

Chapter 4:
PERCEPTIONS

4.1. Power

Our understanding of power, perhaps due to the current gestalt, brings about ideas of domination and rule of certain parties over others. This usually implies a type of force or incentive. The origin of the concept of power, however, lies in the denotation of one's capability to perform a certain action. This also brings about the question of empowerment, the creation of another's capability to perform an action. Often, the empowerment of one conversely results in the oppression of the capabilities of others, this is paramount when the empowerment of one ensures power over others (Dovey 1999:2).

With regard to political relations, this is often the case – but we have come to accept that, in its most honest form Democracy involves the empowerment of certain individuals to have power over other individuals. This serves to empower those subjects of power, to be able to form certain capabilities. We give our representatives power so that they may act on our behalf, and empower us to lead a certain type of life (that involves certain actions). Thus their empowerment leads to our empowerment. Ultimately, by definition, in a democracy, the citizens have the power, the politicians ensure this power by acting on their behalf.

The recent eruption of civil protest speaks to this idea of representation and control – by becoming more actively involved in governance, through protests and civil action, the people of South Africa are expressing their dissatisfaction with their representatives.

4.2. Public Space

How does a regime design public spaces that accommodates a rally but also serve daily life? Shouldn't urban designers deliberately be able to create better spaces for the exercise of democratic protest?

Is not the central tone of most protests an aggressive irony, a boisterous public excoriation of political hypocrisy, of the emptiness of a regime, whether it be the most closed, authoritarian police state or an open, democratic one?

As the exhibition made clear, protesters choose their sites, their routes, their rituals, and their songs to highlight the distance between a regime's symbols and the needs and desires of the people. A protest can succeed only, I argue, if it defies the regime by occupying space usually denied it, or occupies it in a way that transforms the place's meaning. (Page 2008:86)

It seems worth mentioning that from the onset of the protest culture parameter of the urban vision – I struggled to console myself with the idea that we could claim to be designing a space for protest. I had to constantly remind myself that we were not designing a protest route as much as the temptation often came to call it that. We are dealing with public space because we believe that public space is the most democratic space in a city. We do not believe that all open spaces are public. A commodified space, any with a form of access control is no longer public. This is as good as barricading and preventing access to some individuals in public squares in the event of protest (as in the case of the French labour protest of 23 June 2016).

It is thus relevant that a route should be implied between these spaces, and that the route be along the street which is South African public space as much as any European Square or American Park – there is a historic association to be made here as well. The streets were, during Apartheid, the one place where all South Africans had to walk in Pretoria. There were perhaps separate entrances into buildings, but the street was still public. It was in the streets the protest and riot and violence in the name of freedom has always occurred in Pretoria, albeit only en route to the direct access to government.

Public space is not democratic in how it is designed – it's paving and trees and benches do not make it democratic. *A truly 'democratic' architecture is therefore impossible to achieve; what is achievable, on the other hand, is the construction of an architecture serving democratic political programs (Lambert 2016).* Buildings are not what/who is/are inside them (Lambert 2016). They embody values because of the activities they facilitate. To reiterate from before, it is this simultaneously non-descriptive and adaptable public space that is truly the manifestation of democracy.

4.3. Parliament

South African Parliament website states that the constitution requires of parliament the opportunity for public participation (Parliament RSA n.d.). A few ways of direct and indirect participation are outlined. Amongst others, lobbying outside parliament is considered a recommended way in which to indirectly influence parliament.

Act 4 of 2004: Powers, Privileges and Immunities of Parliaments and Provincial Legislatures Act, states that; *A person who creates or takes part in any disturbance in the precincts while Parliament or a House or committee is meeting, may be arrested and removed from the precincts, on the order of the Speaker or the Chairperson or a person designated by the Speaker or Chairperson, by a staff member or a member of the security services* (Chapter 3, section 11).

The 2015 *Fees must fall* saw the media littered with photographs of students protesting at the gates of parliament. The most provocative images were those of

students who had been injured by police anti-riot squads. These students never entered the premises. They were met at the gates. They were indirectly influencing parliament. And yet many of them were arrested, despite being outside of the official precinct.

Figure 16 - Students storm the gates of Parliament, Cape Town (October 2015) (BBC 2016)



4.4. Democracy

The idea of democracy holds various meanings world-wide. Isokhan & Stockwell (2011:1) suggest the debatability of democracy's definition is evidence of the existence thereof, its importance and its ability to absorb a variety of opinions. (ibid:1)

Despite not being where the concept originated, the term democracy credits its origins to Ancient Greece (n.a. n.d.: history.com & Isokhan & Stockwell 2011:1). *Athenian leader Cleisthenes introduced a system of political reforms that he called 'demokratia', or "rule by the people"* (n.a. n.d.: history.com). Based on this understanding, the citizenry of a place are entitled and encouraged to participate in their own governance.

In *Demokratia* (the Athenian assembly) all those considered citizens were encouraged to attend and partake in discussion and decision making (n.a. n.d.: history.com & Isokhan & Stockwell 2011:1). All citizens also spent a time performing their duty as state officials (Isokhan & stockwell 2011:1).

Modern democracy has a more inclusive definition of citizenry and a less inclusive approach to self rule where democratic elections serve to elect representatives who govern.

