you use?
2. How do you access water /sanitation/security/and electricity?
3. Does the government collect waste; if not how do you dispose of it?
4. Have you heard of an Integrated Development Plan?
5. What strategies, if any do you use to access basic services?
6. What alternatives does the community use access to the above services?

Interview for Government Officials

1. What alternatives do the inhabitants of Grasland have to water supply?
2. What is the quality of water supply, if any available, and how often to Grasland residents?
3. Where do people discharge their human (faeces) waste?
4. How do the community of Mangaung dispose waste?
5. What stages has the IDP implementation gone?
6. What factors are preventing the implementation of the IDP in Grasland?
7. Does the local government feel threatened by not providing the services by the residence?
8. How often does the government supervise activities at the Grasland community?
9. What current and future plans does the local government have for the Grasland community both budgeted and unbudgeted?
10. What is your role as a Ward Councillor?

ABSTRACT

There was a spatial arrangement that the colonial-segregation-apartheid systems put in place in South Africa – a physical spatial relationship setup that segregated people mainly according to their race and class. In 1994 a ‘new ideology’ emerged – the delivery of adequate basic services – aiming to make a difference through transforming previously segregated spaces, using ‘new’ legislation and policies. Hence, democracy brought excitement of a ‘new South Africa’, ‘a rainbow nation’ as some called it, which was going to free people and transform the country.

However, there were other forces that prevented the full realisation of this ‘new ideology’ that were, and are still at play even today. For instance, it has been a struggle for South Africa to move towards adequate basic service provision despite the significant changes and roll-out of basic services. The prevalence of high influx or (in)migration of people from neighbouring countries and the broader movement of rural depopulation (particularly farm evictions) to places like Grasland, are but some of the challenges that have contributed to basic service delivery inadequacies prevalent in the study area.

Social justice, defined as values, process and practices for empowerment that disallow oneself to be oppressed, the promotion of values that disincline one to oppress others, and practices that enable equality and justice. Consequently, the study suggests that it was not useful to look at issues of inadequate basic service delivery from the lenses of spatial planning policy alone, but that we must also explore the practices of citizens through their lived experiences, as well as through the broader political processes and struggles. The thesis argues that only then can we start to recognise what really is at play and why the relevant policy and legislative was not effectively implemented.

This thesis explores the strategies employed by the greater Grasland community in accessing basic services, especially in conditions of inadequate basic service delivery in and through formal municipal planning processes of the Mangaung Metropolitan Municipality (MMM). The study also attempts to understand how inequitable political and social power relations affect access to basic services within the community of Grasland and the implications for social justice in planning.

The research was qualitative in nature, a descriptive phenomenological approach. Phenomenological research design approaches are less commonly used in urban and regional planning practice. Interviews were conducted with Grasland residents selected through snowball sampling as well as the relevant ward councillors.

It was deduced that the Grasland residents took initiative to deal with challenges of access to basic services through various strategies. The thesis argues that these strategies can enable the MMM to plan *with* the local community towards adequate basic service provision. The study therefore provides some new insights for the planners and local government on how inadequate basic service delivery may be resolved through partnerships with local residents of Grasland, provided there is a willingness to learn from the improvised strategies that are employed by the residents.

The key reason why this thesis is important is that it identifies factors that South Africa needs to grapple with towards making just spaces. Just spaces are those that do not constrain access to adequate basic services.

The power relations evident in Grasland called into question government's responsibilities towards its citizens *versus* the responsibilities of the citizens. This study vividly demonstrated that whilst 'the state of temporariness' of basic service provision and inadequacy persists in Grasland, planners and local government may learn something about how people take initiatives and employ strategies to access basic services.

The anticipation from the recommendations is that a certain level of conscientising will ensue that speaks to the enabling use of power to enable effective and constructive social change, free of oppression.