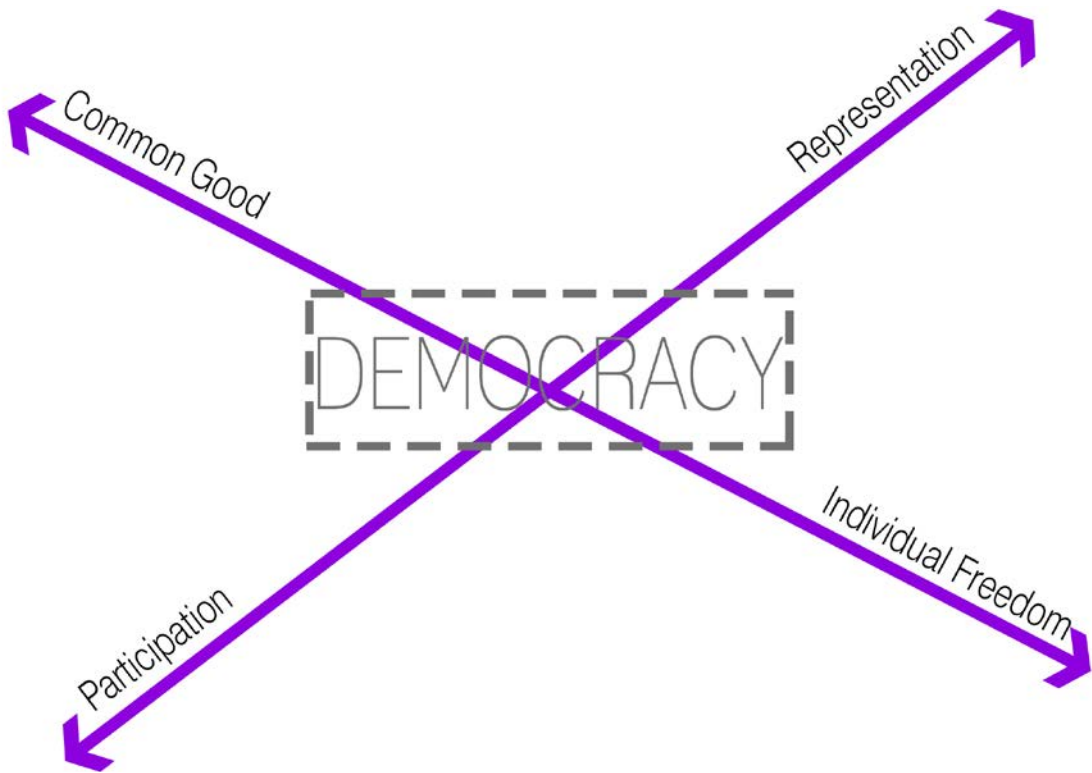
A singular definition of democracy is not the aim, such a rigid definition would be inherently undemocratic, not to mention the fact that democracy deals with people who are ever changing in their needs and desires and thus democracy will not be one thing always but it is able to change (ibid.:2). Democracy occupies the liminal space housed during numerous interplays of ideas.

Contemporary democracy operates on simultaneous scales of representation/participation and the common good/individual freedoms (ibid.) (see figure).

These scales are in place because true democracy is impossible to achieve. The essence of democracy is its position as unattainable goal, it's promise to come (Jacques Derrida in Isakhan & Stockwell, 2011: 2).

The issue of representation vs. participation is brought under the spotlight when we see acts of protest and civil disobedience - when those represented lose faith in their representatives.

Figure 17 - The intersecting scales contained within democracy (Author's diagram 2016)'



4.4.1. Democracy as Hybrid

The independence of many colonial countries was made official upon establishment of independent governance and very often, parliament, as was the case with Botswana. Based on the British parliamentary system, Botswana has a parliamentary system determined by universal suffrage, whereby all citizens of the country have vote in determining the members of parliament (through the election of a democratic government)(The Commonwealth, n.d.).

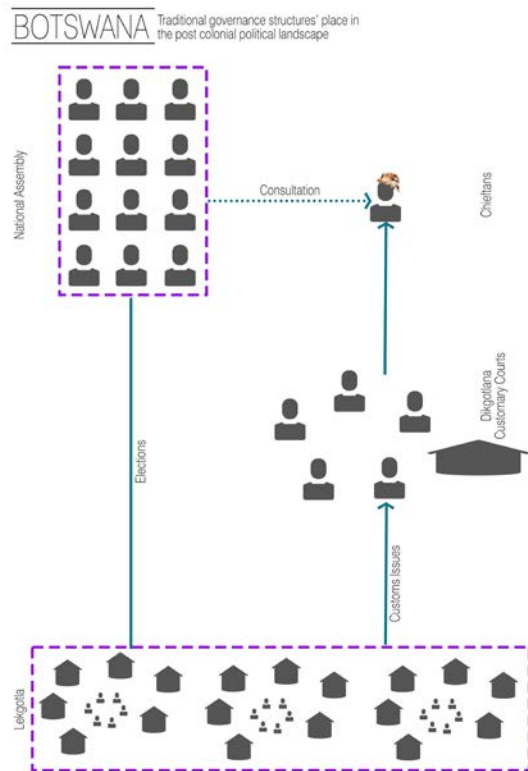
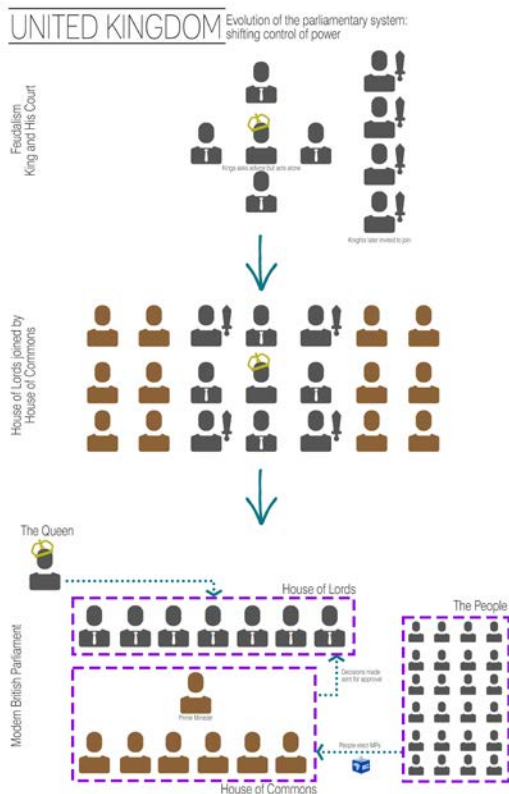
The system, however, differs in the sense that it incorporates traditional governance systems. Despite the modernization of Botswana, many citizens still live in traditionally managed villages, governed by councils made up of male household representatives. These councils meet in a *Legotla* to discuss matters of governance in their smaller communities. When larger customs issues arise, customary courts known as *Dikgotlana* resolve these issues. If no resolution can be met, issues are taken to the Chieftans of various clans to rule over these issues.

The representation of customs issues in parliament is through these Chieftans who form the 40 member *Ntlo ya Dikgosi* (The Commonwealth, n.d.).

This hybrid system marries the evolved British system and traditional governance establishing a distinctly African system of democracy.

Figure 18 - The British parliamentary system has been the benchmark for parliamentary systems worldwide (Author's diagram 2016)

Figure 19 - A more contextual example of a hybrid system of traditional governance and colonially established systems can be found in Botswana (Author's diagram 2016)



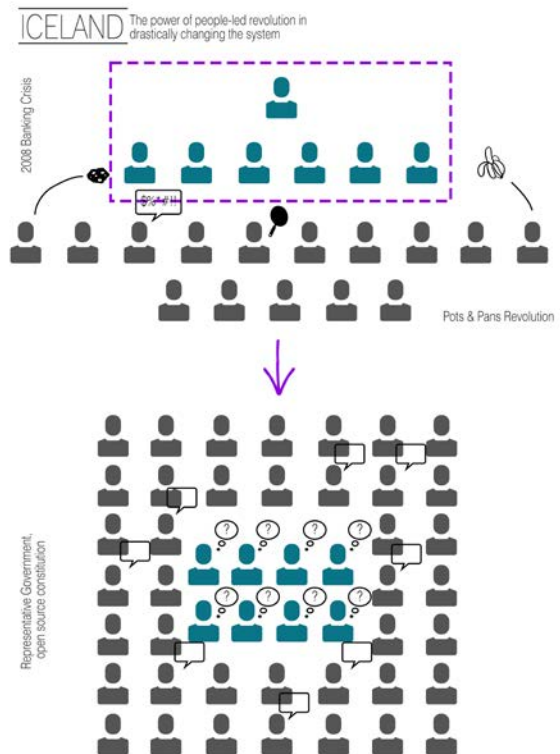
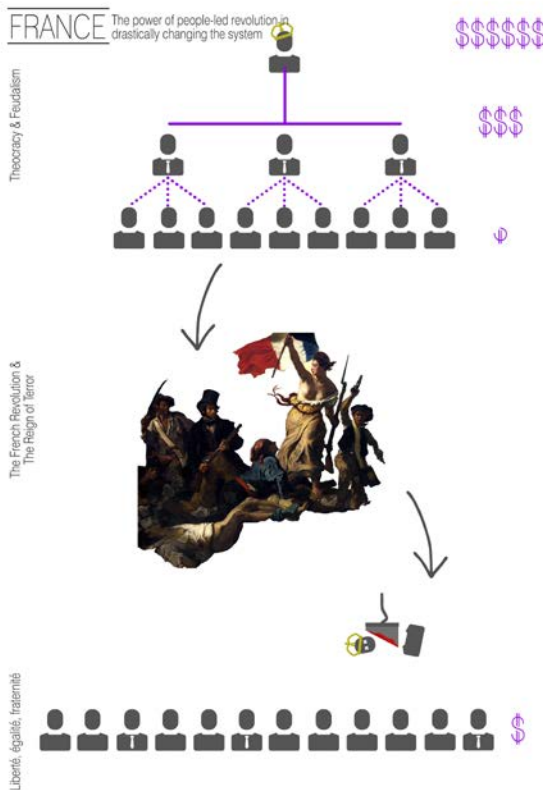
4.4.2. Democracy as Revolution

The story of the French Revolution has marked, for decades, a turning point in government of society. The ability of civilians to overthrow the monarchy marked a spirit of liberty and quality that still governs French politics to this day.

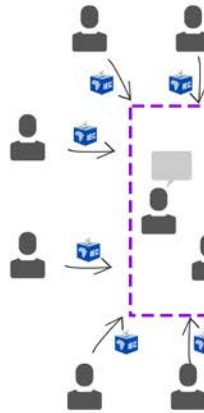
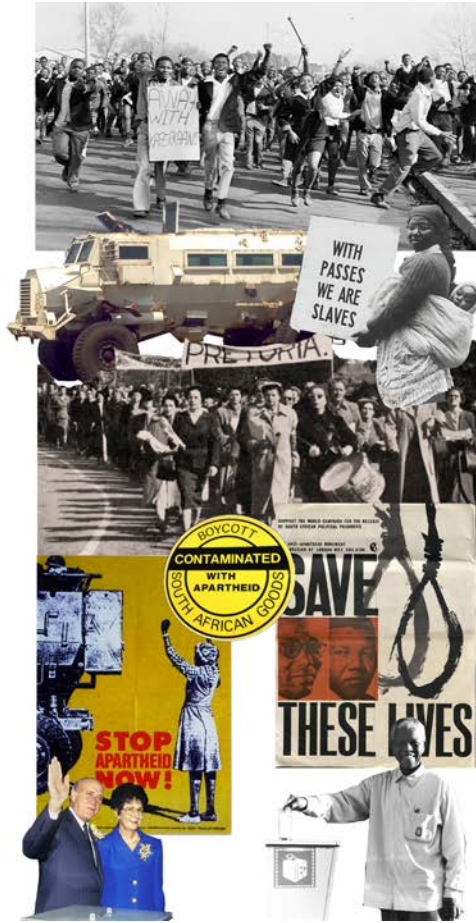
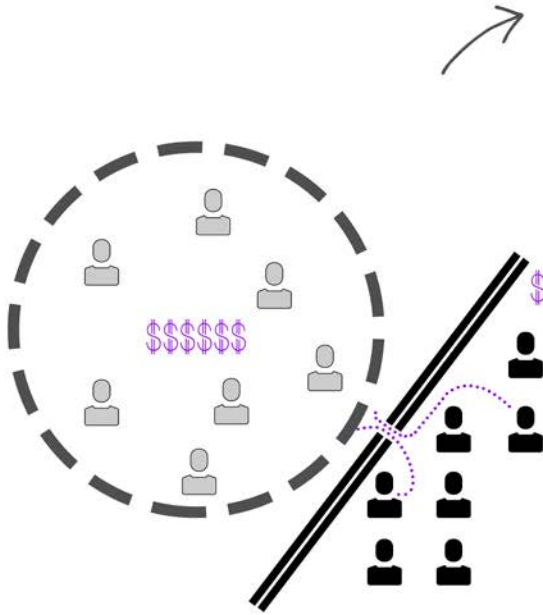
Iceland underwent a similar revolution in 2012 whereby, following the 2008 financial crisis, the public protested outside parliament and eventually overthrew government. Thereafter the election of new officials was done over social media. Those responsible for the financial crisis were tried as criminals for treason.

Figure 20 - France embodied the power of individuals by overthrowing the monarchy during the French Revolution (Author's diagram 2016)

Figure 21 - Iceland underwent a similar revolution which implemented the media of our era and served as an example for the power of the people today (Author's diagram 2016)



SOUTH AFRICA





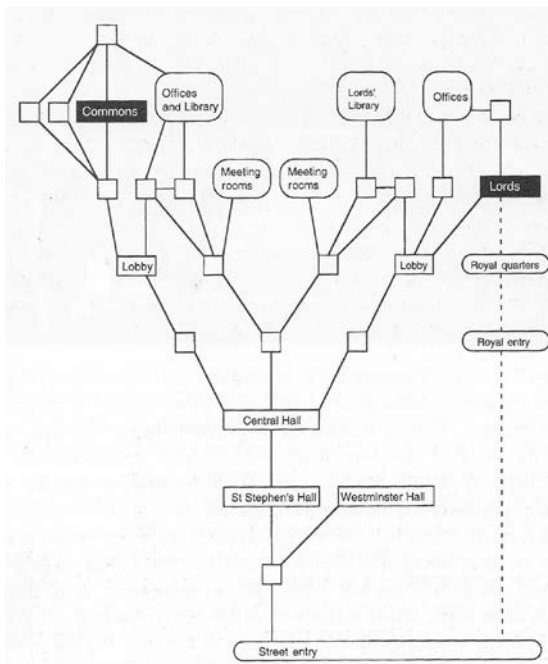
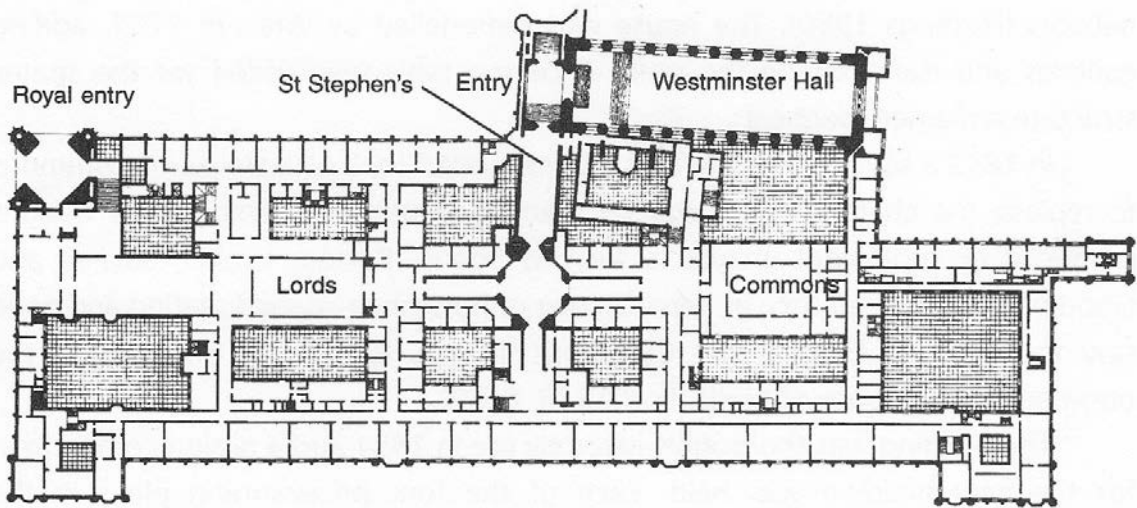
4.4.3. Democracy in Flux

South Africa, as discussed, is littered with displays of politically themed unrest. The latest social media trends regularly feature the term decolonisation; which stems from the youth (those newly participating in the democracy) who believe that despite the 1994 declaration of democracy and universal freedom, inherited systems of oppression still govern the South African political and economic landscape.

Figure 22 - South Africa's recent political history is marked with the exclusion of the majority, the revolutions and international boycotts that lead to the abolishment of Apartheid and the introduction of universal suffrage. Presently, the country identifies as democratic which is both reason for the current displays of political unrest and reason why these displays can occur. South Africa's democratic definition is in flux (Author's diagram 2016).

4.4.4. Democracy in space – Case study 1

Hillier & Hanson's (1989) analysis of the structure of space to determine access control and hierarchies of *publicness*. Depth into structure (systemic not architectural) implies status of those allowed. Spatial syntax allows buildings to embody ideologies (Dovey 1999:90). It maps how buildings structure social structures. It reduces buildings to a largely functional creation - which allows thorough engagement between architect and issues and users and ideals. Spatial syntax can thus be used as a tool to challenge existing norms of power structures and systemic processes.



The significance of the British political system was perhaps amplified by the British Empire's colonies consequently adopting the system post-independence. It is therefore that there are many countries world-wide with a variations of the British parliamentary system still in place. Australia achieved independence in 1901 and structured their own legislative system upon the ideas manifested at Westminster.

Above and left:

Figure 23 - The plan of the British Houses of Parliament at Westminster

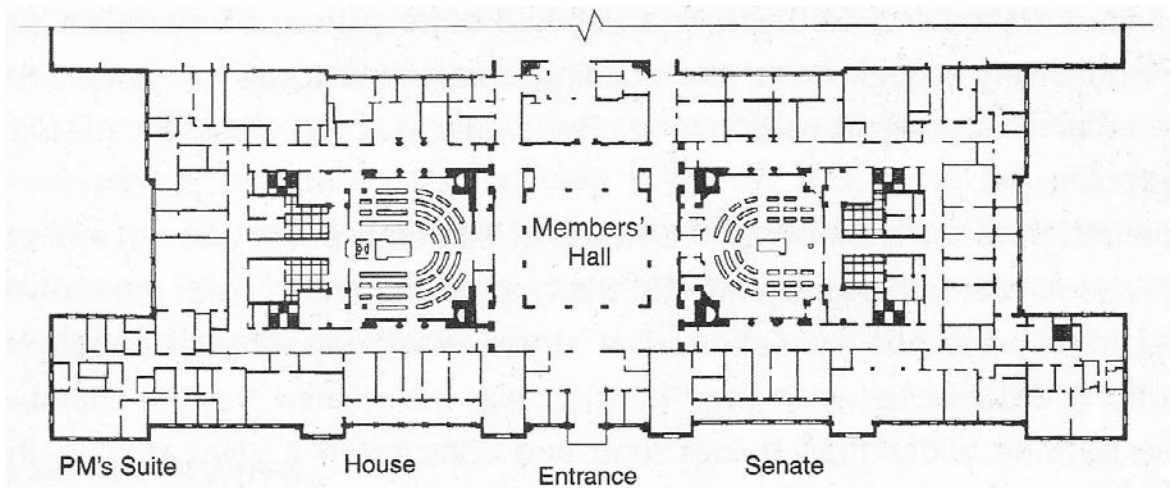
Figure 24 - The spatial syntax diagram of the British Houses of Parliament at Westminster

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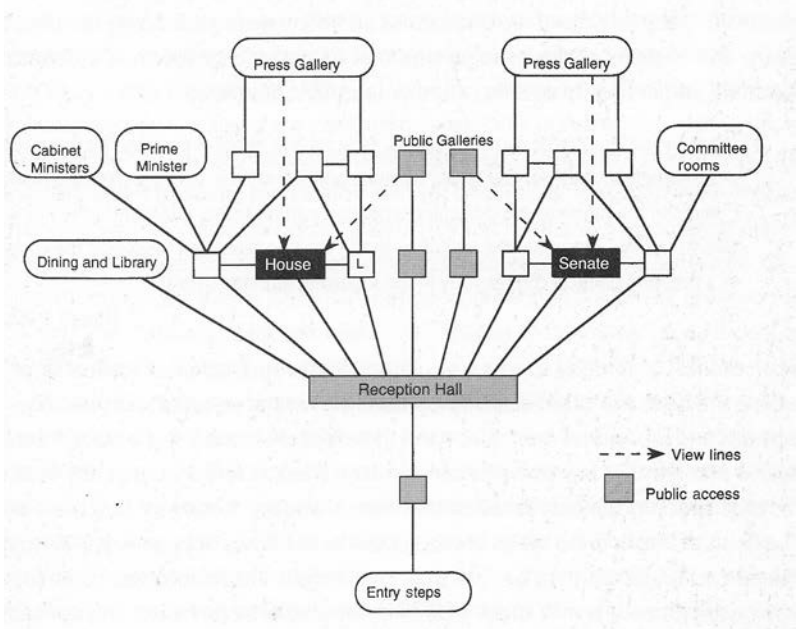
Figure 25 - The plan of the temporary Australian Parliament building in Canberra

Figure 26 - The spatial syntax diagram of the temporary Australian Parliament building in Canberra

Although the perpetual unfair treatment of Aboriginal people in Australia comes to mind, Dovey (1991:89) heralds post-1901 Australia as a highly democratic egalitarian society. The system adopted from the English was altered to include a senate and prime minister as opposed to the British monarchy and House of Lords. Until 1927, Australian parliament occupied an old colonial building from where it moved to a purpose made, albeit temporary building in Canberra. Despite being considered only a temporary building, the Provisional Parliament House constructed in 1923 was successful nonetheless in the syntax of democracy (Dovey 1999, 90 – 93). The plan replicated the houses at Westminster in that two houses flanked the reception hall, but these houses were no longer to divide class, they were located shallowly (implying closeness to the outside) on the syntactic plan and they were also accessible from all sides. The prime minister and cabinet were also housed in this building. Public and press galleries were accessible from the same passages and galleries as that were used by members and ministers who could not *escape each other* (Grattan 1988: 13 in Dovey 1999: 91). Public access was the tone of the building and the singular entrance made the ministers and members very public figures, they would give interviews and receive dignitaries on the steps to the entrance.



The building outlived its temporary status which required many additions over time. The convoluted structure and poor formal expression is said to have rendered it unsuccessful as government building, and yet this resulted in what seems to be the epitome of a democratic spatial syntax (Dovey 1999, 90 – 93). The lack of private corridors between spaces meant a badly timed quip could easily be overheard and made public knowledge.



Much of the success attributed to the coincidental democratic layout of the provisional parliamentary building was lost during the commission of a new Parliament House, an attempt to regain the Australian public's faith in the constitution. The project was the result of a competition and was completed in 9 years after the competition was won (Dovey 1999, 92-93).

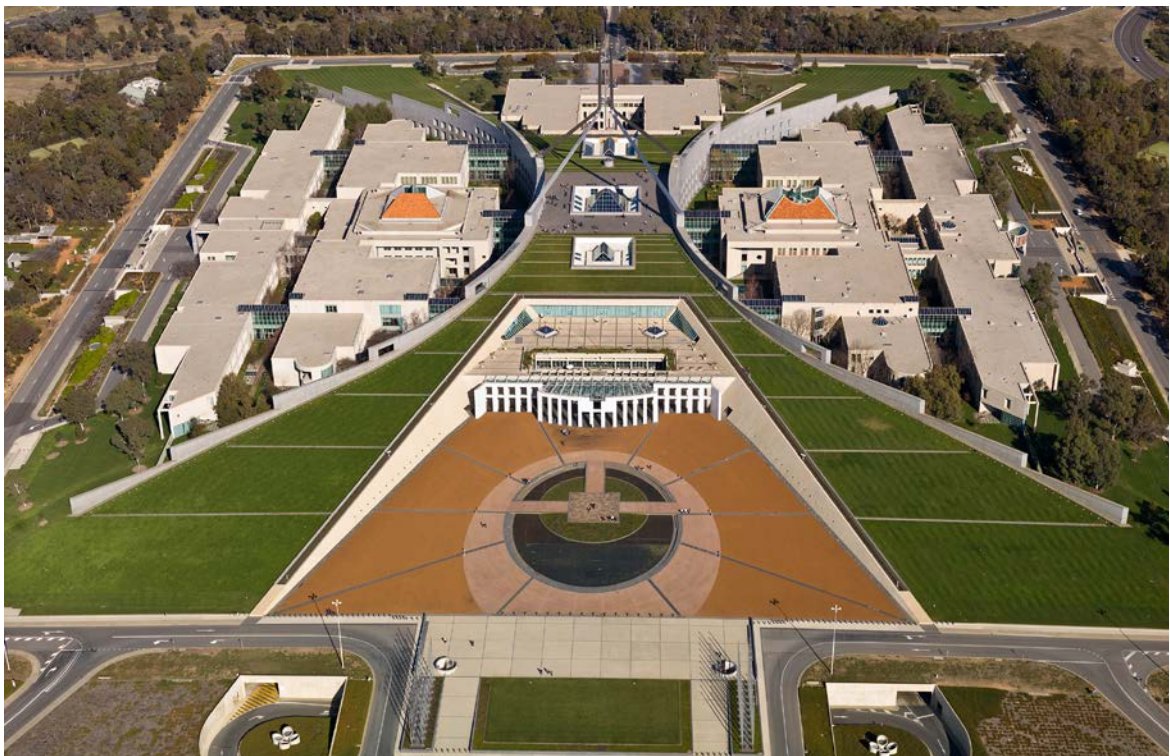
The competition brief, prepared by the Parliament House Construction Authority, was extremely deterministic and featured two volumes worth of guidelines. The architects, in essence, only had control over the execution of form and construction. The programme had been determined by the government who dictated most significantly that the public was to be strictly separated from the members and senators. The instruction called for separate circulation specific to visitors separate from those who worked in the building. There is however, a halfhearted attempt made at inclusion of the public, with constant viewing of the building's workings as a clichéd attempt at participation. The result becomes a zoo enclosed around a parliamentary building where one hardly ever sees the occupants doing anything of significance.

Separate entrances and circulation meant there was more autonomy awarded to senators and members, who were

now no longer easily contacted by the press or the public. Everything was, much like a zoo or gallery, carefully curated, despite the built form's apparent transparency and accessibility. Dovey describes the winning plan (opp. page) as four separate buildings in a cruciform with four entries for four classes of people whose paths and gazes cross only in the two debating chambers (1999:94). When observing the syntax of public spaces throughout the building (opp. page) the building inside a gallery or gallery around a building phenomenon becomes clear.

The grand entrance into the building for the public tourists resembles a monumentality reminiscent of the Washington Mall and Capitol Hill, and similar to the Mall, visitors are merely invited as observers of government practice, spectators to the officials they've elected. The mall has, however been the location of numerous political demonstrations over the years (protests against the Vietnam War come to mind – can similar demonstration take place on the Grand Verandah? The Grand Verandah and Ceremonial Pool seem very similar to Baker's intended amphitheater at The Union Buildings – public and visible, although easily surveyed and thus controlled.

The example of the Australian Parliament House illustrates the coincidental success of a building that was appropriated



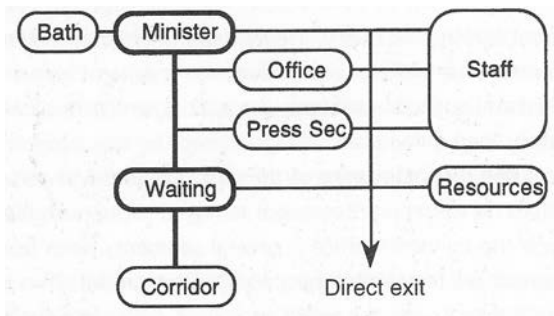
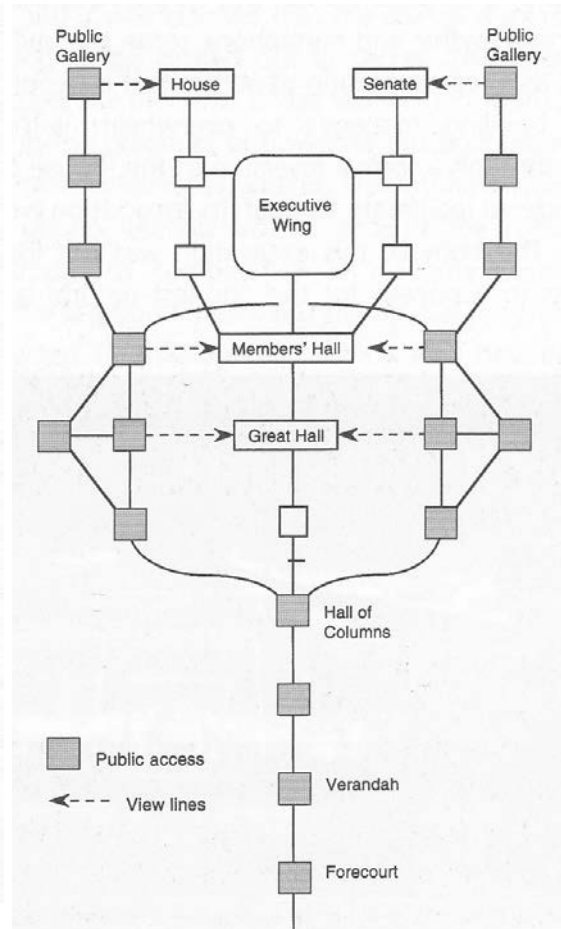
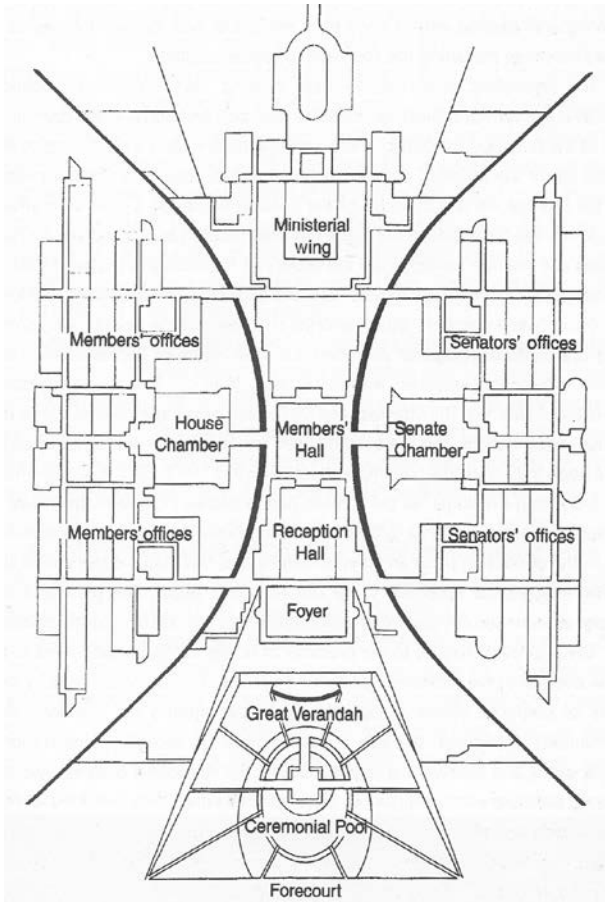


Figure 27 - (opp. page) An aerial photo showing the *new* Australian Parliament House

Figure 28 - (above, left) A diagrammatic plan of the *new* Australian Parliament House

Figure 29 - (above, right) The spatial syntax diagram of the *new* Australian Parliament House

Figure 30 - (right) The spatial syntax diagram of a typical office suite in the *new* Australian Parliament House

in allowing for democracy far more than one that was designed specifically as a symbol thereof.

Perhaps the intentions of the brief for the new building, despite being veiled by democratic ideals, sought only to address issues of security and privacy of the building's occupants - despite the effect on the public who are as much stakeholders as the occupants.

The study alludes to the identification of liminal spaces as the spaces most democratic in the built environment, insinuating also that democracy often grants freedom of access to government officials, and infringes on the right to privacy of those individuals. This might spark debate with regards to human rights, but the debate is easily settled by the reminder of the public good.

Politicians are granted power to represent, and as representation they are in service of the public. In the name of the public good, in a political capacity, politicians need to be accessible.

4.4.5. Democracy in space – Case study 2

The Constitutional Court was commissioned by the Truth and Reconciliation commission in 1998 and construction commenced in 2002 (King & Flynn 2012:65-66). The site selected was the Old Fort in Johannesburg, which became Johannesburg's main prison after the abandonment thereof as military fortification. The aim of the project was to strengthen the discourse around Human Rights and also rebalance the representation of heritage in South Africa as part of an active strategy to do so by government (ibid.).

The heritage represented on the site is both tangible (the actual physical military and prison architectural fabric) and intangible (human rights as having been infringed upon so drastically during the site's use as a prison). The heritage significance is thus based on both tangible and intangible aspects, which strengthen the overall significance substantially (ibid.: 71).

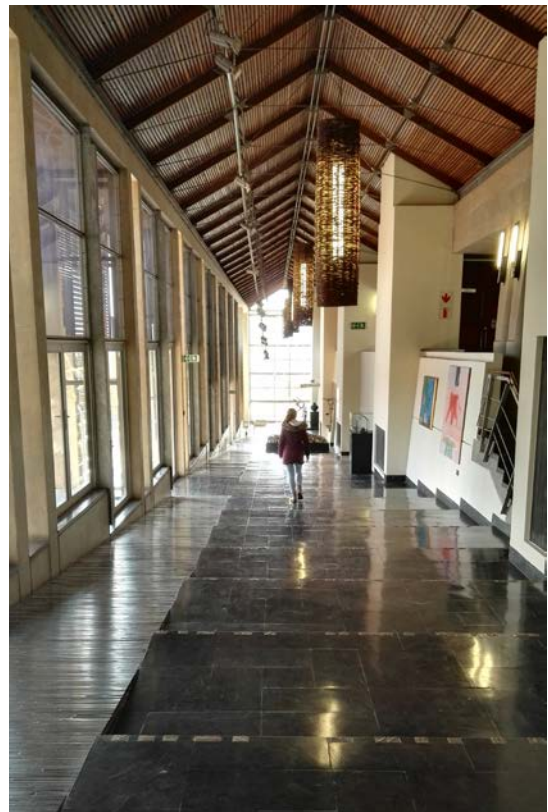
It is interesting that the heritage aspect of the site, the prison museum and information centre were not a part of the original brief for the site that the consideration of any heritage narratives only began months before the construction of the project (ibid. 77). The original project was only that of the court, and the location was only partially selected because of its heritage and association with human rights (the main focus of the court), other reasons dealt with the closeness of the site to the existing site of the court, location in Johannesburg which was already well connected and the opportunity to use the court as an insertion project for urban upliftment (ibid.).

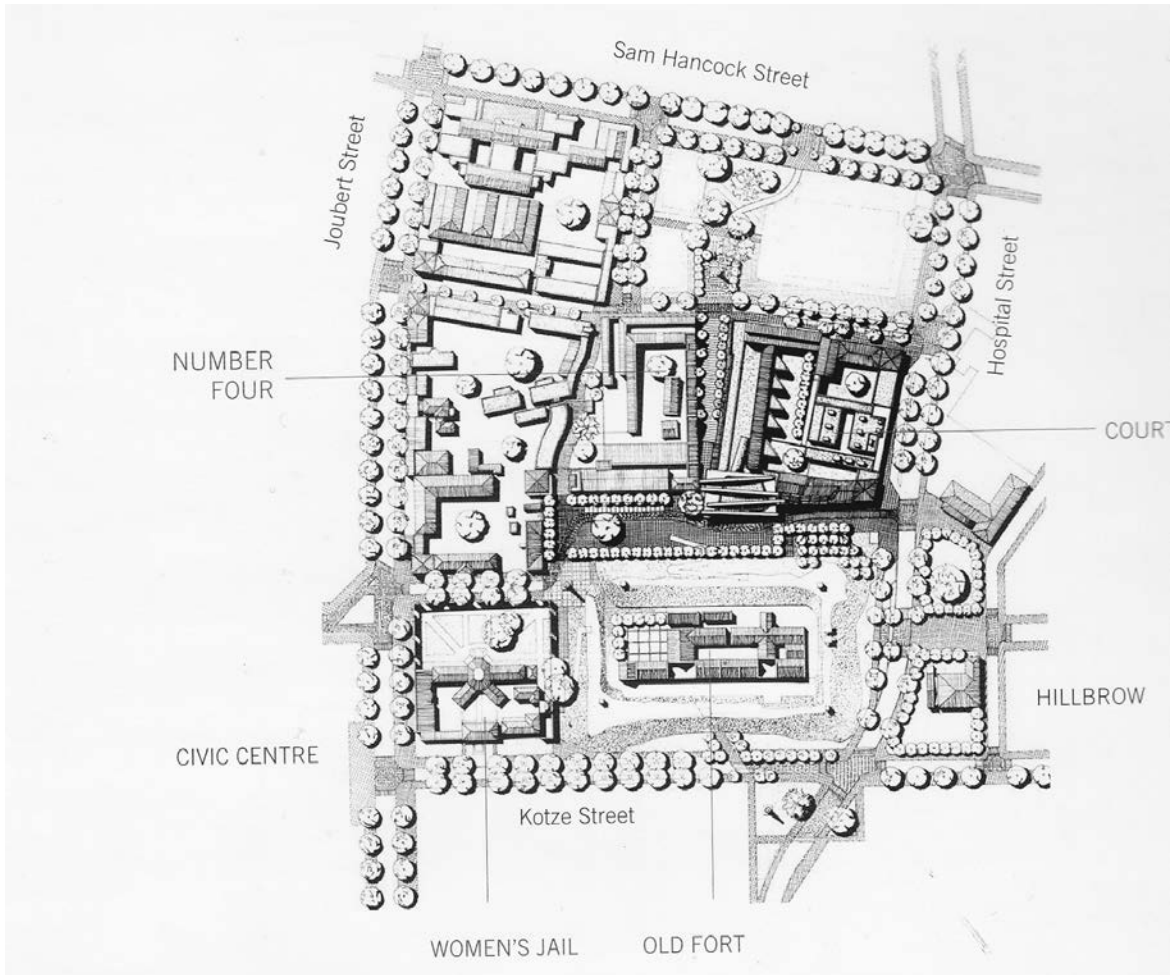
The poetry behind the site as it stands today lies largely in it becoming a place of justice, on the site of a place of injustice (ibid. 68). The site housed many regular criminals but was notorious for its treatment of black prisoners who were arrested because their everyday life was criminalized. The prison buildings' information panels and installations remind one of the injustice they underwent while held at the fort.

The attempted *publicness* speaks to the idea that museums and the presentation of heritage in South Africa today should not be to act as neutral spaces but spaces in which the narrative of Post-authoritarian dispensation actively plays out (Davison 2005, cited in King and Flynn 2012: 69). This would suggest that the spaces are designed to hold aspects of previous layers of history in a place and

that the accessing of these aspects forms a new layer in space. Where the institution associated with the oppression of human rights is located in exactly the same space, with remnants visible, as the relic of this oppression, heritage becomes a tool for nation building.

At Constitution Hill the heritage becomes an important part of the narrative of Human Rights in Post-Apartheid South Africa (King & Flynn:69) and globally. The site tells a universal story, as opposed to that of a single hero or event and speaks thus to a broader audience. The narratives of historic inhabitants extends to those of the prison guards which also enriches the character of the narrative of the place. The inclusion of the Fort's military history also adds to the richness of the narrative of place, a richness even further amplified by the presence of the constitutional court on site – which leaves room for the user of today to form part of the continuum of human rights in this place and in the world. The site also sits directly in an urban context, amid high rise residential buildings and visitors are thus immersed in





daily Johannesburg upon accessing the site, which is also fully accessible on foot and via Johannesburg's vast public transport network.

According to King and Flynn (2012:71) Constitution Hill is a part of symbolic reparation – a refashioning of the public sphere such as through updated museums and memorials and changed street names as mandated by the TRC. The publicness of the site is, however, brought into question when the site is hardly ever used during the daily lives of the surrounding residents. Perhaps the very nature of a fort what disallows it to be used as natural public space on a daily basis – but even for specific events the site tends to fall short of its potential and its promised. The intention was for the site to contribute to a democratic dialogue once it restored balance of heritage representation in South Africa, it also hoped to diffuse discordance and disenfranchisement of some South

Africans to whom the story did not directly relate – this was once more done by bringing to light questions of human rights in general, a universal concept that should ring true with the throngs of international visitors the site hopes to encourage to attend (King & Flynn 2012:70). However, Graham (2002 cited in King & Flynn 2012:74) believes the overt focus on tourism, and specifically foreign tourism, could be the very reason the site falls short of contributing positively to the current discourse and continuum of human rights.

The intentions were for the site to feature a human rights centre. The support for the project was, in fact, gained not for the power of the heritage it embodied but for the positive role it could have played in the urban upliftment of the area. However, the fact that the main brief was only for the court building, the rest of the design being conceived as an afterthought meant that once



the court and museum were completed the rest was never constructed. The additional programmes, including the human rights centre, were proposed as future developments that have not materialised to date. As a result there is little active creation of new layers on site by individuals not involved in the court process itself - which the observation of the relative ghost town on site supports.

The court building itself was designed with the institution's mandate of social and political transformation. The court becomes the highest authority in the land and its aim is the protection of the rights outlined in the Bill of Rights (Con Court SA 2013). The concept of traditional African justice was used to guide the court's design and it features many symbolic and beautifully crafted elements that make it an artwork in itself (ibid.). Many of the ideas are overtly stylistic and literally translated which has rendered the building a source for criticism since its inception. However, as far as its daily function as a court building, it appears to serve its purpose sufficiently.

The finely crafted ornate wooden doors sit off to one side and the opening into the building is demandingly narrow. The symbols on the door symbolize the main rights in the Bill of Rights and the 8m doors sit in a glass façade, announcing their presence (Con Court SA 2013). Beyond the narrow but tall doors there is a security checkpoint that immediately reminds one that this is a state institution and all are not welcome. On days when the court is not in session, a paid tour of the fort and court grants one access into the court building where one is hastily dragged through the foyer and into the court chamber with a well-rehearsed guide sharing the *top 3 facts* of the design.

The necessary procedure and security concerns are apparent, which unfortunately render the aspects of the design that had hoped to make it democratic less successful. The chamber, for one, is not visible from the foyer space, the entrance into the chamber and its organization and furniture is much the same as standard Roman law inspired court rooms, despite the seating arrangements placing the judges lower than the audience.

Despite the activation of Constitution Square during specific events on the site, the access control of the site and its pitiful offering to local residents sees it not fulfilling its potential as public space or urban good. Grobbelaar (2012:103) cites Bakker and Muller (2010) when he argues that despite developments like Constitution Hill being *appropriately placed to allow critical public engagement*,

their private nature dislocates them from their context and they are perceived by residents as foreign entities in their midst. Despite the gentrification process creating a private space in someone's midst implies, if heritage a heritage resource is located in an area that needs useable public space for daily users, the author believes it is the responsibility of translate the heritage resource into a useable resource to address further needs of the surrounding community to provide access and engagement and contribute positively to the area. This speaks to the intention of the project at Constitution Hill to be a tool of nation building, albeit in a very mundane day-to-day way.

Figures on opposite page (clockwise from top left)

Figure 31 - The inside of the courtroom from the public gallery (Author, 2016)

Figure 32 - An installation in the prison museum showing the daily rations of prisoners and the condition of the plates they were fed on (Author, 2016)

Figure 33 - The slotted concrete roof of the entrance foyer to the court. One of the less successful conceptual intentions of the project, the slots and slanting columns are meant to mimic the conditions of meeting below a tree to discuss events and governance in African tradition (Author, 2016)